

80TH GENERAL ASSEMBLY

GENERAL SESSION

MAY 25, 1978

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The hour of 10:00 o'clock having arrived, the Senate
3. will come to order. Prayer this morning by the Reverend
4. Andrew McCoy, National Vice-President, True Church House
5. of Prayer to All National Youth Congress from Alton, Illinois.
6. Will our guests in the Gallery please rise.

7. REVEREND MCCOY:

8. (Prayer given by Reverend McCoy)

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Reading of the Journal.

11. SECRETARY:

12. Wednesday, May the 17th, 1978 and Thursday, May the 18th,
13. 1978.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Johns.

16. SENATOR JOHNS:

17. Mr. President, I move that the Journals just read by
18. the Secretary be approved unless some Senator has additions
19. or corrections to offer.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. You've heard the motion. All those in favor signify
22. by saying Aye. All those opposed. The Ayes have it. So
23. ordered. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, I move that reading and approval of
26. the Journals of Monday, May the 22nd, Tuesday, May the 23rd
27. and Wednesday, May the 24th, in the year 1978 be postponed
28. pending arrival of the printed Journals.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. You've heard the motion. All those in favor signify
31. by saying Aye. All those opposed. The Ayes have it. So
32. ordered. Message from the House.

33. SECRETARY:

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

2. Mr. President - I am directed to inform the Senate
3. that the House of Representatives has passed bills with
4. the following titles in the passage of which I am instructed
5. to ask the concurrence of the Senate, to-wit:

6. House Bills 2418, 2604, 2626, 2663, 2691, 2772,
7. 2790, 2808, 2877, 3010, 3013, 3117, that was 3113 instead
8. of 3013, 3117, 3132, 3135, 3147, 3157, 3160, 3161, 3184,
9. 3191, 3192, 3203 and 3225.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Hynes, for what purpose do you arise?

12. SENATOR HYNES:

13. For the purpose of an announcement, Mr. President.

14. I would ask all of the members that are here to give me
15. their attention and I would also like to make this announce-
16. ment for the benefit of the members who are not here. I
17. would like to point out that we have a very heavy load today
18. on 3rd reading and it is going to be necessary that we
19. move with dispatch if we're going to get this Calendar
20. cleared up. Tomorrow is the deadline for passage of
21. Senate Bills and I know everyone in the Chamber would like
22. to be able to adjourn and leave Springfield at a reasonable
23. hour tomorrow. And therefore it is imperative that we
24. begin promptly and I would suggest that in order to get
25. the business of the day off the ground that we go to the Order
26. of Senate Bills 3rd reading and begin with the appropriation
27. bills which were amended yesterday and for the most part
28. are agreed. And I therefore would ask leave of the Body
29. that we go to the Order of 3rd reading and call only
30. appropriation bills until we have completed them.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You've heard the request. Is leave granted? Leave
33. is granted. Senate Bills on 3rd reading. 1510, Senator Weaver.

1. Bottom of page 4 on the Calendar, on the Order of Senate
2. Bills, 3rd reading, Senate Bill 1510. Senator Weaver.
3. SENATOR WEAVER:
4. I'm waiting, Mr. President, to get a letter and I hope
5. to either have the letter within the hour. May I have
6. leave to come back to this later on?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Leave is granted. 1523, Senator Regner. Top of page 5.
9. On the Order of Senate Bills 3rd reading, Senate Bill 1523.
10. Read the bill, Mr. Secretary.
11. SECRETARY:
12. Senate Bill 1523.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Regner.
17. SENATOR REGNER:
18. Mr. President and members of the Senate. This is the
19. annual appropriation for the Illinois Scholarship Commission.
20. A total of about ninety-seven million dollars. And I'd
21. ask for a favorable roll call.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Is there any discussion? The question is shall Senate
24. Bill 1523 pass. Those in favor will vote Aye. Those
25. opposed will vote Nay. The voting is open. Have all
26. voted who wish? Have all voted who wish? Take the
27. record. On that question the Ayes are 43, the Nays are none,
28. none Voting Present. Senate Bill 1523 having received a
29. constitutional majority is declared passed. 1535. On the
30. Order of Senate Bills 3rd reading, Senate Bill 1535.
31. Read the bill, Mr. Secretary.
32. SECRETARY:
33. Senate Bill 1535.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Weaver.

5. SENATOR WEAVER:

6. Thank you, Mr. President. This is the annual appropriation

7. to the...the contribution to the University's Retirement

8. System. I'd move its...appreciate a favorable roll call

9. PRESIDING OFFICER: (SENATOR ROCK)

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

11. shall Senate Bill 1535 pass. Those in favor will vote

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

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

14. the record. On that question the Ayes are 47, the Nays

15. are none, none Voting Present. Senate Bill 1535 having

16. received a constitutional majority is declared passed.

17. Senator Graham, 1572. On the Order of Senate Bills...

18. Senator Graham, I'm informed there is an amendment that's

19. been filed. Can we just...we'll take, we'll come back

20. to that one, okay. 1573. On the Order of Senate Bills

21. 3rd reading, Senate Bill 1573. Senator Graham, for what

22. purpose do you arise?

23. SENATOR GRAHAM:

24. For the bill, wouldn't I be entitled to see the

25. amendment?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. No question about it sir, this is the first...

28. SENATOR GRAHAM:

29. I don't have one yet.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. ...all right, I'll make sure that you do, in fact,

32. receive one. Senator Moore, we have...that bill is still...

33. up in Enrolling and Engrossing. They worked, I'm told, until

1. about 4:30 this morning and there are still about four
2. or five bills that just physically are not yet back, so
3. we'll get back to that one, too. There's no problem with it,
4. they just physically haven't ground it out yet. 1576,
5. Senator...Senator Demuzio, for what purpose do you arise?
6. SENATOR DEMUZIO:

7. Thank you Mr...thank you Mr. President. I would like
8. the record to reflect that had I been on the Floor I
9. would have voted in favor of the last two appropriation
10. bills, 1523, 1535.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. The record will so show. Senator Shapiro. On the
13. Order of Senate Bills 3rd reading, Senate Bill 1576.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1576.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Shapiro.

21. SENATOR SHAPIRO:

22. Mr. President and Ladies and Gentlemen of the Senate.
23. Senate Bill 1576 is the annual appropriation for the
24. Office of the Governor in the amount of two million, two
25. hundred and fifty-one thousand, eighty-two dollars and
26. I would appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Is there any discussion? The question is shall
29. Senate Bill 1576 pass. Those in favor will vote Aye. Those
30. opposed will vote Nay. The voting is open. Have all voted
31. who wish? Have all voted who wish? Take the record. On...on
32. that question the Ayes are 47, the Nays are 1, nine Voting
33. Present. Senate Bill 1576 having received a constitutional

1. majority is declared passed. 1577, Senator Rhoads. On the
2. Order of Senate Bills 3rd reading, Senate Bill 1577. Read
3. the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1577.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Rhoads.
10. SENATOR RHOADS:
11. Thank you, Mr. President and members of the Senate.
12. This is the annual appropriation for the Judges Retirement
13. System. As introduced it included six million, three hundred
14. and fifteen thousand dollars. We have since added by Floor
15. Amendment from Senator Rock, five hundred and forty-six
16. thousand dollars. I would ask for a favorable roll call.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Is there any discussion? The question is shall Senate
19. Bill 1577 pass. Those in favor will vote Aye. Those
20. opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the
22. record. On that question the Ayes are 51, the Nays are
23. none, none Voting Present. Senate Bill 1577 having
24. received a constitutional majority is declared passed.
25. 1581, Senator Berning. On the Order of Senate Bills 3rd
26. reading, Senate Bill 1581. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1581.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Berning.
33. SENATOR BERNING:

1. Thank you, Mr. President. This is exactly what the
2. Calendar says, the appropriation for the the contingent
3. expenses of State Employees Retirement System. I would
4. appreciate a favorable roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? The question is shall
7. Senate Bill 1581 pass. Those in favor will vote Aye.
8. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish?
10. Take the record. On that question the Ayes are 53, the
11. Nays are none, none Voting Present. Senate Bill 1581
12. having received a constitutional majority is declared
13. passed. Senator Davidson. On the Order of Senate...
14. top of page 6 on the Calendar, on the Order of Senate
15. Bills, 3rd reading, Senate Bill 1582. Read the bill, Mr.
16. Secretary.

17. SECRETARY:

18. Senate Bill 1582.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Yes, ask for favorable vote. This is the annual budget
25. for the State Fair Agency.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is there any discussion? The question is shall Senate
28. Bill 1582 pass. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Take the record.
31. On that question the Ayes are 54, the Nays are 1, 1 Voting
32. Present. Senate Bill 1582 having received a constitutional
33. majority is declared passed. Senator Schaffer, the Vocational
34. Rehab Bill is not yet back from Enrolling and Engrossing.

1. As soon as it gets here, we'll call it. Senator Walsh. On
2. the Order of Senate Bills 3rd reading, Senate Bill 1584.
3. Read the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1584.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Walsh.
10. SENATOR WALSH:
11. Mr. President and members of the Senate. This is the
12. annual appropriation for the Department of Revenue. It
13. was amended yesterday and I would urge the support of the
14. membership.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Any discussion? If not, the question is shall
17. Senate Bill 1584 pass. Those in favor will vote Aye.
18. Those opposed will vote Nay. The voting is open. Have
19. all voted who wish? Have all voted who wish? Take the
20. record. On that question the Ayes are 52, the Nays are
21. 1, 1 Voting Present. Senate Bill 1584 having received
22. a constitutional majority is declared passed. Senator
23. Rupp, on 1586. Now, that one got to come back from 2nd,
24. I mean back to 2nd. Can we...let's run the ones we
25. can. You will not lose your place, okay. On the Order
26. of Senate Bills 3rd reading. Senate Bill 1586. Read
27. the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1586.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Rupp.
34. SENATOR RUPP:

1. Thank you, Mr. President. I ask for a favorable roll
2. call on this bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is shall Senate
5. Bill 1586 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. Have all
7. voted who wish? Have all voted who wish? Take the
8. record. On that question the Ayes are 47, the Nays are
9. 9, none Voting Present. Senate Bill 1586 having received
10. a constitutional majority is declared passed. Senator
11. McMillan, 1589 is not yet back from Enrolling and Engrossing.
12. As soon as it gets here, we'll call it. 1590 I understand
13. has to come back to 2nd reading. 1592, Senator Bloom.
14. On the Order of Senate Bills 3rd reading, Senate Bill
15. 1592. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1592.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Bloom.

22. SENATOR BLOOM:

23. This bill appropriates funds for the Teacher's
24. Retirement System, it's supplemental.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Is there any discussion? The question is shall Senate
27. Bill 1592 pass. Those in favor will vote Aye. Those
28. opposed will vote Nay. The voting is open. Have all voted
29. who wish? Have all voted who wish? Take the record. On that
30. question the Ayes are 53, the Nays are 2, 1 Voting Present.
31. Senate Bill 1592 having received a constitutional
32. majority is declared passed. Senator Moore. Senator
33. Berning on 1596. On the Order of Senate Bills
34. 3rd reading, Senate Bill 1596. Read the bill, Mr.

1. Secretary.
2. SECRETARY:
3. Senate Bill 1596.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Berning.
8. SENATOR BERNING:
9. Thank you, Mr. President. That's exactly what it
10. is, the annual appropriation for the Civil Service Commission.
11. I suggest a favorable roll call.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Is there any discussion? The question is shall Senate
14. Bills 1596 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all
16. voted who wish? Have all voted who wish? Take the record.
17. On that question the Ayes are 51, the Nays are 5, none
18. Voting Present. Senate Bill 1596 having received a
19. constitutional majority is declared passed. On the Order
20. of Senate Bills 3rd reading, Senate Bill 1597. Read the
21. bill, Mr. Secretary.
22. SECRETARY:
23. Senate Bill 1597.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Bowers.
28. SENATOR BOWERS:
29. Thank you, Mr. President. This is the annual appropriation
30. for the new prisoner review board. The amount is six hundred
31. and ninety-five thousand, seven hundred and seventy-one. It's
32. been reduced by twenty-five thousand, two hundred. I would
33. ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there any discussion? The question is shall Senate
3. Bill 1597 pass. Those in favor will vote Aye. Those opposed
4. will vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On that
6. question the Ayes are 50, the Nays are 5, none Voting
7. Present. Senate Bill 1597 having received a constitutional
8. majority is declared passed. Senator Bloom, 1598. On
9. the Order of Senate Bills 3rd reading, Senate Bill 1598.
10. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1598.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bloom.

17. SENATOR BLOOM:

18. Thank you. This is the ordinary and contingent expenses
19. for the office. It's nine hundred and twenty-eight thousand.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any discussion? The question is shall Senate Bill 1598
22. pass. Those in favor will vote Aye. Those opposed will vote
23. Nay. The voting is open. Have all voted who wish? Vote
24. Senator Donnewald please. Have all voted who wish? Take
25. the record. On that question the Ayes are 52, the Nays are
26. 3, 1 Voting Present. Senate Bill 1598 having received a
27. constitutional majority is declared passed. 1599, Senator
28. Graham. On the Order of Senate Bills 3rd reading, Senate
29. Bill 1599. Read the bill, Mr. Secretary. This one's...
30. oh, I'm sorry, this one's not back yet either. Okay.
31. Senator Sommer on 1600. On the Order of Senate Bills
32. 3rd reading. Senate Bill 1600. Read the bill, Mr. Secretary.

33. SECRETARY:

34. Senate Bill 1600.

35. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Sommer.
4. SENATOR SOMMER:
5. Mr. President and members. This is the office expense,
6. not the construction budget of the Capital Development
7. Board in the amount of six million dollars.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Is there any discussion? The question is shall Senate
10. Bill 1600 pass. Those in favor will vote Aye, those
11. opposed will vote Nay. The voting is open. Have all
12. voted who wish? Have all voted who wish? Take the
13. record. On that question the Ayes are 51, the Nays are
14. 2, 1 Voting Present. Senate Bill 1600 having received a
15. constitutional majority is declared passed. 1601 is not
16. yet back from Enrolling and Engrossing. On the Order of
17. Senate Bills 3rd reading, Senate Bill 1611. Senator Hall.
18. Yes. On the Order of Senate Bills 3rd reading, Senate
19. Bill 1611. Read the bill, Mr. Secretary.
20. SECRETARY:
21. Senate Bill 1611.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Hall.
26. SENATOR HARBER HALL:
27. Thank you, Mr. President. This is the annual appropriation
28. for the Auditor General. I solicit your support.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Is there any discussion? The question is shall Senate
31. Bill 1611 pass. Those in favor will vote Aye. Those opposed
32. will vote Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Take the record. On that

1. question the Ayes are 51, the Nays are 1, 1 Voting Present.
2. Senate Bill 1611 having received a constitutional majority
3. is declared passed. Senator Newhouse, are you still holding
4. 1688? Senator Lane on 1770. On the Order of Senate Bills
5. 3rd reading, Senate Bill 1770. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 1770.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Lane.
12. SENATOR LANE:
13. ...Yes, Mr. President. This...this sum in contingent
14. upon...us receiving funds from the Federal Government.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Is there any discussion? Senator Schaffer.
17. SENATOR SCHAFFER:
18. I wonder if the sponsor would yield to a question.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Sponsor indicates he will yield. Will you...can we
21. clear in front of Senator Lane so that everybody...sponsor
22. indicates he will yield. Senator Schaffer.
23. SENATOR SCHAFFER:
24. I was just wondering, how was this money to be distributed,
25. assuming that the Federals give it to us.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Lane.
28. SENATOR LANE:
29. Proportionate to the State aid that the districts
30. receive presently from the State.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Schaffer.
33. SENATOR SCHAFFER:
34. Would it not be more appropriate since this money is

1. not going to be forthcoming for the next few months that
2. the, it should be distributed on the basis of any formula
3. then...embodied in law and not the one that presently exists.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Lane.

6. SENATOR LANE:

7. I'm not sure when the money is expected, Senator,
8. but a...the act takes effect July 1st so I imagine it
9. would be contingent upon the appropriation set up at
10. that time.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Well, I think, I really honestly believe it should
15. be based on the formula that it exists in law at the
16. point the money is distributed. If we lock into the
17. current formula, well then we obviously lock into the
18. current inequities and I would really suggest, I've
19. only been aware of this bill for about an hour, that
20. it would be much more appropriate that we let the
21. money be distributed on the basis of the formula
22. that this General Assembly decides on in the next
23. few weeks. And without that change, I don't think
24. I could support this bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further discussion? Senator Shapiro.

27. SENATOR SHAPIRO:

28. Well, Mr. President and Ladies and Gentlemen of the
29. Senate. I just want to make a simple comment. I don't
30. know how we can appropriate this amount of money contingent on the
31. receipt of Federal funds that were...that are due the
32. State of Illinois for other services. Granted, it can be
33. done, but to...to pass an appropriation bill with the hopes

1. that that money will be forthcoming I think is just a little
2. shortsighted and I would urge everyone to vote against this
3. bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Glass.

6. SENATOR GLASS:

7. One question of the sponsor, if he will yield, Mr.
8. President.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Sponsor indicates he will yield. Senator Glass.

11. SENATOR GLASS:

12. Senator Lane, I apologize if I missed the earlier part
13. of your presentation, but why is this money coming to...to
14. Illinois?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Lane.

17. SENATOR LANE:

18. Because of an agreement between the State and Federal
19. Government relative to the reimbursement of claims for
20. certain disputed social services prior to October 1, 1975.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Glass.

23. SENATOR GLASS:

24. And there are no strings attached to it, that is
25. the State can use it anyway it wishes, is that correct?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Lane.

28. SENATOR LANE:

29. That's my understanding, yes, Senator.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. ...Senator Glass.

32. SENATOR LANE:

33. Also, I would like to comment on...Senator's...for

1. Senator Schaffer. The School Aid Distribution formula
2. will be based on Fiscal 1979.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Glass.

5. SENATOR GLASS:

6. Well, I...I take it from that answer that...you are
7. saying that whatever changes are made in the formula
8. will govern the distribution of this money and I...I
9. think that's desirable. I join with Senator Shapiro in
10. opposition because I think this is a...a questionable
11. procedure to be just pouring this money into the school
12. formula without knowing whether we're going to receive
13. it and also it certainly would affect how much we put
14. in the school formula this year. I mean if...if we
15. knew we were for sure we were going to have this amount
16. of money maybe we could use some of the money we're
17. putting in to fully fund the formula and use it else
18. where. So I...I think we're getting way ahead of ourselves
19. with this appropriation.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Senator Hickey.

22. SENATOR HICKEY:

23. Thank you, Mr. President. I'm sorry I didn't hear
24. the beginning of the discussion, but I'm under the
25. impression and I would like to ask the sponsor if this
26. is true, that this, and I don't have the bill in front
27. of me, I thought I did, but I don't, but anyway doesn't
28. ...isn't this based on it would always be done, no matter
29. when it came in according to the formula as it is now.
30. That is changes in the formula would not affect this.
31. Is that right?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Lane.

1. SENATOR LANE:

2. Yes. Senator Hickey, I'm reading from the bill itself
3. and it says, respective estimated claims for school aid
4. for Fiscal 1979 proportionate to that.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, I haven't had a chance to read the bill, but is
9. it true that this is locked in for this year to the
10. present school formula and if we make changes in the
11. formula that they would not be reflected in the...or the
12. Federal appropriation here. Is that correct?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Lane.

15. SENATOR LANE:

16. Yes, I believe you're right, Senator.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, I just know that the area I come from, most
21. of the schools are terribly upset about the School Aid
22. Formula and they want changes in it and I would think
23. they would want the same changes to be reflected in this
24. bill. What comment do you have with reference to that?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Lane.

27. SENATOR LANE:

28. All right, Senator, I'd like to discuss this with
29. you, I've had a request to put this on the Table for a
30. few minutes.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Take it out of the record. Senator Harber Hall.

33. SENATOR HARBER HALL:

1. Did I understand the Senator to say he wants this
2. bill on the Table?
3. PRESIDING OFFICER: (SENATOR ROCK)
4. No, he said, take it out of the record.
5. SENATOR HARBER HALL:
6. Oh, I thought he said Table.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Demuzio.
9. SENATOR DEMUZIO:
10. Being the first one to violate the rules, as I usually
11. am, I'd like to introduce a group of nurses that are
12. visiting the Senate today in the President's Gallery from
13. Passavent School of Nursing in Jacksonville. I ask them
14. to rise and please be recognized by the Senate.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Will our guests please rise and be recognized. Senator
17. Demuzio. Senator Demuzio. Top of page 9, Senate Bill 1841.
18. We're doing appropriation bills, we've been doing them for
19. half an hour. Okay. Senator Graham, for what purpose do
20. you arise?
21. SENATOR GRAHAM:
22. I don't know how about you, Mr. President, but I
23. can't hear and it sounds sorta like a circus down here,
24. could we get some order, please.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Well, we are, in fact, at an all time high in the
27. noise level department. Will the members please be
28. in their seats and will those not entitled to the Floor,
29. please vacate. I might suggest that the caucuses move
30. off the Floor so that we can handle this with some
31. dispatch. On the Order of Senate Bills 3rd reading,
32. Senate Bill 1841. Read the bill, Mr. Secretary.
33. SECRETARY:

1. Senate Bill 1841.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. Well, thank you, Mr. President. Senate Bill 1841, it
8. does, in deed, appropriate twenty million dollars to the
9. Capital Development Board under a forty percent State,
10. sixty percent local match for jails throughout the State
11. of Illinois. I have the list of some seventy or eighty
12. counties throughout the State, particularly at least,
13. twelve...twenty, at least twenty that are in need of
14. additional revenue to support the mandates that the
15. State of Illinois has given to the various county
16. correctional institutions throughout the State. And
17. as a result, many of these facilities, such as in Morgan
18. and Jersey and Champaign, Madison, Rock Island, Menard,
19. are in the posture of having to look at the...local property
20. tax for increases to support jail construction. This bill
21. would provide also for reimbursement funds for those counties
22. that have constructed jails from 1970 to...to date. I'd
23. ask for your favorable consideration.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any discussion? Senator Sommer.

26. SENATOR SOMMER:

27. Mr. President and members. The ultimate cost of this
28. kind of program is around two hundred million dollars.
29. That such a cost would destroy our State's favorable bond
30. rating and, in fact, we're often building jails here for
31. counties and communities that simply don't want to build
32. their own, as many other communities have done. They
33. want to come down here and get the money from us and all

1. the rest of us taxpayers. My county built its own jail
2. a number of years ago. I...I think this bill should be
3. opposed. The Governor has indicated that he will veto
4. it. It's not negotiable and you're creating a nullity,
5. Senator Demuzio.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator Knuppel.

8. SENATOR KNUPPEL:

9. Mr. President and members of the Body. The need for
10. these jails has been brought about by the action of the
11. State in...in its supervision over correctional institutions.
12. For example in Fulton County my great...my grandfather years
13. ago, maybe a hundred years ago, was imprisoned in the
14. present jail and it's still standing. You know, three of
15. these counties involved here, are in what's known, or four, are
16. in what's know as Forgotonia. And we can't...we can't afford
17. to build a jail. Now if we could, I'm sure we would because
18. we've got some real desperadoes over there, you know, we've
19. got horse thieves and...and chicken hoot thieves and some
20. real bad actors. You know what a chicken hoot is, that's
21. a hoot owl crossed with a chicken, that's all the kind of
22. ...kind of people we got over there, we...pretty wild over
23. there. But there's not much taxable value to build these
24. jails with and we've dictated that these people must have
25. them. I think that this is another one of those mandated
26. programs. If we're going to tell counties that they have
27. to do something, then we ought to be paying part of it.
28. And of course, we could just drop them off one of those
29. gullies out there, they'd probably never get out again,
30. but the State says we have to have jails and I'm going
31. to support it and I'd ask you people to support it.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Bloom.

1. SENATOR BLOOM:
2. Yeah, the sponsor yield.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Sponsor indicates he will yield, Senator Bloom.
5. SENATOR BLOOM:
6. Price tag on this is now twenty million for seventy
7. or eighty counties?
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Demuzio.
10. SENATOR DEMUZIO:
11. I don't know the exact number of...of counties, I...I
12. haven't counted them all, but I would say that there are at least
13. twenty that need assistance immediately. There were several,
14. as Senator Sommer had suggested that had built their jails
15. prior to...from 1970, so I would say that the...the immediate
16. problem that we have is in the area of...of at least twenty.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Bloom. Senator Bloom.
19. SENATOR BLOOM:
20. This bill goes back to 1970?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Demuzio.
23. SENATOR DEMUZIO:
24. Yes.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator...further discussion? Senator Soper.
27. SENATOR SOPER:
28. I just...just a little side...if that jail was good
29. enough for Knuppel's grandfather, I still think it's good
30. enough for Knuppel. And if he couldn't break out, I know
31. Knuppel couldn't break out. Just keep that same old jail
32. out there.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Mitchler. Senator Regner.

2. SENATOR REGNER:

3. Mr. President and members of the Senate. Just to
4. expand a little bit on what Senator Sommer said regarding the...our
5. bond rating. Right we're prepared to do a State office building
6. for seventy-five million, Chicago office, State office building,
7. a hundred and thirty million, Revenue building, forty million,
8. and we certainly have a lot of bonds we're also going to be
9. floating as far as roads and highways are concerned and the
10. State...bonded indebtedness can only stand so much before
11. we're not going to be able to sell our bonds or sell them
12. at a decent rate and I would urge defeat of this bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Coffey.

15. SENATOR COFFEY:

16. Question of the sponsor, Mr. President.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Indicates he will yield, Senator Coffey.

19. SENATOR COFFEY:

20. If...what's going to be the priority as far as reimburse-
21. ments to jails that have been built prior to this date or
22. what will be the priority or how will they make the priority
23. on jails to be funded first? .

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. We haven't established that in the bill. We leave that
28. to the discretion of the Capital Development Board.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Knuppel.

31. SENATOR KNUPPEL:

32. Well, I just want to respond to Senator Sommers, He
33. might realize that among those jails, the Cass County Jail

1. is one of the better ones. It's not even rated as bad as
2. Menard, Brown and Fulton and they wouldn't even try to hold
3. me in that jail when they arrested me for my turtleneck,
4. they brought me into Springfield. So you can see what a
5. deplorable condition those jails are in.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Demuzio may close
8. the debate.

9. SENATOR DEMUZIO:

10. Well, thank you, Mr. President. I just want to call
11. your attention to the fact that the Capital Development
12. Board and in particular, Don Glickman, the Executive
13. Director. I have a memorandum in my hand, it says, it's
14. a memorandum to Senator Howard Carroll and to Roger
15. Sommer, Senator Sommer, that said that there is, indeed,
16. a problem throughout the State of Illinois and they are,
17. indeed, cognizant of the problem. And it says that he would
18. only reiterate that he mentioned to the committee last night
19. that the problem is real, that no one is crying wolf, and
20. the situation will only get worse. And at some point, the
21. State of Illinois will have to step in. And this is his
22. memorandum of May 10th, 1978. I'd only say to you that
23. if counties have to levy on the local property tax and
24. State assistance is not forth coming, I guess the only label
25. that we can give to that property tax would be the Thompson
26. tax if this bill fails. I'd ask for your favorable support.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. The question is shall Senate Bill 1841 pass. Those in
29. favor will vote Aye. Those opposed will vote Nay. The
30. voting is open. Have all voted who wish? Have all voted
31. who wish? Have all voted who wish? Take the record. On
32. that question the Ayes are 30, the Nays are 23, 1 Voting
33. Present. Senate Bill 1841 having received a constitutional

1. majority is declared passed. Senator Sommer, for what purpose
2. do you arise?
3. SENATOR SOMMER:
4. Mr. President, I rise seeking a verification of the
5. affirmative votes.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Sommer has requested a verification. Will all
8. the Senate...Senators please be in their seats. The
9. Secretary will read the affirmative votes.
10. SECRETARY:
11. The...
12. PRESIDING OFFICER: (SENATOR ROCK)
13. I voted against it.
14. SECRETARY:
15. The following voted in the affirmative: Berman, Bruce,
16. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
17. Demuzio, Donnewald, Egan, Guidice, Kenneth Hall, Hickey,
18. Johns, Knuppel, Ziomek, Lane, Leonard, Maragos, Merlo, Netsch,
19. Newhouse, Rock, Sangmeister, Vadalabene, Washington, Wooten,
20. Mr. President.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Sommer is the requesting individual. Senator
23. Sommer.
24. SENATOR SOMMER:
25. Senator Berman.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Berman is...yeah, open the door, we're going to
28. have to run them out of here one at a time.
29. SENATOR SOMMER:
30. Senator Chew.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Chew is in the back room. Senator Berman is on
33. the Floor. Senator...

1. SENATOR SOMMER:
2. Senator...Senator Hall, Ken Hall.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Hall...
5. SENATOR SOMMER:
6. Senator Newhouse.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Newhouse. Senator Newhouse is on the Floor?
9. Senator Chew is on the Floor.
10. SENATOR SOMMER:
11. Senator Smith.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Smith. Why don't we all stand up here and
14. I'll go out there.
15. SENATOR SOMMER:
16. Senator Bruce, is he I...
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Bruce, yes, was on the...Senator Bruce is
19. in the well of the Senate.
20. SENATOR SOMMER:
21. We're at a disadvantage because the board isn't on.
22. So...
23. PRESIDING OFFICER: (SENATOR ROCK)
24. I...I can well appreciate that. The Secretary has, in
25. fact, apologized.
26. SENATOR SOMMER:
27. Is...is Senator Savickas on the roll and is he on the
28. Floor?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Savickas...how is Senator Savickas recorded,
31. Mr. Secretary.
32. SECRETARY:
33. Senator Savickas is not recorded.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. All right, that...
3. SENATOR SOMMER:
4. Senator Hickey.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Hickey is on the Floor? All right. The roll
7. has been verified. On that question the Ayes are 30...on
8. the...on that question the Ayes are 30, the Nays are 23,
9. 1 having voted Present. Senate Bill 1841 having received
10. a constitutional majority is declared passed. Senator
11. Johns, for what purpose do you arise?
12. SENATOR JOHNS:
13. Having voted on the prevailing side, I move to reconsider
14. the vote by which I was cast and voted for.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Johns...Senator Johns moves to reconsider,
17. Senator Carroll moves to have that motion lie upon the
18. Table. All those in favor signify by saying Aye. All
19. those opposed. The Ayes have it. So ordered. On the
20. Order of Senate Bills 3rd reading, Senate Bill 1845. Read
21. the bill, Mr. Secretary.
22. SECRETARY:
23. Senate Bill 1845.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Maragos.
28. SENATOR MARAGOS:
29. Mr. President and members of the Senate. This bill
30. was discussed yesterday when Mr...Senator Regner handled
31. it on 2nd reading and had the amendments. It is an increase
32. of approximately sixty thousand, but it's been decreased
33. to bring the formula of the personnel down to five and
34. a half percent and in addition it has...twenty-five thousand

1. of that amount is really for data, a set of charges which
2. will hopefully come out of the...of the Manpower budget.
3. I ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The question is...is there any discussion? The
6. question is shall Senate Bill 1845 pass. Those in
7. favor will vote Aye. Those opposed will vote Nay. The
8. voting is open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question the Ayes
10. are 52, the Nays are 1, none Voting Present. Senate Bill
11. 1845 having received a constitutional majority is declared
12. passed. Senator Sommer, for what purpose do you arise?

13. SENATOR SOMMER:

14. Very quickly, Mr. President, a point of personal
15. privilege. Walking across the back there is former
16. Representative Norm Shade, a long time Representative
17. down here.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Shade. Senator Regner, 1860...64. Senator
20. Graham, 1866. On the Order of Senate Bills 3rd reading,
21. Senate Bill 1866. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1866.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President, it does just exactly what the caption
30. says, a transfer of funds, there's...no new monies involved.

31. I ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? The question is shall

1. Senate Bill 1866 pass. Those in favor will vote Aye.
2. Those opposed will vote Nay. The voting is open. Have
3. all voted who wish? Have all voted who wish? Take the
4. record. On that question the Ayes are 53, the Nays are
5. none, none Voting Present. Senate Bill 1866 having received
6. a constitutional majority is declared passed. Senator
7. Moore on the Floor? Senator Schaffer? Oh, here's Senator
8. Moore. 1573 has now been returned to the Secretary's
9. Desk. On the Order of Senate Bill...we're on page 5 on
10. the Calendar. These were ordinary appropriation bills
11. that were skipped because Enrolling and Engrossing had
12. not yet finalized the copy. We're on the bottom of page 5.
13. Senate Bill 1573. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1573.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Moore.

20. SENATOR MOORE:

21. Thank you, Mr. President and members of the Senate.
22. Senate Bill 1573 is the appropriation for the ordinary
23. and contingent expenses of the Department of Business and
24. Economic Development in the amount of thirty-two million,
25. sixty-four thousand, five hundred dollars, of which two
26. million, two hundred and forty-seven thousand, nine hundred
27. dollars is General Revenue and the other is other funds.
28. I'd appreciate a favorable roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any discussion? The question is shall
31. Senate Bill...Senator Mitchler.

32. SENATOR MITCHLER:

33. Question of the sponsor.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Indicates he will yield. Senator Mitchler.
3. SENATOR MITCHLER:
4. In the contractual services section, do they have
5. another appropriation in here so the Department of
6. Business and Economic Development can give five thousand
7. dollars under contractual services to the Illinois League
8. of Women Voters to promote Sun Day and that type of contract
9. to these not-for-profit organizations that are operating?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Moore.
12. SENATOR MOORE:
13. That's the Division of Energy, Senator and whether
14. or not that would be included in...in their particular
15. appropriation with a transfer, I am not sure.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Mitchler.
18. SENATOR MITCHLER:
19. Is not the Division of Energy in the Department of
20. Business and Economic Development?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Moore.
23. SENATOR MOORE:
24. No sir, it's been transferred out. And I am informed
25. that it is not a budgeted item...in their budget.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Mitchler.
28. SENATOR MITCHLER:
29. Well, they haven't been transferred out as yet. That
30. will be effective July 1 that they'll be transferred over
31. to Institute of Environmental Quality. And I just want
32. to point out that in the past year the Division of Energy
33. in the Department of Business and Economic Development,

1. because Don Duster was the one that signed the contract
2. for five thousand dollars for the Illinois League of Women
3. Voters to promote Sun Day and I just want to bring the
4. attention of the Body that such contracts are being issued
5. to not-for-profit organizations that are out there getting
6. State money to do a lot of other things that is contrary
7. to a lot of the wishes of the members of this Body. I'm
8. going to vote No on this as an expression on that particular
9. contract.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any further discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. Senator Moore, with all due respect to you, I'm going
14. to join Senator Mitchler in his protest vote on this. I
15. just can't see any justification for it. We ought to get
16. the message across clearly to BED and to the new Division
17. of Energy.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Lemke.

20. SENATOR LEMKE:

21. I can't vote for this budget, BED does nothing to
22. develop the vacant factories in my district or the
23. adjoining districts. All they do is encourage with the
24. Chamber of Commerce to discourage industry from coming
25. into Illinois so I'm voting No against BED until they
26. get a policy where they're going to start spreading
27. the money out and starting to develop industry and
28. bringing it into the areas that are...have the factories
29. and need to be filled.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. Mr. President and members of the Senate. I rise in

1. support of this budget, and I'll tell you why. Senator
2. Lemke and others who express some concern about BED, you
3. have had no better critic or stronger critic of it than
4. myself and also Senator Moore. And I say we are trying
5. to close the barn door and, but it just not...let's not throw
6. the whole, the baby out with the bath water in this
7. particular case. The director who's presently in charge
8. has been given adequate notice by Senator Moore as the
9. Chairman of the Illinois Economic Development Commission
10. and myself and it's been a bipartisan approach to tell
11. the department to start mending its ways. We agreed that
12. in the last several years the department has not been
13. doing the job that it was...out...enabled it to do and
14. unfortunately the...the present director is paying for
15. the sins of the previous administration. I ask you, do
16. not cripple this organization because they are now helping
17. to even, Senator Lemke, they are going to try to work and
18. see if we can get even a budget for the port facilities
19. of Chicago and try to promote other...other business
20. interests and even the City of Chicago. So please do not
21. cripple it now that it's trying to go on a right track.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Nimrod.

24. SENATOR NIMROD:

25. Mr. President and Ladies and Gentlemen of the Senate. I'm
26. referring to Senator Mitchler's comments about the contract
27. with the League of Women Voters. Just to clarify that
28. point, I checked on that and that money came out of the
29. Energy Conservation Act of 1975 of which the State of Illinois
30. gets two million dollars in Federal money and this money is
31. being used to help conserve energy and that's what they're
32. supposed to be using those programs for and it seems kind of
33. odd to me that that money would go for that kind of an

1. organization in promoting public relations.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Hall.

4. SENATOR HARBER HALL:

5. Mr. President, just to support Senator Mitchler
6. and his expression of opposition to a portion of the
7. budget, I'm going to join him. And I'm going to do so
8. by hoping that...in hoping that the director would
9. come to me and ask me why I opposed his budget. I don't
10. think that's too likely, but just in case, I want him
11. to ask me and I will tell him. I will tell him that I
12. think his expenditure of funds by the issuance of an
13. contract to a not-for-profit corporation doing...who
14. is registered as a lobbyist in our State Capitol, who
15. lobby for specific items that they're interested in,
16. violates, in my opinion, the constitution. I have so
17. informed the Governor of this impression by letter dated
18. yesterday. I think the matter of issuing contracts in
19. the State of Illinois by State officials is the most
20. ludicrous exercise in government, in State government,
21. that I'm witnessing at the present time. And I think
22. this Body along with the House should be aware that
23. contracts are being let...without a proper association
24. of the people's business to those contracts and this
25. is one of them, the League of Women Voters contract that
26. was let by Mr. Duster. So I'm going to join Senator
27. Mitchler and vote No.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. Senator Hall and the others
32. may well be right, but I would remind them that this is one
33. of only many examples of that kind of activity. For example,

1. the Illinois State Medical Society has a contract, which
2. I'm sure was not let by bid to advise the Department of
3. Public Aid with respect to a variety of...of services.
4. It is not a huge sum of money, although I think it is
5. larger than the one to which you have reference. I
6. find it strange, Senator Hall, Senator Mitchler and some
7. others that this practice offends you only when it involves
8. women's activities.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Harber Hall for the
11. 2nd time.

12. SENATOR HARBER HALL:

13. Yes, my name was mentioned in debate. Senator, I
14. want to assure you that any contracts of that nature
15. that you can show me, I will do everything I can to stop.
16. I do not support the Illinois Medical Association in any
17. type of support, financial support they get from the
18. State, so I wasn't aware of that. I'm very interested
19. in all contracts of this nature and I will support you
20. whenever you bring them to me for acting upon.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. Thank you, Mr. President, for the second time. In
25. response to Senator Netsch, I concur with Senator Hall
26. that there's just too much of these bureaucrats in State
27. Government, Federal Government, giving out dollars that
28. they get appropriated to them through grants and funding
29. and particularly so in this instance that I brought up.
30. This is Federal money coming into the State that we have
31. no control of that some bureaucrat sitting over in some
32. ivory tower over there doles out as they see fit and it
33. goes to people that are registered lobbyists and including

1. the medical society. And I'm glad you brought that to my
2. attention, Senator Netsch. Because if the Medical Society
3. or any of these others are getting into this Federal
4. funding and State funding to go out and do a lot of promoting
5. I'm again it, now because, wake up some time. The people
6. are being governed by rules and regulations, not by laws
7. made by people they don't even know, they are never elected
8. to office and the sooner we get to these bureaucrats
9. that are on all these high priced salaries around here
10. making names for themselves, Dr. Cronin is a high example
11. of it, why I think the better off we'll be. Let's work
12. together on this. I'm not picking on the League of Women
13. Voters, but they're party to the fact on the one we're
14. talking about right now. Thank you.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Schaffer.

17. SENATOR SCHAFFER:

18. Well, Mr. President, for the record, it's my understanding
19. that the medical society does not, in fact, receive the money,
20. but the money that is in that line item appropriation is used
21. to cover the mileage and expenses of members of the medical
22. profession who come down to Springfield to assist the Department
23. of Public Aid on overutilization of Medicaid. I would
24. also point out through, there is one other glaring example, Senator
25. Mitchler, and that's at the State Fair that the beer tents
26. are run by the various Veteran's groups. Perhaps we ought
27. to look into that, too.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. Senator Don Moore to close the debate.

30. SENATOR DON MOORE:

31. Thank you, Mr. President and members of the Senate. I
32. think the Department of Business and Economic Development
33. is doing a far better job today than what it has done in

1. the past. There is still room for improvement, I agree. I
2. don't want those opponents of this bill to feel that the
3. five thousand dollars that was given to the League of
4. Women Voters to promote alternative energy, specifically
5. solar energy, was used in any way for or against the Equal
6. Rights Amendment, it was not. And I would respectfully
7. request a favorable roll call.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. The question is shall Senate Bill 1573 pass. Those in
10. favor will vote Aye. Those opposed will vote Nay. The
11. voting is open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question the Ayes are
13. 46, the Nays are 7, 2 Voting Present. Senate Bill 1573
14. having received a constitutional majority is declared
15. passed. Senator Schaffer on 1583. Top of page 6 on your
16. Calendar, on the Order of Senate Bills 3rd reading, Senate
17. Bill 1583. Read the bill, Mr. Secretary.

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End of Reel

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1. SECRETARY:

2. Senate Bill 1583.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. This is the ordinary and contingent expense appropriation
9. for the Board of Vocational Rehabilitation. It was originally
10. approximately sixty-five million dollars. It was reduced
11. by amendment about a hundred and some thousand dollars, most
12. of...which was Federal money. I move for its approval.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. The question...is there any discussion? The question
15. is shall Senate Bill 1583 pass. Those in favor will vote
16. Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take
18. the record. On that question the Ayes are 57, the Nays
19. are none, none Voting Present. Senate Bill 1583 having
20. received a constitutional majority is declared passed.
21. Senator McMillan, 1589 is now with us. On the Order of
22. Senate Bills 3rd reading, Senate Bill 1589. Read the
23. bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1589.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. This is an appropriation of one million, one hundred and
32. thirty-five thousand dollars. Of that nine hundred and sixty-
33. six thousand is from the Public Utility Fund, and the rest from

1. the General Revenue Fund. Roll call, Mr. President.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Is there any discussion? Senator Mitchler.

4. SENATOR MITCHLER:

5. Mr. President and members of the Senate. Here again
6. you have the Institute of Environmental Quality that doesn't
7. have the Division of Energy in it and they went into a
8. contract with the League of Women Voters for five thousand
9. dollars to operate Sun Day, which brought their total contract
10. up to ten thousand dollars to promote that one day, Sun Day,
11. on a Wednesday. And I want to point out to you that that
12. wasn't enough, they came back to IEQ and they gave them a
13. two thousand dollar supplemental contract that they didn't
14. have enough. So they got seven thousand dollars out of
15. IEQ, five thousand out of...out of BED for a total of twelve
16. thousand dollars to promote Sun Day. I haven't got my report
17. back, I asked...have asked each of those directors to tell
18. me what they got from the Illinois League of Women Voters
19. for that twelve thousand dollars and I am going to keep going
20. until I find out exactly what we and the taxpayers got for
21. that twelve thousand dollars. I'm again going to put a
22. No vote on this as an expression of opposition to that type
23. of funding and contractual services out of IEQ.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any further discussion? Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Mr. President, the Senator is absolutely right and this
28. is not the last you're going to hear about these, in my
29. opinion, illegal contracts. And I'm going to join him as a
30. protest on that basis. The question is shall Senate Bill
31. 158...I beg your pardon, Senator Buzbee.

32. SENATOR BUZBEE:

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

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Indicates he will yield. Senator Buzbee.
3. SENATOR BUZBEE:
4. Does the Institute's budget now include appropriations
5. for the operation of the Division of Energy or is that still
6. in BED's budget?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator McMillan.
9. SENATOR McMILLAN:
10. The appropriation for the Division of Energy is still
11. in BED.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Buzbee.
14. SENATOR BUZBEE:
15. Okay, given the fact that we have concurred in the
16. Governor's...merging of those two agencies, how are we
17. going to transfer those funds now. Do we have to do that
18. by...by statute?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator McMillan.
21. SENATOR McMILLAN:
22. It's...it's my understanding, Senator Buzbee, that that
23. will be followed through at a later time in the House. The
24. House has not as yet had an opportunity to act on...to act
25. negatively on a motion not to concur with the reorganization
26. and so until such time as that happens, it would be improper
27. for us to do any combining of the appropriation. So that
28. will be taken care of at a later time in the House.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any further discussion? Senator Nimrod.
31. SENATOR NIMROD:
32. Yes, thank you, Mr. President. In reference to Senator
33. Buzbee's inquiry, I thought I heard Senator Moore say that the

1. money for...Division of Energy was not in the BED budget
2. which we just passed. So, if it's not there, then it
3. would probably...it's not in the...proposed enviromental
4. so it must be a separate item.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further...discussion? The question is shall
7. Senate Bill...Senator D'Arco.

8. SENATOR D'ARCO:

9. I...and I just want to say this, when we had the...
10. when we had the meeting to reorganize, to take...the
11. Division of Energy out of BED and put it in the institute,
12. I'll tell you, if I had known that they...that there was
13. a contract with the institute and the League of Women Voters
14. for seven thousand dollars to promote Sun Day, that's the
15. most ludicrous, ridiculous thing I've ever heard of in
16. my life. There's nothing concrete coming out of that and
17. if that isn't a rip-off of the taxpayers money, I don't
18. know what is, and I'm a taxpayer like anybody else and
19. I get peeved when we waste money like that. And I'll tell
20. you, if I had known at the time that that contract was
21. in that institute's budget, there wouldn't be any reorgani-
22. zation.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. The question is shall Senate Bill 1589 pass. Those
25. in favor will vote Aye. Those opposed will vote Nay.
26. The voting is open. Have all voted who wish? Have all
27. voted who wish? Have all voted who wish? Take the record.
28. On that question the Ayes are 32, the Nays are 16, 5 Voting
29. Present. Senate Bill 1589 having received a constitutional
30. majority is declared passed. Bottom of page 4, on the Order
31. of Senate Bills 3rd reading, Senate Bill 1510. Read the bill,
32. Mr. Secretary.

33. SECRETARY:

SB 1510
3rd Reading
5/25/78

1. Senate Bill 1510.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Weaver.
6. SENATOR WEAVER:
7. Thank you, Mr. President. Senate Bill 1510 appropriates
8. five hundred thousand dollars to the Illinois Industrial
9. Development Authority. This would provide monies for use
10. in a revolving fund to make direct loans for land acquisition
11. and building construction to companies willing to locate in
12. Illinois where they are designated labor surplus areas.
13. I would state that this was established back in 1970 with
14. a one million dollar appropriation. It's a revolving fund
15. whereby these monies are loaned to businesses in Illinois.
16. It's on a payback. There's never been a default. It has
17. a staff of two people and they've done a terrific job in
18. creating over two thousand jobs in the State of Illinois
19. over twenty-five percent of them formerly on welfare rolls,
20. now that are on payrolls. If there's any questions or
21. discussion, I'd be happy to try to answer any questions.
22. I think Senator Carroll has.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Any discussion? Senator Maragos. Senator Johns.
25. SENATOR JOHNS:
26. Mr. President, I'm proud to join in cosponsorship
27. of this bill with Senator Weaver...Weaver, well I, forgive
28. me, Guidice. Will you just be quiet a minute, though.
29. Carroll says I just made my speech.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Johns.
32. SENATOR JOHNS:
33. But to me, this is one of the best bills to come down the

1. pike. It means a great deal to the Industrial Development
2. Authority of this State. The Sun Times just yesterday
3. wrote an editorial in support of this bill, justly so.
4. The authority has done a tremendous job, is highly accountable
5. for all of its actions. Would be glad to disclose anything
6. that you want to know about it and I recommend passage of
7. this bill by my colleagues on this side of the aisle as
8. well.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Carroll.

11. SENATOR CARROLL:

12. Why thank you, Mr. President, Ladies and Gentlemen
13. of the Senate. When this bill came before Appropriations I
14. Committee, I think the testimony has been very briefly
15. summarized here today by Senator Weaver and Senator Johns
16. and I echo those statements. This particular agency has
17. done an outstanding job with a very limited number of
18. personnel in both creating jobs and performing their functions
19. in a very admirable fashion. We did make a request at that
20. time, however, which Senator Weaver very graciously exceeded
21. to. The fact was that the monies, five hundred thousand of
22. which were not included in the Governor's budget. We saw
23. no problem, it seemed very clear that this is the way we
24. should be spending our monies and that the Governor would
25. acquiesce to a request that he tell us that he would approve
26. this legislation. Senator Weaver has been holding this bill
27. all of this time awaiting to get such a response from the
28. second floor. In fact, I was asked to make the appointment
29. so that he could get in to see the gentleman on the second
30. floor to see whether or not this request would be granted.
31. When I asked for the appointment for Senator Weaver miraculously
32. he received the appointment, spoke to the gentleman yesterday
33. and has been still awaiting a response from that office as

1. to what they would do. They had promised to respond by today,
2. they have not yet so responded. Senator Weaver had asked us
3. to release him of his obligation to hold this bill pending
4. that response and because of the import and importance of
5. this project and the great work that it has done, we acceded
6. to Senator Weaver's request and not hold the bill. We
7. think it should pass the second floor to the contrary,
8. notwithstanding.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Just one question. I am totally in support of what
13. I understand this to be, but the question of...inducing
14. firms to locate here is not only the initial expense.
15. As you may know, many other states provide long term
16. advantage by reduced or no real estate tax and other
17. taxes. And my question is, is there any provision in this
18. bill and in this act to forgive real estate taxes for
19. firms seeking to relocate here?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Weaver.

22. SENATOR WEAVER:

23. Senator Berning, this department has no authority to
24. do away with any taxing powers, they're just merely
25. trying to help small businesses in areas of labor
26. surplus, build buildings, acquire land and create jobs.
27. They're still paying their full load on taxes, local taxes,
28. State taxes, et cetera.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. Mr. President, I...I know
33. two of the board members personally of this authority and

1. the executive director of the authority and probably what we
2. ought to be doing is appropriating a lot more money to these
3. people than we are. They have never had one default on a
4. loan that they make to a small business. They make loans
5. only to those businesses that are going to attract more
6. jobs and yet do not have the financial stability to...to
7. ...to borrow enough money on a...from a private investor,
8. or a private banker, rather, and they have never had one
9. default. They're making money for us in the State of Illinois
10. every day and the income taxes and the sales taxes and the
11. various other taxes that we collect off of the products
12. that these small companies are able to...to manufacture
13. because we put them in business. And as I said, they,
14. I think they are probably absolutely unique in this type
15. of program in that they have never had one default on
16. a loan that they make. They're making money for us. It
17. started out as a small little thing for southern Illinois.
18. A few years ago we expanded it to the whole State and they're
19. just doing a fantastic job. The board members are superior
20. people and...and I hope in the future we can continue to
21. give them more money because they are making dollars for
22. us every day that would not otherwise come into the tax
23. coffers. I think it's a good bill and I'm glad that we've
24. ...arrived at this agreement, even though the Governor's
25. Office is reticent about talking to the Assistant Leader
26. on the Republican side.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further discussion? Senator Weaver may close the
29. debate.

30. SENATOR WEAVER:

31. Appreciate a favorable roll call, Mr. President.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The question is shall Senate Bill 1510 pass. Those

1. in favor will vote Aye. Those opposed will vote Nay. The
2. voting is open. Have all voted who wish? Have all voted
3. who wish? Take the record. On that question the Ayes are
4. 57, the Nays are none, none Voting Present. Senate Bill
5. 1510 having received a constitutional majority is declared
6. passed. Senator Graham, on 1599. All right. We're on
7. page 6 on the Calendar, Senate Bill 1599. Read the bill,
8. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 1599.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President and members of the Senate. This bill was
17. debated rather thoroughly yesterday on amendment stage, I
18. ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Is there any discussion? The question is shall Senate
21. Bill 1599 pass. Those in favor will vote Aye. The opposed
22. will vote Nay. The voting is open. Have all voted who
23. wish? Have all voted who wish? Take the record. On that
24. question the Ayes are 56 the Nays are none, 2 Voting Present.
25. Senate Bill 1599 having received a constitutional majority
26. is declared passed. Pursuant to leave, which was granted
27. by this Body earlier, we have attempted, at least, to handle
28. the ordinary and contingent appropriation bills. We will
29. now commence at...well...I called it once, you know. We
30. will now commence on the regular order of business on
31. Senate Bills, 3rd reading, starting at the top. Senator
32. Buzbee, do you have an amendment for 1572? Is there an
33. amendment filed, Mr. Secretary?

1. SECRETARY:

2. Yes, Mr. President, by Senator Buzbee.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Will you see that Senator Graham gets a copy then.

5. You do have a copy, all right. Well...do you want to

6. handle these recalls at this point or...okay...let's...let's

7. just handle them in the regular order. A lot of gentlemen

8. have bills on the Calendar they wish to get to. Yeah, we...

9. as we get to the bill in order, if a...a member has an

10. amendment or has agreed to recall it, we can do it at that

11. time. Senator Nimrod.

12. SENATOR NIMROD:

13. Are...are we going to get back to 2nd readings? I want

14. to get a bill moved to 3rd. That was...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Yes, indeed.

17. SENATOR NIMROD:

18. ...okay.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. We want to see what we can do on 3rd reading. All right.

21. Senate Bills on 3rd reading, Senate Bill 250. Senator Netsch,

22. do you wish to proceed?

23. SENATOR NETSCH:

24. Thank you. I'm just looking for Senator Sangmeister.

25. I know he has a whole series of amendments that he wants

26. to offer. I have two...I'm...I'm sorry, one that...I would

27. like to offer and I believe there...it's on the Secretary's

28. Desk.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. Senator...

31. SENATOR NETSCH:

32. I do not want to...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Sangmeister is on the Floor. Senator Netsch
2. seeks leave of the Body to bring Senate Bill 250 back to
3. the Order of 2nd reading for purpose of an amendment. Is
4. leave granted? Leave is granted. On the Order of...Senate
5. ...Senator Netsch.

6. SENATOR NETSCH:

7. I'm sorry...I...Senator Sangmeister just returned to
8. the Floor and he said that he has not yet filed the amend-
9. ments that he has and I...could we just hold this one a
10. little bit and come back to it then. I'm sorry, Mr. President.

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(The following typed previously)

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SB 311
5/25

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right. With leave of the Body, it will be held on
3. 3rd reading. 252. 253. All right, we'll hold the whole
4. package. Senate Bill 311, Senator Joyce. On the Order of
5. Senate Bills 3rd reading, Senate Bill 311. Read the bill,
6. Mr. Secretary.

7. SECRETARY:

8. Senate Bill 311.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Joyce.

13. SENATOR JOYCE:

14. Thank you, Mr. President. Senate Bill 311 is the Home-
15. stead Tax Exemption for senior citizens. At present it is...
16. at fifteen hundred dollars and this bill would move it to
17. twenty-five hundred dollars. This legislation is addressed
18. to the senior...to the citizens of this State who are most
19. urgently in need of a little relief from inflation and increased
20. assessments. And for those people living on a fixed and
21. reduced incomes. So this bill would...would add an additional
22. seventy dollars on the average property tax relief and in
23. many instances would help a great deal to...to people keeping
24. their homes and...the twenty-five hundred dollar exemption
25. would offer some twenty-eight million dollars in new tax
26. benefits to about four hundred thousand people in the State
27. of Illinois who are desperately in need of our help. The
28. Homestead exemption has not been raised since it was first
29. adopted in the early seventies and much of the fifteen
30. hundred dollar exemption has been erased by inflation. I
31. would be glad to...ask or answer any questions.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President, Ladies and Gentlemen of
3. the Senate. I rise in opposition to Senate Bill 311 which
4. would cost the State of Illinois an unbudgeted twenty-
5. eight million dollars. I think all of us would like to
6. provide tax relief in various ways. This it seems to
7. me is not the way to do it. Any senior citizen would
8. be eligible for this additional tax break without regard
9. to the income of...of the senior citizen. I think that's
10. a mistake. We now provide this exemption for some
11. four hundred thousand seniors with an average tax break
12. of a hundred and five dollars each. It is, I'm sure,
13. well-intentioned, but something the State of Illinois
14. simply cannot afford. I'd urge a no vote.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Walsh.

17. SENATOR WALSH:

18. Mr. President and members of the Senate. Just to
19. echo the comments of Senator Glass. I think the significant
20. feature of this bill is that the...the assistance is given
21. without regard to need. And contrary to the Senior Citizen's
22. Tax Relief Act, which is based upon the need of the recipient,
23. this benefit would go to people who have not demonstrated
24. any need and of course it's an unbudgeted item. That's not
25. so important as the...as the criteria and I think it's
26. important that...that we stick to the approach that we've
27. developed with the Senior Citizen's Tax Relief. If a senior
28. can establish the fact that he's in need, then he gets relief
29. and relief is not given to those who cannot do so and I too
30. urge a No vote.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Leonard.

33. SENATOR LEONARD:

34. Mr. President, I'd like to speak on this business of
35. who we're giving the relief to. I come from the 31st

1. District which includes part of Lake Forest, which is one of
2. the most...economically influential communities in the country,
3. and yet a survey we ran several months finds that the majority,
4. over half of the people that are over sixty-five that live
5. in my district, really subsist at what would be considered the
6. poverty level. We aren't giving money to a bunch of rich
7. people who are sitting home...cutting coupons, we're talking
8. with basically people who are retired and need it and let's
9. keep it in perspective. I think if you checked your own
10. district, you would find the majority of the people in your
11. district that receive this are going to need it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Further discussion? Senator Rhoads. Oh, Senator Lemke.

14. SENATOR LEMKE:

15. Coming from a district that has a large amount of
16. senior citizens and when you talk about need and you want
17. to let it up to the department to decide about need. If
18. a senior citizen owns a house, he's not in need of anything,
19. even though he only gets a small social security check or
20. she gets a small social security check. These people are barely...
21. barely making it and if you as a individual want to vote
22. against the senior citizens getting a slight tax advantage,
23. then fine. But these are not people that can afford to
24. pay taxes. These are people that have contributed to the
25. State of Illinois all their life and now we're giving
26. them something in return for their contributions in helping
27. the State build itself up to where its at. So I have to
28. ask for your support and if...the Department of Revenue
29. can't see fit to enforce this bill and come up with a
30. different means of raising revenue, then I don't know
31. what it is, but I don't think senior citizens should be
32. ...afford to pay. Because the majority of them are, as
33. Senator Leonard said, on a poverty level, even though

1. they own their own home.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Clewis.

4. SENATOR CLEWIS:

5. Mr. President and members of the Senate. I rise in
6. support of Senate Bill 311. I have a similiar bill in
7. committee. My concept was to raise it to thirty-five
8. hundred dollars. I feel very strongly that the senior
9. citizens are locked in on fixed income. There's a very
10. small percentage of them that do not need this remedy
11. to their dire problem at...in today's economy. As a matter
12. of fact, I not only raise in support of this bill, I would
13. ask leave to be a cosponsor of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. You've heard the request. Is leave granted? So
16. ordered. Further discussion? Senator Harber Hall.

17. SENATOR HARBER HALL:

18. Mr. President, at having been a principal sponsor
19. of the original Homestead Exemption Bill, I certainly
20. thought at the time it was a good piece of legislation
21. and it was intended to provide relief that wasn't otherwise
22. available to homeowners, particularly low income and low
23. capital invested homeowners. But since that time, we have
24. passed and adopted many other forms of release for senior
25. citizens, included among these, of course, is the Circuit
26. Breaker Act, which we almost annually, broaden and increase
27. the benefits to low income senior citizens. These are the
28. people we want to help and I...I think the attempt to
29. further increase residential property owners, senior citizen
30. owners, of all levels of income and wealth, should not be
31. extended...and this bill would do exactly that. There are
32. other methods that we can do to aid senior citizens much
33. more appropriate than this and I rise to oppose the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. Just to announce that there
5. may be a conflict of interest for me and therefore I will
6. not be voting on this bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President and members of the Senate. Senator Hall
11. had some very enlightening remarks about the Homestead
12. Exemption Act Program. We enacted a homestead exemption
13. prior to the new 1970 Illinois Constitution. This was in
14. response to the representation of our constituency, even
15. though we knew it was unconstitutional and those acts, we
16. did it twice, were declared unconstitutional. The new
17. 1970 Illinois Constitution did give authority to the
18. Illinois General Assembly to enact a Homestead Exemption
19. Act, which we immediately did. Subsequently, we came
20. through with the Senior Citizens and Disabled Persons
21. Property Tax Relief Act. This carried a...a maximum
22. of ten thousand dollars income for not only persons
23. over sixty-five years of age, but also for disabled
24. persons. Now the Homestead Exemption Act covers all
25. persons sixty-five years of age and older. It does not
26. include the disabled, who have the same limited income
27. that senior citizens have, people on retirement, and they
28. should be included in the Homestead Exemption Act, they
29. should be included in the Homestead Exemption Act, they
30. are not. Another fault of the Homestead Exemption Act
31. is that it includes everybody over age sixty-five, every-
32. body, millionaires, multi-millionaires and everybody. And
33. I want to say that when this Act first came into being,
34. it was the very people that had the money and the financial

1. means that were the first to file in my district and you check
2. your districts. Maybe that's why they got this wealth, because
3. they know how to take opportunities...take advantage of opportuni-
4. ties when they present themselves, but I want to point out that
5. when you take at the local level and exempt one class of
6. citizens from Homestead Exemption, where, who has to pick up
7. the tab with the local real estate taxes, everyone under
8. sixty-five years of age. You're shifting the cost and the
9. burden of local real estate taxes from those over sixty-five
10. and adding on greater for those under sixty-five. But I'm
11. going to tell you why you can't vote for this...or cannot
12. support this bill, because the voting record is going to
13. be published in the action of all the senior citizens and
14. it going to be all over the State of Illinois and you'd
15. have to go individually to explain to each and every one
16. of them how you're increasing the senior citizens and
17. disabled Personal Property Tax Relief Act, which is a
18. better form of giving relief to the people that need it,
19. including the disabled and you don't have time to do that.
20. So what I say let's do with this bill, let's vote it
21. through, the increase. Because you have to put it through.
22. Your voting record is going to be published to all these
23. people and you don't have time to tell it. Then let's
24. let the Governor down there in his Veto Message tell the
25. people because he has access to all the people, we only
26. represent a district. And we can't tell all the people.
27. Let him tell all the people which is best for them, so
28. let's get this done. I wanted to have time to explain
29. that and my position which will be in the record. Thank
30. you for the time.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Nimrod.

33. SENATOR NIMROD:

1. Yeah. Mr. President and Ladies and Gentlemen of the
2. Senate. Senator Mitchler, you offer a way out, but I think
3. that I have some questions about this kind of a bill and
4. its motivations during a political year, an election year.
5. It...I have some questions because both Senator Davidson
6. and...and myself have had bills in that offer senior
7. citizens a chance to defer their own tax and pay it
8. later when they die. They use up the assets in their
9. home so that they can remain in their homes and...and
10. you don't support that kind of a concept when they
11. want to use up their own money. I can't understand
12. why you would support a concept that would spend the
13. State money and not have a general plan for providing
14. tax relief for not only senior citizens but for all
15. our people. And I think this is...this is a hasty bill,
16. politically motivated and I certainly would not think that
17. we ought to be able...in a position to support it.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Further discussion? Senator Rhoads.

20. SENATOR RHOADS:

21. Question of the sponsor, if he will yield.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Indicates he will yield. Senator Rhoads.

24. SENATOR RHOADS:

25. Senator Joyce, I...I differ from previous remarks
26. and I don't...question anybody's motives for introducing
27. something. I assume this is serious legislation, but I
28. am having some difficulty understanding it. ...Since
29. the 1st Committee Amendment was put on, have there been
30. any additional amendments that were put on from the Floor?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Joyce.

33. SENATOR JOYCE:

1. No, there was Committee Amendment No. 1 was to reduce
2. it from five thousand dollars to twenty-five hundred dollars.
3. This bill...this, yes, that was in last November, this bill
4. has been around for sometime over a year. So it's not a...a
5. hasty bill and it's not one that everyone hasn't had an
6. opportunity to...to talk about and...and to try and put any
7. kind of amendments on it that they want to. It's not a
8. hasty bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. What sort of figures can you give us as to the impact
13. on...on revenue of local governmental units?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Joyce.

16. SENATOR JOYCE:

17. Yes, I have a Fiscal Note from the Department of
18. Local Government Affairs. I'm not really sure that I
19. understand this, because the department says the amount
20. of reimbursement required by this, by the bill, for the
21. 1978 tax year would be approximately nine million
22. eight hundred thousand dollars. And this amount would be
23. paid to the County Treasurer for distribution for...to
24. taxing districts. Now our staff and the people that
25. have worked with us have said that this could cost up
26. to twenty-eight million dollars.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Thank you. That...that's what I also have, but who
31. ...who is losing the revenue. I...I'm looking here at
32. the Digest, you've got a formula for a grant equal to
33. forty percent of the amount extended, I don't know what...

1. what they mean here in the Digest, but where is the revenue
2. lost and who's losing it, the State, the local governmental
3. units, who?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Joyce.

6. SENATOR JOYCE:

7. The State will reimburse the local government unit for
8. the increased one thousand dollars in the Homestead Exemption.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Rhoads.

11. SENATOR JOYCE:

12. That's where the forty percent comes from.

13. SENATOR RHOADS:

14. So that dollar for dollar, every dollar which is lost
15. by a local governmental unit, the slack will be taken up
16. by the State for a full...for a full refund.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Joyce.

19. SENATOR JOYCE:

20. Of the last one thousand...of the one thousand dollar
21. increase. Million dollars...thousand...thousand.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Thousand.

24. SENATOR JOYCE:

25. Excuse me.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr. President. So then that the twenty-
30. eight million dollars we're talking about here are...are
31. State dollars and do you have a...a any...any idea of the
32. ...escalation of a loss in revenue, where...where escalation
33. of the...the cost to the State over the next couple of years

1. or would that figure remain constant?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Joyce.

4. SENATOR JOYCE:

5. I'm not sure, Senator, I...I don't know. I know that,
6. you know, one of the things we have been talking about
7. and I don't mean to get on a different subject is the...the
8. inflation and the increases in...in the assessed valuation
9. keep going up, so, you know, ...the fifteen hundred dollars
10. that we're exempting right now in actuality is...is, you
11. know, much lower than...than at the time it was introduced.
12. So I...I would suspect the twenty-five hundred dollars
13. in proportion would...would shrink also along with inflation.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. It...it isn't very often
18. that I have an opportunity to agree with Senator Mitchler,
19. but his logic gave me exactly the excuse I needed for
20. voting for this bill. I'm going to vote for it and let
21. the Governor veto it and take all the heat from the senior
22. citizens.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any further discussion? Senator Joyce may close the
25. debate.

26. SENATOR JOYCE:

27. Well, thank you, Mr. President and Ladies and Gentlemen.
28. This bill has been debated pretty thoroughly, but I...I just
29. want to point out that these are people that we are trying to
30. help are people who have worked hard all of their lives.
31. Most of them are never on welfare and and they have made many
32. ...contributions to their community and now they lead quiet
33. lives of desperation. So we have an opportunity here to help

SB 430
3rd reading
5/12/51

1. them by voting for this bill with inflation eating up their
2. ...their meager income. So I would ask for a favorable roll
3. call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The question is shall Senate Bill 311 pass. Those in
6. favor will vote Aye. Those opposed will vote Nay. The
7. voting is open. Have all voted who wish? Have all voted who
8. wish? Take the record. On that question the Ayes are 45,
9. the Nays are 8, 5 Voting Present. Senate Bill 311 having
10. received a constitutional majority is declared passed. Top
11. of Page 4, Senator Guidice. On the Order of Senate Bills,
12. 3rd reading, Senate Bill 430. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 430.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Guidice.

19. SENATOR GUIDICE:

20. Thank you, Mr. President and members of the Senate.
21. This bill would provide for the Board of Education of
22. the City of Chicago the utilization of a hearing officer
23. to assist the board in hearings for removal for cause of
24. teachers, principals or employees. The change here being
25. that the board members would not have to participate in
26. the hearing in...in the first instance, that a member
27. of the National Arbitration Association would be appointed
28. to hear the cause that if there was an adverse ruling,
29. the teacher can go directly to the Circuit Court and
30. apply there for relief. Further, there's a...the amendment
31. that was provided also allowed that a hearing officer
32. must make his decision within forty-five days or he could
33. be removed from further consideration. In any matter, thereafter,

1. could be stricken from the rolls for six months. And I
2. would ask your favorable support.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is shall
5. Senate Bill 430 pass. Those in favor will vote Aye.
6. Those opposed will vote Nay. The voting is open.
7. Have all voted who wish? Have all voted who wish?
8. Take the record. On that question the Ayes are 47,
9. the Nays are 1, 6 Voting Present. Senate Bill 430,
10. having received a constitutional majority is declared
11. passed. Senator Johns, for what purpose do you arise?

12. SENATOR JOHNS:

13. Mr. President, for the first time this year, on
14. a point of personal privilege.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. State your point, sir.

17. SENATOR JOHNS:

18. I'd like...I'd like to introduce a group, the
19. Egyptian Board of Realtors from Southern Illinois in
20. the President's Balcony. Would you please stand and
21. be recognized by the Senate.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Will our guests please stand and be recognized.
24. Senator Clewis, are you ready? On the Order of Senate
25. Bills 3rd reading, Senate Bill 460. Read the bill,
26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 460.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Clewis.

33. SENATOR CLEWIS:

1. Mr. President, members of the Senate. Senate
2. Bill 460 which reduces the ten percent tax on the gross
3. proceeds for certain organizations, which namely are,
4. religious and exclusively charitable organizations, was
5. debated pretty well on 2nd reading. I think we're all
6. aware of what we're trying to do. We're trying to
7. help the plight of parochial schools and charitable
8. organizations in the State of Illinois. It has a fiscal
9. impact of a meager 1.1 million dollars in comparison
10. to the problems and the expense that may be caused
11. if we don't help the parochial schools at this point in
12. time. Several members have asked to be cosponsors
13. of this bill. I would ask leave that at the appropriate
14. point in time that those members may identify themselves
15. and, Mr. President, you might indicate when that point
16. in time might be and in addition would ask for a favorable
17. roll call.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Is there any discussion? Senator Glass.

20. SENATOR GLASS:

21. Thank you, Mr. President. Ladies and Gentlemen, I
22. rise in opposition to this legislation. It is, as Senator
23. Clewis mentioned, does take a 1.1 million dollars, at
24. least an estimated, an estimate in that amount out of
25. the budget. I don't think the purpose of this legalization
26. of bingo, which I opposed in the first instance, is...should
27. be manipulated in this fashion. It's...it's not supposed
28. to be a tax on charities, it's a tax on entertainment and
29. there are only certain organizations, including charities
30. that are allowed to operate it for a profit. This exemption,
31. it seems to me, or this legislation, would distinguish
32. in favor of charitable organizations, giving them an advantage
33. over others who operate bingo games. So I would urge a No

1. vote on this bill, Senate Bill 460.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? ...Senator Lemke.

4. SENATOR LEMKE:

5. I urge a favorable vote on this to pass this legislation.

6. I don't think this is going to decrease income in the State,

7. I think it's going to add to the income. I think it's

8. going to increase those people that apply for bingo licenses.

9. It's going to help the small charitable groups. And this is

10. what we're trying to do is help small charitable groups to

11. make profits to...to run their affairs and not come to the

12. State for aid and this is what we're asking here. And

13. it all that's asked for and I don't think a million dollars,

14. which it says is going to be lost, I think it's going to

15. increase twofold or even fourfold because I think there

16. will be many more people seeking licenses to participate

17. in the game of bingo.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President and members of the Senate. I'm going

22. to cast an Aye vote for this bill because I believe the

23. amount of the State's take from the gross receipts for

24. the operation of bingo should be reduced from ten percent

25. to five percent and the argument that it's going to reduce

26. the revenue to the State, I just can't buy that. The

27. thing that I do object to, this bill, however, is that

28. it singles out the religious and charitable operators of

29. bingo and does not include the veterans, fraternal, social

30. and those others that are qualified and licensed to operate

31. bingo. Personally, I think it's unconstitutional because

32. you're singling out a certain class within a certain type

33. of taxation. And I'm going to support this because I'm

34. also going to support House Bill 3019, which provides a

1. reduction to five percent from ten percent in the State's
2. collection on the gross receipts from the operation of
3. bingo for all of the licensed and chartered bingo operators
4. in the State. Hopefully, that when this bill gets over
5. to the House, they'll look at it in the same manner that
6. they passed House Bill 3019. But I'm going to give an
7. affirmative vote because it's a step in the right direction,
8. even though I personally feel that it is unconstitutional
9. and I'm confident that there would be a court case if the
10. bill passed in its present form and was approved by the
11. Governor.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Clewis may close the
14. debate.

15. SENATOR CLEWIS:

16. Mr. President and members of the Senate. I think that
17. we've said just about everything that's to be said about
18. this bill. It is a good bill. It is a necessary bill and
19. I would appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. The question is shall Senate Bill 460 pass. Those
22. in favor will vote Aye. Those opposed will vote Nay. The
23. voting is open. Have all voted who wish? Have all voted
24. who wish? Take the record. On that question the Ayes are
25. 47, the Nays are 8, 2 Voting Present. Senate Bill 460
26. having received a constitutional majority is declared
27. passed. Senator Clewis.

28. SENATOR CLEWIS:

29. Mr. President, at what point would be appropriate for
30. the cosponsors to identify themselves?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any member wished to be shown as a cosponsor of
33. Senate Bill 460, please inform the Secretary at this
34. point. With leave of the Body. Is leave granted? So

SB 771
3rd Reading
5-25-78

1. ordered. Senator Egan on the Floor? Senator Netsch on
2. 771. On the Order of Senate Bills 3rd reading, Senate
3. Bill 771. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 771.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Thank you, Mr. President. This bill would attempt to
10. approach the problem, and it is a very serious problem,
11. of those who solicit children to engage in various kinds
12. of...of unattractive and sometimes illegal sexual activities
13. and then photograph them and distribute the...the results
14. thereof, an activity that has come to be known as child
15. pornography. This bill approaches that problem by amending
16. the statute that deals with indecent liberties with a child
17. rather than trying to approach it through the obscenity
18. question. And basically what it does is to add to one
19. of those activities, which would then be a prohibition
20. in the Indecent Liberties Statute anyone who photographs,
21. films or otherwise makes reproductions of any of the
22. acts which are already prohibited by the Indecent Liberties
23. Section. The bill does one other important thing and that
24. was initially suggested to us by Commander Thomas of the
25. Chicago Police Department and we understand that the Chicago
26. Police Department is still finding it very difficult not
27. to have this additional legislative tool available to them,
28. and that is that we...eliminate the affirmative defense
29. that the child is a prostitute. That was an amendment that
30. when we originally dealt with this legislation that I think
31. Senator Knuppel had offered and I believe it is widely agreed
32. to now. It has been possible for those who are engaged in
33. this very ugly business to offer the child some money first...

1. get whatever act they are after, thereby create a child
2. prostitute and then have a total firmative defense to that
3. activity. Commander Thomas and I think some others in the
4. Chicago Police Department at least, have found that to be
5. a major obstacle and they have asked us to treat that
6. problem and this bill now does that. I would be happy to
7. answer questions, if not, I would solicit your support.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is there any discussion? Senator Guidice.

10. SENATOR GUIDICE:

11. Thank you, Mr. President. Will the sponsor yield to
12. a question?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Indicates she will yield. Senator Guidice.

15. SENATOR GUIDICE:

16. What does this do that the present act doesn't cover,
17. Senator Netsch? What does this do that the present act
18. doesn't cover?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch.

21. SENATOR NETSCH:

22. It adds...I don't know if you have the text in front
23. of you, Senator Guidice, but basically what it does is
24. add to the crime of indecent liberties the...those who
25. photograph, film, otherwise make reproductions of the
26. acts that are themselves prohibited in the other substantive
27. parts of the indecent liberties section. In other words,
28. it...and...and incidently, I might add, it also includes
29. those who solicit the minor to engage in those activities
30. or who knowingly permit them to engage in those activities.
31. What it is intended to do is to get at the people who are
32. the actual purveyors of the...this kind of child pornography.
33. Those who initiate the process by getting the kids there,

1. getting them to engage in the illicit sexual activity and
2. photographing it with the idea, then subsequently distributing
3. it.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Guidice.

6. SENATOR GUIDICE:

7. Well, isn't that what the present act presently provides
8. when we...for solicitation there's...there's no criminal offense
9. at this time for criminal...for solicitation in this...in the
10. first instance?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Not of this activity in the context of the Indecent
15. Liberty Statute.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Guidice.

18. SENATOR GUIDICE:

19. But the Obscenity Statute does provide for that?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Netsch.

22. SENATOR NETSCH:

23. There is...there is some activity that is prohibited
24. by an Obscenity Statute, yes, that is correct. This is
25. a different area. This is...has nothing to do with obscenity,
26. it avoids totally questions of community standards and that
27. sort of thing, it has...it is simply not cast in obscenity
28. at all. It goes directly to the Indecent Liberties Statute
29. and in the process is able also to...to take care of the
30. child prostitute problem that was called to our attention.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Guidice.

33. SENATOR GUIDICE:

34. The...the other question I had for you, Senator Netsch,
35. was...you keep...you indicate that the Chicago Police

1. Department is having a problem prosecuting these
2. ...or...or, I don't see what business the Chicago Police
3. Department would have prosecuting anything, their...their
4. function is completely different than that of the State's
5. Attorney. So what...what weight would the Chicago Police
6. Department have regarding the provisions of a statute?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Netsch.

9. SENATOR NETSCH:

10. They are not the literal prosecutors, you're right,
11. they are the ones who investigate and make the arrests
12. and then turn them over for prosecution. And it was...it
13. was their request to us that we address the question that
14. they were finding, and the subsequent prosecutions had
15. become a...a major obstacle to effectively dealing with
16. the people who are engaged in this activity. And my
17. understanding is that the question arose again recently
18. because there was a...major or minor, I'm not sure
19. which, ring of this kind of activity that was uncovered
20. and several arrests made in Chicago and the, at that time,
21. Commander Thomas and some others said that in terms of
22. the...the kind of prosecution that they would like
23. to be...kind of charge that they would like to be placing
24. and requesting that this gap in the statutes still existed
25. and they still hope that the Legislature would fill the
26. gap.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further...Senator Guidice.

29. SENATOR GUIDICE:

30. I do have a problem with the bill only in the...in the
31. instance that we just got through passing a...a major
32. provisions in the Criminal Code, I don't even know if
33. the State's Attorneys' even got them yet. They're having

1. problems determining how they are going to proceed and now
2. we're making another major change in an area that...that's
3. only going to cause more confusion. I...I think that you're
4. probably a little premature with this bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Bowers.

7. SENATOR BOWERS:

8. Thank you, Mr. President. I would like to rise in
9. support of the bill. I do think that there are some
10. areas that need some clarification and I think the Senator
11. is right, we did make some small amendments to the proposal
12. as...as it was originally presented and I would hope, at
13. least for the members on this side of the aisle, that we
14. could support the measure. Thank you.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any further discussion? Senator Netsch, you wish to
17. close the debate? The question is shall Senate Bill 771 pass.
18. Those in favor will vote Aye. Those opposed will vote Nay.
19. The voting is open. Have all voted who wish? Have all
20. voted who wish? Take the record. On that question the Ayes
21. are 55, the Nays are none, none Voting Present. Senate
22. Bill 771 having received a constitutional majority is
23. declared passed. 1083, Senator Berning. On the Order of
24. Senate Bills 3rd reading, Senate Bill 1083. Read the bill,
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1083.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning.

32. SENATOR BERNING:

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

1. Senate, Senate Bill 1083 was introduced last year at the
2. request of the State Employees Retirement System and the
3. bill was purposely held in the Senate Pension and Personnel
4. Committee for a very careful analysis and close study since
5. it is a topic that is rather complex. After careful consider-
6. ation the committee has passed the bill out and is recommending
7. adoption. Yesterday I had passed out on the desk of each
8. member of this Senate a memorandum prepared by Senator
9. Egan, Senator Merlo and myself, attempting to explain the
10. contents of Senate Bill 1083 as it is now in its amended
11. state. Briefly, what it does, is...originally the intention
12. of the bill was to codify and update the system insofar as
13. administration of the...the Social Security Acts are
14. concerned, then we amend...added amendment to provide for
15. special handling of CETA employees and their participation
16. in the Pension Systems. It became necessary as the result
17. of a Federal Government dictate that their employees could
18. not be participants in the system and contribute or have their
19. contribution made by employers at the same rate as other
20. employees. This amendment then was included so as to be able
21. to qualify under the Federal System, and it has a degree of
22. urgency, Mr. President, if this bill with this amendment is
23. not passed and signed by October 1st, it will require a loss
24. to us of somewhere between four and five million dollars which
25. the State will have to reimburse to the Federal Government.
26. I would hope that there would be support for this bill and
27. if there are questions I will attempt to answer them.

28.
29. (The following typed previously)

30.
31.
32.
33.

SB 1408
5/25
3rd

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? The question is shall Senate
3. Bill 1083 pass. Those in favor will vote Aye. Those opposed
4. will vote Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that question
6. the Ayes are 55, the Nays are none, none Voting Present.
7. Senate Bill 1083 having received a constitutional majority
8. is declared passed. 1408, Senator Schaffer. On the Order
9. of Senate Bills 3rd reading, Senate Bill 1408. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1408.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President, this is a simple bill. We debated it at
19. amendment stage, it does not do damage to the RTA. It
20. simply provides that the gas sold in the RTA area, but used
21. outside is not included in the tax and with Senator Sangmeister's
22. amendment on it, it would allow the RTA board, but not mandate
23. the RTA board to implement the gas tax at different rates
24. in different areas. I think it's a reasonable compromise,
25. I think it's one that everyone can support and I think it
26. will give the RTA board flexibility to administer that
27. particular important transportation agency in a fair way,
28. that hopefully, will undue some of the ill will in the
29. other areas. And I think it is a moderate approach and
30. I should point out this is an appropriate week for us to
31. be passing on legislation of this type because this week,
32. for the first time, the RTA has opened a bus service in
33. McHenry County.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Senator Hynes.

3. SENATOR HYNES:

4. Mr. President and members of the Senate. This bill
5. has two parts. The first part, I think, is completely
6. unworkable. The administrative problems involved in trying
7. to handle it, I think, are insurmountable. And I therefore
8. think it is objection on that ground alone. Furthermore
9. the RTA board, members and the staff of the RTA visited
10. Springfield earlier in the Session and indicated that they
11. are studying the entire problem that exists and that they
12. hope to be able to present a...a package to the Legislature
13. which will eliminate some of the problems that exist. And
14. I think it is premature for us in this supposedly limited
15. Legislative Session to get involved in an effort to restructure
16. the financing of the RTA. And I would therefore oppose this
17. bill. I agree with Senator Schaffer that the approach is
18. moderate, but I think these bills are premature. I do not
19. believe that they ought to be passed by the Senate at this
20. time and I think that was the reason that the Rules Committee
21. did not allow these bills out into committee for a full
22. hearing. They have not been heard in committee other than
23. in the Rules Committee. The Transportation Committee has
24. not seen them and has not had an opportunity to pass on the
25. merits of the bill and, I think, frankly, that they ought
26. to be held here and...and the matter then can be taken
27. up at the next Session of the General Assembly.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Sangmeister.

30. SENATOR SANGMEISTER:

31. Thank you, Mr. President and members of the Senate. I
32. think Senator Shaffer has said it all. The amendment that I
33. offered was adopted. Of course, the most important part of

1. this bill and the thing that we're really interested in is
2. ...to allow the board. . .gees, I would hope in their infinite
3. wisdom if this becomes law that they would use it. Maybe
4. if Mr. Baldino has a change of heart, why the board may
5. be able to do a few things also. But anyway, in reference
6. to Senator Hynes remarks about an unworkable, those of us
7. in the collar county have felt for a long time that the
8. whole concept and the whole bill as drafted, has been
9. unworkable, so I don't see of adding one more section to
10. an unworkable matter as far as the collar counties are
11. concerned is going to make any difference. And also the
12. fact that this is premature, everything that we have tried
13. to pass through either the Transportation Committee in
14. the House or in the Senate all of a sudden seems to be
15. premature. We should hold it and hold it and hold it.
16. Well, there are certain people on this Floor obviously
17. that will hold RTA legislation forever and I hope that some
18. of our brethern from downstate will go along with us and
19. try to not...this won't get the monkey off our back in any
20. means. There's a lot of amendments I'd of like to seen
21. put on this, but we are actually trying to be reasonable
22. here. We're not ripping the RTA apart or anything else,
23. we're just asking for a little equity. And let's have
24. that equity in a green vote for this bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any further discussion? Senator Bowers.

27. SENATOR BOWERS:

28. Thank you, Mr. President. I do rise in support of
29. this legislation and I would like to point out to some of
30. you on the other side of the aisle that we did have a
31. motion to discharge a bill that would have mandated the
32. differential. Now, this bill does not mandate it. For
33. those of you who say that the RTA itself should make the

1. decision, that's what we're saying to you. This bill gives
2. them the opportunity to make that decision. Now there are
3. some moderate voices in the suburbs as I indicated the other
4. day, were not anxious to throw the RTA out the window, but
5. you're going to still those voices if you don't give us
6. some relief. I don't think you realize the amount of anger
7. that has been generated in the suburbs about this bill.
8. Now the day is going to come when we're going to have
9. control on this side of the aisle and when it happens, if
10. you aren't willing to give us the relief now, and the
11. moderate voices are stilled, I don't think you're going
12. to like the relief that happens then. And I suggest to
13. you that you support us in this and let this bill go
14. through. Thank you.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any further discussion? Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, Ladies and Gentlemen of the
19. Senate. I obviously arise to oppose this bill and do so
20. for one very serious ground. I would not want to see McHenry
21. or Joliet paying more than Chicago, nor would I want to see
22. the residents of suburban Cook County paying more than any
23. other part of this comprehensive transportation package. I
24. think it would be grossly unfair to people in the inner city,
25. people in the suburbs or people in any of the collar counties
26. to be carrying more or less than a fair share of the burden
27. of this comprehensive regional program. And to say to the
28. voters of my district or of any of the other suburban areas
29. or the inner city, that you're going to pay five percent
30. while McHenry pays one percent or conversely, to say
31. McHenry, let's get five percent from you and only one percent
32. from the City of Chicago. I think those would be grossly
33. unfair. Unfair to regional transportation and truly unfair

1. to the taxpayers who are making up that difference and I would
2. urge defeat of the legislation.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Lemke.

5. SENATOR LEMKE:

6. This is designed to shut down the Regional Transportation
7. System in the six county area. It's Schaffer's plan, it's
8. his only campaign issue in McHenry County is RTA, but it's
9. the suburbs that benefit by a thriving metropolis of the City
10. of Chicago. Because if Chicago wasn't there, McHenry County
11. would still be farming and Schaffer wouldn't be here to be a
12. farmer here. There wouldn't be any Cary 'cause there won't
13. be no people in Cary, they'd be a farmer there. And...let
14. those people vote against this that who are going to vote
15. against it and if the Regional Transit Authority is shut
16. down and the Chicago Transit Authority is shut down, fine.
17. Then, they're be people out of work and we can put them
18. on unemployment and we can pay again. And we can shut down
19. all the rest of the industry and we can all move to Kansas
20. or...or someplace else. This is what you want, fine. But,
21. you start cutting down the Regional Transit Authority, that's what
22. you're designing to do. Cripple it, find all you want, but
23. when...when the...when the trains stop running from McHenry
24. and Wheaton to the City of Chicago so people can work at
25. their offices and people have to drive and spend two or
26. three hours on the expressway, we'll see how the city runs.
27. 'Cause the City of Chicago will survive, we can walk to
28. work, we live in the city. It would take me fifteen minutes
29. to walk to the loop, but you people can't walk, so you
30. want to do what you want and those people that are going
31. to vote for this bill, let them vote. And let them put people
32. out of work because the people they're going to put out
33. of work aren't from my district, 'cause none of my people

1. work for the CTA or the RTA, so put them out of business. I could
2. ...I...I have my disagreements with Pikarski 'cause we're trying
3. to get some Regional...train down...going down the Stevenson
4. Expressway, which he hasn't been too receptive to. But let them
5. vote against it and let everybody wish and let the people know
6. how you feel about jobs and...and a thriving metropolis that
7. brings in over eighty percent of the tax revenues. You do it,
8. fine. So vote...I'm going to vote for the...against the bill,
9. but you can vote for it and when...when...when the transporta-
10. tion system shuts down in a metropolitan area, then we'll
11. see how all you people downstate will survive when you quit
12. getting all that tax revenue from the City of Chicago.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Rhoads.

15. SENATOR RHOADS:

16. Thank you, Mr. President and members of the Senate.
17. With respect to the comments of the previous...speaker, who
18. said that the tax burden would be unfair to make the voters
19. of one area pay more than the voters of another area. I
20. think that's an artificial argument, simply because it...it
21. relies on a pretense that the benefits are spread out
22. evenly, which of course, we know they are not. Yes, it is
23. true that the suburbs do benefit from good transportation,
24. either in spite of the RTA or because of good management
25. prior to the creation of the RTA. There are three hundred
26. and twenty thousand suburban commuters who go to jobs in
27. the City of Chicago. It is also true that there are two
28. hundred and ten thousand Chicago residents who go to jobs
29. in the suburbs. These people do not receive equal treatment
30. with regard to the benefits of the RTA. The issue is equity.
31. And that's why I'm supporting, very strongly, Senate Bill
32. 1408.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Leonard.

2. SENATOR LEONARD:

3. I rose to speak on equity and wish I'd had the microphone
4. a minute before I echo what has just been said. One of the
5. problems with this is we get such a great amount of hyper
6. boil. The trains aren't going to stop, the buses aren't going
7. to rust and the grass isn't going to grow in the street. What
8. we need here is a little balance. We're not going to kill
9. the RTA, we simply want to get our share of the service and
10. we don't have that and it's been pointed out the arguments of
11. Senator Carroll are based on the assumption that people get
12. equal service. A fellow from the RTA showed up at my office
13. this morning, it was nice to meet him, I wish I'd seen him
14. about a year ago. I've been looking for about a year for
15. an audit on how much service Lake County gets. The RTA hasn't
16. been able to give me a definite figure on that. I have debated
17. with the representative from our area as to how much we
18. spend is between five and six million and that isn't gas tax,
19. that's sales tax. I never got an answer, but today they
20. were able to send somebody down from Chicago to talk to me.
21. We need their attention and we need a little equity and that's
22. what I believe this bill will start.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Schaffer may close.

25. SENATOR SCHAFFER:

26. Mr. President, just briefly, in response to Senator
27. Carroll, I would point out to you that this affects only
28. the gas tax and of course the rate that's collected is
29. kept within the area, so if an area had a high rate that
30. get all the money, if they had a low rate, they'd get less.
31. I think most of the arguments are...are really not valid.
32. I've talked to the Department of Revenue and they assure
33. me that this bill is workable. What this bill is, Senator

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1. Hynes, and other members of the Senate, is an attempt on the
2. part of those of us from the suburbs to get some equity for
3. our people to allow the RTA board to moderate the animosity
4. that exists in the outer areas. And that animosity is real
5. and it's there. The RTA has become a symbol, in all candor,
6. of Chicago versus the rest of the State. It has turned
7. people like myself, who, basically are inclined to be moderates
8. into less than moderate people. We are offering you an
9. olive branch, we are hoping that you will join with us
10. for fair play, allow the RTA to have the cloud lifted from
11. its head. I hope you'll accept that olive branch and join
12. with us and I hope you won't throw it on the ground. Appreciate
13. a favorable roll call.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. The question is shall Senate Bill 1408 pass. Those
16. in favor vote Aye. Those opposed Nay. The voting is open.
17. Have all those voted who wish? Take the record. On that
18. question the Ayes are 40, the Nays are 11. Senate Bill 1408
19. having received a constitutional majority is declared passed.
20. Senator Mitchler, for what purpose do you arise?

21. SENATOR MITCHLER:

22. Having voted on the prevailing side, I move to reconsider
23. the vote by which...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Heard the motion. Those in favor indicate by saying Aye.
26. Motion to Table. Heard the motion, those in favor. Those
27. opposed? The Ayes have it. Senate Bill 1419, Senator Maragos.
28. Do we have leave to return to the Order of 2nd reading for
29. the purpose of amendment? Leave is granted. Senator Maragos.
30. Bills on 2nd reading.

31. SENATOR MARAGOS:

32. Mr. President, I understand that there are two amend-
33. ments or one is being proposed by Senator Rhoads and I

1. promised him I'd bring it to 2nd reading for that purpose.

2. SECRETARY:

3. Amendment No. 1 offered by Senator Rhoads.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Thank you, Mr. President and members of the Senate. Senate Bill
8. 1419 is the implementation bill for the consolidation of
9. elections schedule, which has already been passed by the
10. General Assembly and signed by the Governor on January 30th
11. of this year as Public Act 80 of the 2nd Special Session 6.
12. I have served for some time on the Election Laws Commission
13. Subcommittee which has held hearings throughout the State
14. into the mechanical problems of trying to implement the
15. consolidation bill. First of all, I want you to know that
16. my perspective is that of one who favors consolidation of
17. elections. I think in the long run it will be good for
18. the voter. I think in the long run it will lead to more
19. representative government because people will know exactly
20. when they have to vote on certain days and I think there
21. will be in the long run a cost saving effort. The problem
22. now is to put this consolidated schedule into effect. And
23. frankly we've had a lot of amendments and changes on the
24. main bill over in the House, House Bill 2554. In discussing
25. that bill with Democratic staff over in the House this
26. morning, the concern was expressed that that bill might not
27. even get called this week. If that happens, it would be
28. a very sad thing because we are under a deadline due to
29. the implementation legislation, rather due to the original
30. consolidation bill, to start implementing the consolidated
31. schedule by December 1st of this year, 1978. Amendment No. 1,
32. Mr. Secretary? Amendment No. 1 simply does two things, it
33. extends the effective date for one year to December the 1st, 1979

1. for the implementation bill. It also extends the deadline
2. for one year for the Consolidation Act, the original
3. Consolidation Act which was signed by the Governor on
4. January 30th. Mr. President, could I have a little order,
5. please, this affects everyone's district.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. You need a lot of order.

8. SENATOR RHOADS:

9. The motive...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Members please...just a moment. Will the members please
12. be in their seats. Will the Sergeant-at-Arms clear the aisles.
13. Proceed.

14. SENATOR RHOADS:

15. The motive behind this amendment is very simple. I
16. just don't think we're ready. I think that most of us who
17. served on the Election Laws Commission Subcommittee, if
18. pressed to the wall, would have to admit that we're not
19. ready. There's a complicated cost sharing formula worked
20. out for local governmental units in the implementation bill.
21. There's also a very acute mechanical problem of how to
22. draw new precincts for local political subdivisions which
23. do not have conterminous boundaries. There are a lot of...of
24. problems yet to be worked out in this entire implementation
25. schedule. If this amendment goes on Senate Bill 1419, it
26. won't damage the law, it will...we will have a law on the
27. books, we will have the...the original Consolidation Act
28. on the books, but it will give us one more year to thoroughly
29. brief local governmental units on what kinds of cost they
30. are going to have to encounter with respect to consolidation
31. of elections. Now, effectively, it is true that this would
32. mean a two year extension for the difficult part of consoli-
33. dation, which comes in the odd numbered year. So if we

1. have a December 1st, 1979 extension, we have the General
2. Assembly Elections of 1980 and then the municipal elections
3. of 1981. Take it from me, if you can please, I just don't
4. think we're...are in shape to start on December 1st of this
5. year with a consolidation schedule. I urge adoption of
6. Amendment No. 1. Thank you.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? Senator Graham.

9. SENATOR GRAHAM:

10. Mr. President, I perhaps have...not perhaps, I have
11. labored longer in the vineyards...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. May we have some order. Immediately...

14. SENATOR GRAHAM:

15. I thought some of the Senate help could be a little
16. quite too, that might be helpful.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. We'll try to get them to help be quiet. Will the
19. Senators please be in their seats.

20. SENATOR GRAHAM:

21. Have labored longer in the vineyards of this important
22. proposition than anyone in this hall. We started out many
23. years ago with such famous Senators as Joe Peterson, Dan
24. Dougherty, Betty Ann Keegan, lady from Rockford and others
25. who thought that we had a good idea and I still believe we
26. do. It's extremely difficult...it's extremely difficult
27. for one who is a cosponsor of a bill and a cochairman of
28. the Senate...the Election Laws Commission to get up and
29. say to you that at this point in time that we have probably
30. spent over the years, a total of a quarter of a million
31. dollars in attorney's fees, commission actions, testimony
32. and several hearings throughout the State. Perhaps this
33. is an idea that may never come, but it's an idea that
34. needs to come, it needs to happen. It needs to happen

1. because the people of the State of Illinois are interested
2. in saving money that deals with the cost of elections. And
3. perhaps more importantly, they're tired of getting up every
4. Tuesday and Saturday and going to the polling place, see
5. what they're going to vote for. Now, Senator Rhoads put it
6. very...very specifically, these bills are not ready. The
7. only sane thing that this Senate can do, in my opinion, and
8. we tried to tell them this last year with a bill that
9. Senator Regner and I introduced, which at that time would
10. have delayed the effective date of the bill that was
11. signed by the Governor. And the League of Women Voters
12. in their wisdom, or lack of it, helped defeat that bill
13. after having worked with us for years trying to perfect
14. this type of legislation. If we don't extend this, give
15. the Election Laws Commission a chance to have
16. some more hearings and work out some problems, and there
17. are some, we are doing the people in the State of Illinois
18. a great disservice. This amendment needs to be adopted.
19. The amendment on the bill that we passed last year...affecting
20. that one, needs to be adopted. The Election Laws Commission
21. needs to go to work. We don't dare or need to send this type
22. of legislation over to the House and let it get all fouled
23. up like they have that piece of legislation over there now and
24. I am telling you, if they, in their wisdom or lack of it,
25. continue to let this legislation be bogged down because of
26. personal differences, then Ladies and Gentlemen, we're
27. not going to ever have consolidation of elections. I think
28. the important thing is and Senator Maragos is on the Election
29. Laws Commission with me, he sat in some of the hearings with
30. me, some of the staff have been there, some of the most
31. influential and most important people in the State of Illinois
32. that deal with elections have been there, and we're not
33. ready. Let's adopt this amendment. The amendment is proposed

1. by Senator Rhoads. And if we don't, we're foolish to ever
2. attempt to pass this bill out of the Senate and it'll be
3. awful difficult for one who is a cosponsor of the bill to
4. rise in opposition to it at that point in time, but that
5. may be my prerogative. I move your support in the adoption
6. of this amendment.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Thank you, Mr. President. In all due deference to
11. Senator Graham, I rise in opposition to this amendment.
12. I would remind my colleagues that the concept is not
13. perfectable. We will never be ready. We operate on that
14. principle around here, when we get down to the 30th of
15. June. And somehow we find our way through. The light
16. clears and we get the job done. If we don't hold our feet
17. to the fire, we will never, ever, get consolidation of
18. elections. It may seem a rather ham-handed way to approach
19. the problem, but I believe we have dealt with as many
20. difficulties as we reasonably can and quite frankly we are
21. just not going to know how it's going to work until we
22. try it. And I say let's not put it off any longer. The
23. time is now, let's reject this amendment and pass the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. Mr. President, members of the Senate. I too arise in
28. opposition to the amendment. And I can only state to Senator
29. Graham for whom I have the highest regard, that this has been
30. his product with my predecessor in this office, Senator
31. Dougherty, who worked in the vineyards from over ten years
32. to say the least. And I also echo the sentiments of Senator
33. Wooten, who states that either we're going to have it or we're

1. not going to have it. Now, if you don't feel that consolidation
2. is the answer, then go back and knock out the bill we passed
3. last year that's enabling us to have a consolidation. But let
4. us not delay this...this action any further. I agree, there
5. are always going to be some questions, especially the school
6. districts and the...municipalities. But let us not say that
7. by not biting the bullet that we're going to get any better
8. results next year. The contrast, the interests that are
9. involved are conflicting. Let us not kid ourselves, this
10. is going to be some additional cost initially that many
11. people do not anticipate. But Ladies and Gentlemen of the
12. Senate, if that is the case, let us go back and tell the
13. Governor and let us go take the bull by the horns and say
14. we don't believe in consolidation, let's knock the bill
15. out that we passed last year and start all over. I say
16. to you does this bill not, will not, be only a one year
17. extension, as was admitted by the sponsor of the amendment.
18. This, in effect, will take three years before it takes
19. the municipal elections into effect. So let us say either
20. we're for consolidated elections or we're not and if we
21. are for consolidation of elections then I ask you to vote
22. against this amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Glass. Will the Senator...just a moment,
25. Senator. Will the Senators please be in their seats.
26. Will the Senators please be in their seats. Proceed.

27. SENATOR GLASS:

28. Thank you, Mr. President. This is, as Senator Rhoads
29. said, an extremely important amendment. I have to agree
30. to some extent with what Senator Wooten said, Senator Maragos.
31. That is that the longer we delay making this effective, the
32. greater the risk there is that we're going to be here in
33. another year facing this same problem. People are going

1. to be saying, give us more time, but be that as it may, I
2. am satisfied that this State is...is not ready to implement
3. the consolidation of election bill for which we all voted.
4. And Senator Maragos, I don't think it's a question of
5. whether we're in favor of it or not. A vast majority are
6. and...and the legislation has been passed, but the people
7. who have to administer the elections out in the counties
8. and the school districts and the townships, aren't ready.
9. And if your mail and your conversations have been anything
10. like mine, you know why that is, because there are still
11. many defects in the bill, there are many kinds of elections
12. for which this bill simply has no answer. When...when
13. property is annexed to a city, the people in the property
14. being annexed have an opportunity to vote. That is an
15. election, that's not adequately covered by the...by this
16. bill. I think it would be a serious mistake to foist the
17. Consolidation of Elections Law on the State of Illinois
18. from our perch here in Springfield and say, just go ahead
19. and...and do the job. So I think we ought to...ought to
20. delay implementation for a year. I'd like to ask the
21. sponsor of a...of the amendment, after that statement,
22. one question and I...I will conclude. Senator Rhoads,
23. what will be done during this year to make sure we hear
24. from the people around the State and that we do get
25. a bill that is, in fact, workable?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Senator Glass. The problem with the
30. hearings of the Election Laws Subcommittee was very
31. simply that we didn't really have a...a final product
32. to give to local election administrators, park district
33. people, school district people and so forth, so that

1. they could gage exactly what their costs were going to be
2. under consolidation. As a matter of fact, in the last
3. month and a half, House Bill 2554 has totally changed once
4. again the schedule of consolidation, at least with regard
5. to park districts, and frankly doesn't even square up right
6. now with the...enabling legislation which was passed last
7. year. So I don't know how, you know, how we're going to
8. ...to handle that situation. What I feel has to be done
9. by the Election Laws Commission and incidently the Depart-
10. ment of Local Government Affairs has expressed a willingness
11. to help in this project, is to pass the bill...the...the
12. implementing legislation, get it printed and get it distri-
13. buted to the thousands of local election administrators who
14. will be responsible for the handling the petitions and
15. handling the canvas and also the election day activities.
16. Under House Bill 2554 and under Senate Bill 1419, all
17. of the pre and post election activities remain local,
18. remain with the local county clerk or whoever is now the
19. election administrator. But the election day activities
20. are consolidated under the supervision of the county clerk
21. and there's where the cost sharing formulas come in and
22. so forth. The question is very simply, are we ready between
23. now and December 1st to put this into effect, I don't think
24. that we are. Most of the local governmental units have
25. been going through their budget process in the last two
26. months and they haven't been able to...to give any kind of
27. intelligent calculation as to what the...what the effect
28. would be. Now that's in answer, if there are no more
29. questions, I'll close.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Well, there are many that have indicated their desire
32. to discuss this matter and we must get along. Senator Mitchler.

33. SENATOR MITCHLER:

1. Mr. President and members of the Senate. Very briefly.
2. I believe we all recognize that we pass and act on many laws
3. and once they get out and get out to the people that have
4. to live by those laws, they find and tell us problems
5. that they have with the law. That is why we come back
6. and have amendments in the...this is a legislative
7. process. Now what Senator Rhoads is trying to do and I'm
8. going to support him. He says, people back home, here's
9. a big bill, it's a Consolidated of Elections Bill. Many
10. people want this, I want it, I'd like to see consolidated
11. elections. It's a very comprehensive piece of legislation
12. and we're going to put it out to you and we're going to
13. pass it, but it's going to have an effective date of a
14. few years hence. Consequently, you can examine it and
15. you can come to each and every one of us, in the Senate
16. and in the House, and tell us what you think is wrong
17. with it. In other words, they're going to be a committee
18. of the whole out there and they're going to have a year,
19. if they want, two years. Time is not that important. And,
20. but when they come out we're going to give them something
21. they can live with. You know, I know, they know, they
22. cannot live with the bill in its present form. And to do
23. this to people that are back there in the counties, the
24. school districts, the municipalities, the townships, it's
25. the wrong thing to mandate something on them that they
26. cannot do and cannot live with. So let us put it out to
27. them, give them the obligation to come to the Election
28. Laws Commission, come to the Local Government Affairs, to
29. us as individuals and tell us what's wrong, we'll look at
30. it, we'll amend it, we'll propose it, we'll argue it, we'll
31. debate it and then hopefully we can come up with a product
32. that when it's effective, it'll be effective and then the
33. people that we represent and that elect us to office will

1. be benefited instead of having something that will be costly
2. to them and that's unworkable. I don't think that Senator
3. Rhoads is asking for anything beyond our doubt, one year.
4. And after all it's...it'll be in a new Legislative Session
5. and next year we can have a little more time to go into
6. it. I think it's a good amendment. I hope it's adopted.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Rhoads may close.

9. SENATOR RHOADS:

10. Thank you, Mr. President, members of the Senate. I
11. think it's pretty well been debated. Just with respect
12. to two speakers on the other side who made comments about
13. keeping our feet to the fire and so forth. Generally
14. speaking gentlemen, I...I agree with that kind of a
15. concept. I think that once we've thrown our hat over
16. the wall, we ought to...ought to follow it. And I wouldn't
17. have any hesitation about doing that if I felt that we could
18. be ready for this by December 1st and do so in a responsible
19. manner, but I really don't think that we are. Secondly,
20. I don't think that this is a question of you're either
21. for consolidation or you're not. I am for consolidation,
22. I've said so repeatedly. And, Senator Maragos, I will vote
23. for Senate Bill 1419 if this amendment goes on and will
24. support it. But I do think we need that extra year to
25. get this information out to the local election districts.
26. It's a very complicated thing with a great many cost
27. implications for your local governmental units and I
28. think if you don't vote for the extension, next year
29. we may be going through a very difficult period and we'll
30. probably wish that we had. So I ask for your favorable
31. consideration. Thank you.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The question is shall Amendment No. 1 to Senate Bill 1419

SB 1423
S/a S
3rd

- 1. be adopted. Those in favor vote Aye. Those opposed Nay.
- 2. The voting is open. Have all those voted who wish?
- 3. Have all those voted who wish? Take the record. On that
- 4. question the Ayes are 35, the Nays are 15. Amendment No. 1
- 5. to Senate Bill 1419 is adopted. Are there further amendments?

6. SECRETARY:

7. Amendment No. 2 offered by Senator Rhoads.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator...he moves to withdraw. The amendment will
10. be withdrawn. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Johns, for what purpose do you
15. arise?

16. SENATOR JOHNS:

17. For a matter of record. I was away from my desk and my
18. friend voted for me, which I told him to do, but he voted
19. wrong for me and I would have voted Aye on that last vote.
20. Thank you.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The record will so show. Senate Bill 1423, Senator
23. Mitchler. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1423.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Mitchler.

30. SNEATOR MITCHLER:

31. Mr. President and members of the Senate. Senate Bill
32. 1423 amends the Illinois State Auditing Act and the Regional
33. Transportation Authority Act and authorizes the Auditor

1. General to audit the collection and disposition of taxes
2. imposed on the selling or use of motor fuel by the Regional
3. Transportation Authority. The effective date is immediately.
4. The reason for this amendment to the act and given the
5. authorization to the Auditor General to audit, the RTA, is
6. because since the RTA Gas Tax was started in...in December
7. 1st, 1977, approximately thirteen million dollars has been
8. collected. At a board meeting of the RTA the question came
9. up as to how the RTA Gas Tax was dispersed. According
10. to the law and the RTA Act, the gas...tax collected in
11. the six county areas must be spent in the counties in the
12. area in which it is collected. The RTA Board could not
13. get an answer as to the disposition and the distribution
14. of the RTA Gas Tax, approximately thirteen million dollars.
15. This prompted the people to want an audit, so that some
16. guidelines might be given to the RTA Board in the proper
17. method of dispersing and...distributing the RTA Gas Tax.
18. The Auditor General does not now have this authority to
19. audit the RTA Board or the RTA Act and I have a letter
20. from Auditor General Cronson to that effect that we
21. would need Legislative authority. Ordinarily, in the
22. Legislative Audit Commission, a resolution is presented
23. for an audit of any specific agency or operation of
24. State government, but Legislative authority is necessary
25. for that resolution to be in proper form before the
26. Auditor. General. There was a fiscal note requested and
27. the approximate cost of the RTA audits, of the collection
28. and...disposition of Motor Fuel Tax is thirty-five thousand
29. dollars. This is based on an estimate of one thousand
30. hours of audit time at twenty-nine dollars per hour and
31. expenses of six thousand dollars. I know of no opposition
32. to an audit being made of any agency to see that it's
33. operating properly and that is all that the audit will be,

1. it is not going to get in to try to bring out anything else
2. in the operation of the RTA, but just on the manner in which
3. the gas tax is collected, in the manner in which it is disposed,
4. so that it conforms to the letter of the law. I'll be glad
5. to answer questions. And I move for the adoption.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there discussion? Senator Rock.

8. SENATOR ROCK:

9. Is this another olive branch?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. I don't know what you allude to, Senator Rock, as
14. an olive branch, but this is something the people, I believe
15. the people of your district, want to see that any tax money
16. collected is dispersed in the manner as prescribed by
17. law.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there discussion? Further discussion? The question
20. is shall Senate Bill 1423 pass. Those in favor vote Aye.
21. Those opposed Nay. The voting is open. Have all those
22. voted who wish? Take the record. On that question the
23. Ayes are 39, the Nays are 15. Senate Bill 1423 having
24. received a constitutional majority is declared passed.
25. We will now go to the Order...to Senate Bill...just a
26. moment, Senator Schaffer. For what purpose do you arise?

27. SENATOR SCHAFFER:

28. Having voted on the prevailing side move to reconsider.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Heard the motion. Motion is to lie on the Table. You
31. heard the motion, those in favor indicate by saying Aye.
32. Those opposed Nay. The Ayes have it. Senate Bill 1419 on
33. the Order of 3rd reading. Read the bill, Mr. Secretary.

1. We'll have to come back to that momentarily, Senator.
2. Senator Hynes, for what purpose do you rise?
3. SENATOR HYNES:
4. For the purpose of an announcement, Mr. President.
5. With respect to the Joint Session which will be held
6. tomorrow at which the President of the United States will
7. address the General Assembly, there are a number of items
8. that the membership ought to be aware of. We have distributed
9. or are about to distribute a schedule of the day's activities.
10. And you will notice that it calls for the Senate to come into
11. Session at 8:00 a. m. tomorrow morning and thereafter the...the
12. schedule of the day's events is laid out. So we would ask the
13. members to be here at 8:00 o'clock for the opening of the
14. Session. There are several additional points that everyone
15. should be aware of. First of all the South parking lot
16. behind the building will be completely empty on Friday and
17. no one will be allowed to park in that rear parking lot.
18. The Capitol Building will be secured by the Secret Service
19. tonight and the building will open at 7:00 a. m. and will
20. be open until 8:30 a. m. The North, East and West doors
21. will be open, the South door will not be open. No one
22. will be allowed into the building after 8:30 a. m. except
23. those members of the Legislature who do not heed our first
24. request to be here at 8:00 o'clock and they must have a
25. pass to identify themselves so there will be ingress and
26. egress for elected officials, but we would ask you to be
27. here at 8:00 o'clock. Only those with passes will be
28. allowed into the building during the...the hours that I
29. mentioned and that will include employee passes, the press
30. passes and the Legislative passes. And Bob O'Keefe has
31. those passes here now and we will distribute them to you
32. today so that, bring those passes with you tomorrow in
33. order to be able to get into the building. The Gallery

1. will be open at 7:00 a. m. and remain open until 8:30 at
2. which time it will be closed for further admission. So
3. that anyone that...that wishes to be seated in the Gallery
4. must be in the Gallery by 8:30. We will convene, as I
5. said, at 8:00 a. m. and then we will proceed at 8:30 over
6. to the...the House for the convening of the Joint Session.
7. Each Senator, as we previously announced is entitled to
8. one pass and Mary Beth from the Speaker's Office will be
9. over in the Senate very shortly, in the well area in the
10. back to hand out those passes and each Senator must sign
11. for that pass and indicate the name of the person that
12. will be using it in order to get it. Now, that is the
13. general outline of...of the activities and I would
14. suggest to you that it is going to be a rather hectic
15. morning here tomorrow and I would ask that everyone make
16. a special effort to try to cooperate and stick with the
17. schedule that we have set up.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Maragos.

20. SENATOR MARAGOS:

21. Mr. President, I'd like to ask President Hynes.
22. What arrangements are there made for us being seated in
23. the House when the President is speaking and are we going
24. to go over there as one Body or individually, what...what
25. ...in what form?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hynes.

28. SENATOR HYNES:

29. That is indicated in the schedule. We will meet here
30. and then we will go across as one Body and there will be
31. specific seats assigned to each Senator.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Sangmeister, have your amendments on 250

1. come up? Are we ready? All right, with leave of the Body
2. we'll go back to...Senator Graham, for what purpose do you
3. arise?

4. SENATOR GRAHAM:

5. I...thank you, I wanted to ask President Hynes a
6. question.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Yes, Senator Hynes...Senator Graham is addressing
9. a question.

10. SENATOR GRAHAM:

11. I have a bill on 3rd reading that is of great import
12. to many people, that's the...bill dealing with the paramedic
13. unit operation in the State of Illinois. We'll have the
14. amendments prepared for that that have been in...as the
15. result of many conversations we've had with people in the
16. operation of it. Inasmuch as tomorrow is the final day
17. for passage, I hope that I will have adequate time tomorrow
18. to get that bill back to 3rd and get it amended and get it
19. out of here so the House can have it. That's that premedical
20. bill that we've worked so long on, we've worked about three
21. months on it now.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Hynes.

24. SENATOR HYNES:

25. Well, we will be in Session tomorrow and there are a
26. number of important bills on the Calendar, so I would
27. advise everyone to make plans to be here tomorrow after the
28. Joint Session. And that is not going to be the end of the
29. day's work, we're going to be here until we get the Calendar
30. cleared off.

31. SENATOR GRAHAM:

32. That's what worried me.

33. SENATOR HYNES:

34. But if you can make...if you can amend that bill today,

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1. I would suggest you do it.

2. SENATOR GRAHAM:

3. I'll try to get it done today, if I can, Senator.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. On the Order of Senate Bills 3rd reading,
6. Senate Bill 250. Senator Netsch seeks leave of this Body to
7. bring back Senate Bill 250 from the Order of...to the Order of
8. 2nd reading for purpose of an amendment? Is leave granted? On
9. the Order of Senate Bills 2nd reading, Senate Bills 250.

10. Mr. Secretary.

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(following typed previously)

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1. SECRETARY:
2. Amendment No. 7 offered by Senator Netsch.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Netsch.
5. SENATOR NETSCH:
6. Thank you, Mr. President. Mr. Secretary, are you sure this
7. is No. 7? I thought I had it marked as No. 6 and I'm...I just want
8. to...
9. SECRETARY:
10. Senator Netsch, I...I show...they always indicate to me how
11. many...amendments have been acted on...
12. SENATOR NETSCH:
13. And we had it adopted six.
14. SECRETARY:
15. Well, not necessarily adopted six. We could have acted on
16. six some...
17. SENATOR NETSCH:
18. Fine. That is...All right.
19. SECRETARY:
20. ...failed, Tabled and et cetera.
21. SENATOR NETSCH:
22. All right. Thank you. I just wanted to make sure that I
23. have the right one. So Amendment No. 7...Thank you, Mr. President.
24. This amendment incorporates...
25. PRESIDING OFFICER:(SENATOR ROCK)
26. Senator Netsch.
27. SENATOR NETSCH:
28. Thank you, Mr. President. This...amendment incorporates...
29. PRESIDING OFFICER:(SENATOR ROCK)
30. Senator Davidson, for what purpose do you arise?
31. SENATOR DAVIDSON:
32. Well there's six or seven or at least four or five different
33. amendments to 250 been laid on our desks. Would someone tell me

1. which amendment we're addressing first on Amendment No. 7 please?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. I...I would assume that Senator Netsch was prepared to do that
4. and she has yet to have the opportunity. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. I am trying to do that Senator
7. Davidson. It has a green sheet attached to the top of it with a
8. short explanation which says, the amendment one, makes technical and
9. typographical corrections in the bill. ~~Two~~, clarifies the
10. recommendations of the Special Joint Committee on revision of the
11. Mental Health Code regarding the two certificates necessary for
12. involuntary admission. That is the amendment we are talking about.
13. The...the technical corrections are those that were called to our
14. attention by a member of the Republican staff and we appreciate that
15. help. We know they are long bills. The second part of it puts
16. together in one place and clarifies what was intended to be the
17. certification procedure for involuntary admission. And if I might
18. just briefly summarize it because this issue will be coming up
19. again. Under this bill as now...if Amendment No. 7 is adopted
20. the...there will be two certificates required for involuntary
21. admission. The first one can be executed by a psychiatrist, a
22. physician, a clinical psychologist, a...a qualified examiner, any
23. one of those. The second must be executed either by a psychiatrist
24. or a clinical psychologist and in any case there...one of the two
25. must be executed by someone who is an...an M.D. because there is
26. always some physical examination that must go with it. That is the
27. ...the way the committee finally resolved the certification procedure
28. and this amendment would make clear that is exactly what the bill
29. provides with respect to all forms of involuntary admission and in-
30. cluding the emergency admission. With that explanation I would
31. either answer questions or move the adoption of Amendment No. 7.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Netsch has moved the adoption of Amendment No. 7 to

1. Senate Bill 250. Is there any discussion? Senator Sangmeister.

2. SENATOR SANGMEISTER:

3. Yes, thank you, Mr. President. To the members of the Body
4. I have a...an amendment coming up later that deals with this same
5. topic. I don't...I can't tell you what number it will be because
6. the Clerk at this point, I presume, is in the...or the Secretary
7. at this point is in the posture, I imagine, of assigning numbers
8. to them but I have an amendment where I would like to keep the law
9. exactly the way it is in this particular area. You understand this
10. is a sweeping review of the whole...in fact, we're...we're repealing
11. the entire Mental Health Act and I would like to make an effort and
12. I'd like to see this Body discuss and vote on whether or not they
13. want to retain the present law by...by using a physician and I
14. have an amendment to change their proposal to do that. Of course,
15. if we put this on we've already on the second certificate gone to
16. a clinical psychologist. Now I have another amendment that will be
17. following that will do the same thing as this if we decide not to
18. stay with physicians and I would first like to get a shot at that
19. and then I'll be doing the same thing you want to do, Senator Netsch,
20. by offering an amendment after that if mine fails.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Further discussion? Senator Walsh. Senator Daley.

23. SENATOR DALEY:

24. Mr. President and fellow Senators. I stand in favor of this
25. amendment. What this does, it clarifies many of the problems that
26. the Department of Mental Health has in Illinois. As Senator Netsch
27. described the second certificate is where a person can testify in
28. court. We allow a psychiatrist plus a clinical psychologist 'cause
29. in many parts of this State there are problems getting psychiatrists
30. to sign certificates as well as there's not enough psychiatrists in
31. State facilities. Most of these problems in involuntary admission
32. pertain to State facilities. A very few will pertain to a private
33. facility. The Department of Mental Health has been in favor of this

1. amendment, has been worked out over the year with the Department
2. of Mental Health and I think it's a good amendment. It's...it's
3. greatly needed and throughout Illinois.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Glass.

6. SENATOR GLASS:

7. I'd like to ask the sponsor a question, Mr. President...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. The sponsor indicates she will yield. Senator Glass.

10. SENATOR GLASS:

11. Senator Netsch, what kinds of people will be qualified to
12. make the first certification under this amendment?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Netsch.

15. SENATOR NETSCH:

16. A psychiatrist, a physician, a qualified examiner or a
17. clinical psychologist.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Glass.

20. SENATOR GLASS:

21. Well a...what about the nurses? Isn't there...is this the
22. area where they have asked to be included and they're concerned
23. that somebody is going to try to amend them out?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Yes. They are included as qualified examiners when they have
28. met certain standards and we do not want to read them out. I think
29. Senator Sangmeister...subsequent amendments will try to eliminate
30. them.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Philip.

33. SENATOR PHILIP:

1. Will the sponsor yield for a question?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. The sponsor indicates she will yield. Senator Philip.

4. SENATOR PHILIP:

5. As Senator Netsch...this seems to be rather a drastic change
6. from the present law and the way I understand it that before you
7. can get...admit a person in or out...to get a person in or out of
8. a mental institution it takes a signature of a physician or an M.D.
9. Now you're including three categories? Let me ask you this question.
10. Number one, repeat what the categories are and what the qualifications
11. for those categories are and what is the rationale behind it?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Netsch.

14. SENATOR NETSCH:

15. The...the...those who may execute the first certificate are
16. a psychiatrist, a physician as defined generally in our Medical
17. Practice Act. A qualified examiner and I can come back to that
18. definition in just a moment or a clinical psychologist. A qualified
19. examiner includes the certified social worker with a master's degree
20. in social work or a registered nurse with a master's degree in
21. Psychiatric Nursing, each of whom also has to have had three years
22. of clinical training and experience in the evaluation of people
23. in mental health. The second certificate under this version must
24. be executed by a psychiatrist or a clinical psychologist and in
25. either...in any case one of the two certificates must be executed
26. by a...a M.D. whether he is a regular physician or a psychiatrist.
27. The reason for adding the other categories on the first certificate
28. was in response to really a lot of concerns including those of the
29. Department of Mental Health that in many cases there is not a
30. psychiatrist available at...at admitting facilities, that in fact,
31. many places where people are brought in for emergency admissions,
32. the first people who do see and deal with them and are trained to
33. deal with them are the...the nurses who have had this special training,

1. in some cases the social workers that they are in many cases as
2. qualified as an ordinary physician. Let's say an orthopedic
3. surgeon who may never see anyone with mental problems and that it...
4. it accords with reality and it's...it's in the long run much more
5. protective of those who are subject to the process particularly
6. since we have made it clear that there must be a physician on one
7. or the other of the certificates in all cases.

8. PRESIDING OFFICER:(SENATOR ROCK)

9. Further discussion? Senator Bowers.

10. SENATOR BOWERS:

11. Will the sponsor yield to a question?

12. PRESIDING OFFICER:(SENATOR ROCK)

13. Indicates she will yield. Senator Bowers.

14. SENATOR BOWERS:

15. I'm not sure I understand the difference, frankly, let me say
16. I...I agree with Senator Sangmeister's amendment. I wish we were
17. debating that first but in the order of things I understand we're
18. not. Now what I don't understand is how your amendment changes
19. the present bill. In other words, you've explained the amendment
20. very well and I understand that but what is the posture of the
21. bill if this amendment does not go on? I'd like to know how to
22. vote on the amendment. I don't know how I can till I know that.

23. PRESIDING OFFICER:(SENATOR ROCK)

24. Senator Netsch.

25. SENATOR NETSCH:

26. It's really intended to be more of a clarifying amendment.
27. The way the...the first amendment was drawn it...we left out a
28. sentence in one part of the Statute that did not make it clear that
29. the physician must be one of the two certifying. That was not in-
30. tended to be that way and this amendment goes back and recast
31. those provisions to make it clear that that is a requirement. One
32. of the two certificates must be a physician. That was always in-
33. tended to be the case but apparently we inadvertantly left that

1. sentence out at one point.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Bowers.

4. SENATOR BOWERS:

5. So if I understand correctly without the amendment the bill

6. now provides that a physician does not be...involved or does not

7. have to be involved at all in the process. Is that correct?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Netsch.

10. SENATOR NETSCH:

11. In one of the two sections that deals with the certification, the

12. emergency certification section would then not have that critical

13. sentence.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bowers.

16. SENATOR NETSCH:

17. I might say incidently that there are a lot of technical

18. corrections in this amendment also, Senator Bowers.

19. PRESIDING OFFICER:(SENATOR ROCK)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Okay. So if we...if there's not a roll call I don't care I

23. guess, but if there's a roll call and we vote for this amendment

24. this amendment will then put a physician in the process that he...

25. that's not already there under the bill itself. Is that correct?

26. PRESIDING OFFICER:(SENATOR ROCK)

27. Senator Netsch.

28. SENATOR NETSCH:

29. It will put a guarantee of a physician on one of the two

30. certificates in both sections of the bill where it is necessary.

31. That is correct.

32. PRESIDING OFFICER:(SENATOR ROCK)

33. Further discussion? Senator Schaffer. Senator "Olive Branch"

1. Schaffer.

2. SENATOR SCHAFFER:

3. Oh, I have a comeback for that, Senator Rock, but I may

4. save it for a more appropriate time. If I might ask a...a question

5. of Senator Sangmeister...

6. PRESIDING OFFICER:(SENATOR ROCK)

7. Yes, he indicates he will yield. Senator Schaffer.

8. SENATOR SCHAFFER:

9. Senator Sangmeister will yield.

10. PRESIDING OFFICER:(SENATOR ROCK)

11. Yes.

12. SENATOR SCHAFFER:

13. Okay.

14. PRESIDING OFFICER:(SENATOR ROCK)

15. He has indicated he will yield.

16. SENATOR SCHAFFER:

17. What...your amendment would do what? I...I'd like to get

18. the two in perspective 'cause obviously we're going to be debating

19. both of them. We appear to be doing that right now.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Well, when my amendment is reached, if...if...I don't know

24. what happens if this one goes on but...the amendment that I want

25. to debate is to keep the law as it presently is whereon that first

26. certificate there has to be a physician.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. Senator...

29. SENATOR SANGMEISTER:

30. Yeah, you know, may...if I just follow that then I won't have

31. to speak later on. What bothers me here is...is I understand this

32. need for this entire new Act as we must protect the rights of

33. people who are put in mental hospitals and I have no great objection

1. to that but all of a sudden the people that are proposing this
2. now all of a sudden want people to come in on that first certificate
3. with no physician being involved in it. I don't know whose rights
4. we're trying to protect under that kind of an amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. I just wanted to understand where we were. I'd like to comment
9. in support of Senator Netsch's amendment and...and very reluctantly
10. in opposition to Senator Sangmeister's amendment. During the hearings
11. we held on this bill, one of the things that became very obvious
12. is that when someone arrives at one of these institutions, State or
13. private or not-for-profit to be admitted many times, frankly, it's
14. at two o'clock in the morning. It's on Saturday night. It's
15. Sunday morning and there, frankly, is not a physician in house.
16. I think most of us will recall the debate we had here about the
17. limited license problem in our institutions. The simple fact of
18. the matter is that many times there is not a doctor and...and the
19. vast majority of the times there's definitely not a psychiatrist
20. available and what we're simply saying is that a trained professional
21. can admit for a limited number of hours but at the end of that period
22. we have to get a doctor there and I really think it's realistic.
23. We do not have the...the number of doctors involved in...in the
24. mental institutions that we...we could request. This is...happens a
25. very small number of times. I believe eight hundred times a year was
26. the testimony we had in...in committee and I think it is a reasonable
27. compromise that is workable and one that, frankly, I...I believe is
28. at the behest of the Department of Mental Health.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Netsch may close the debate.

31. SENATOR NETSCH:

32. I would just like to point out that we do need this amendment
33. on the bill under any circumstances and Senator Sangmeister will be

1. reintroducing the question to which some of you have addressed
2. yourselves subsequently and this does not preclude it. But this
3. amendment is necessary just to cleanup the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Netsch has moved the adoption of Amendment No. 7 to
6. Senate Bill 250. All those in favor signify by saying Aye. All
7. those opposed. The Ayes have it. The amendment is adopted. Further
8. amendments?

9. SECRETARY:

10. Amendment No. 8 offered by Senator Sangmeister.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Sangmeister, can you identify the amendment, Sir?
13. ...Yes, Mr. Secretary, why don't you read the first couple of lines
14. so we can identify which amendment we're addressing.

15. SECRETARY:

16. Amend Senate Bill 250 as amended on page 4 after line 23 by
17. inserting 3...after line 13 by inserting 3.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Thank you, Mr. President. What this amendment does and some
22. of this is going to be difficult if you don't have them in front
23. of you, although they...you should all have them. They have been
24. distributed but in the language of the way we've been talking about
25. this bill, we call this a third tier. It's nothing more than a
26. third paragraph that's going to establish the type of people that
27. we can involuntarily commit and the third category that I would
28. like to see put in there very briefly says a person who has a
29. substantial disorder of thought, mood, perception, orientation or
30. memory which grossly impairs a judgment, behavior, capacity to
31. recognize reality or a substantially impaired capacity to deal
32. with the ordinary demands of life and where there is a substantial
33. expectation that that person will benefit from that treatment. Now

1. I know there's a lot of people that are going to say, well, gee
2. that might even apply to me because it's so broad but we do...this
3. language has been carefully thought out and it is necessary because
4. you got to take into account a significant number of people with
5. severe mental health illness which do not fit the other standards.
6. I know from my own practice one particular individual who just
7. failed to recognize the realities of what was happening to her
8. and yet she was not violent or would fit the other two categories.
9. I think this is very necessary if we are going to...to be able to
10. handle the type of people that need mental treatment and this
11. category is absolutely necessary for this bill and I would ask
12. for...for it to be adopted.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Sangmeister has moved the adoption of Amendment No. 8
15. to Senate Bill 250. Is there any discussion? Senator Daley. He
16. yields to...Senator Berman.

17. SENATOR BERMAN:

18. Thank you, Mr. President. I stand in opposition to this
19. amendment. This same language was discussed, to my memory on, two
20. specific dates both in the subcommittee and in the full committee
21. of the Judiciary Committee. The only thing that's been changed is
22. that instead of twenty-one days involuntary commitment they're
23. talking about a fourteen day involuntary commitment. I'm not sure
24. if everyone has a copy of this amendment in front of them but I...
25. let me merely give you my interpretation of this language. I said
26. it somewhat facetiously in the subcommittee when we saw this language
27. but I...I'm not sure I'm really being facetious. I'm not sure that
28. there isn't a person in this Body today that at the end of a rough
29. day couldn't be determined to fit the language that's in this bill
30. and that means they could be put away for fourteen days ranting...
31. raving and screaming. Let me just read to you some of this language.
32. A person who has a substantial disorder of thought, mood, perception,
33. orientation or memory which grossly impairs judgment, behavior,

1. capacity recognized reality or a substantially impaired capacity
2. to deal with the ordinary demands of life. Now at some of the
3. ends of days on this Floor I think I fit that description and I
4. don't want to be put away for twenty-one days or fourteen days
5. and I just submit to you that this is a...an open key not a blank
6. check but an open key to put anybody and everybody away for fourteen
7. days involuntarily. I urge a No vote.

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(end of reel)

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1. PRESIDING OFFICER: (SENATOR ROCK)
2. Further discussion? Senator Netsch.
3. SENATOR NETSCH:
4. That's...that's...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. All right.
7. SENATOR NETSCH:
8. I repeat everything that Senator Berman has said.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Any further discussion? Senator Sangmeister, you wish to
11. close the debate?
12. SENATOR SANGMEISTER:
13. Yes. Well, we certainly are very hyper about what's going
14. to happen to the members of the General Assembly if this language
15. is included in the Act. Sure, it's difficult to draw language to
16. cover the category of people that we want to cover here, but there
17. are people who are in need of mental treatment who are just not
18. violent, you know. Not everybody needs to be put into a strait-
19. jacket when they're brought in and this is the type of thing that
20. the...the medical profession needs to treat and I think we're
21. excluding and making it difficult to get those kind of people in
22. for mental health treatment. Now you know what Senator Berman says
23. may have a lot of laughs to it and it might apply to us but let's
24. think of it in realities. Is anybody actually going to file a
25. petition against you or anyone else unless they really need...well
26. in that case we've all been down here too damn long. I urge...the
27. adoption of this amendment.
28. PRESIDING OFFICER:(SENATOR ROCK)
29. Senator Sangmeister has moved the adoption of Amendment No. 8
30. to Senate Bill 250. All those in favor signify by saying Aye.
31. All those opposed. In the opinion of the Chair the Noes have it.
32. The amendment fails. The Chair would like to announce that the
33. young lady from the Speaker's Office has now arrived in the well of

1. the Senate and so you may obtain at your convenience...hopefully
2. everybody won't go at once. They're not...the passes aren't going
3. to go away but you may obtain your pass for the Presidential visit.
4. Further amendments, Mr. Secretary?

5. SECRETARY:

6. Amendment No. 9 offered by Senator Sangmeister. Amends Senate
7. Bill 250 as amended on page 4 by deleting lines 24 through 32 and
8. so forth.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Sangmeister.

11. SENATOR SANGMEISTER:

12. All right now so we can get to the heart of this one. This is
13. the amendment that...that I discussed earlier. This is the one that
14. requires a...a physician to make that examination and I just submit
15. to you again that if you want people coming into mental hospitals
16. without a physician signing that first certificate well then you want
17. to stay with the amendment that has previously been put on. We would
18. like to see the law stay as it has been for many years which has never
19. been abused that I know about and we ought to have a physician signing
20. that first certificate and that's what this amendment does.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Is there any discussion? Senator Daley.

23. SENATOR DALEY:

24. Mr...Mr. President and fellow Senators, I oppose this amendment.
25. We've just recently adopted Senator Netsch's amendment which allows
26. they must have a physician at either stage, the first certificate or
27. the second certificate. Also this amendment...what it does...it is
28. taking, as Senator Schaffer mentioned earlier, people who are involved
29. in the hospitals in the...in the public hospitals the psychiatric
30. social workers, the psychiatric nurses and the clinical psychologists.
31. In the first certificate they're taking them out and only making it...
32. a position. I oppose this...this amendment...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. I would like to just add one thing
4. and call attention of the members to the fact that this actually
5. does even more than the...the present law. The...one of the sentences
6. which is in Senator Sangmeister's proposed amendment No. 9 says that
7. wherever possible both certificates required by this Act shall be
8. executed by a psychiatrist. Now that goes considerably beyond the
9. existing law even in there is virtually no place where there are
10. two psychiatrists available to execute the certificates in many,
11. many parts of this State and in addition, of course, it completely
12. ignores the fact that in some areas of the State and particularly
13. at some times of the day there is not even one psychiatrist available.
14. This addition of those who are, in fact, better qualified in many cases
15. than physicians and I call...to your attention again the fact that a
16. physician might be an orthopedic surgeon or an eye doctor who has
17. just never had contact with anyone with mental illness. This really
18. is much more protective of the rights of those people who are being
19. subjected to the involuntary commitment process because it
20. guarantees them that both of the people that sign their certificates
21. are going to be people who have been specially trained to recognize
22. and understand and deal with mental problems and...mental and
23. emotional problems. We think that this is...an important change in
24. the existing law. It is supported by the Department of Mental Health
25. and...Developmental Disabilities which would not like to see us
26. return to the existing law which it found unworkable and very
27. unsatisfactory. I also oppose the amendment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? Senator Sangmeister may close the
30. debate.

31. SENATOR SANGMEISTER:

32. Thank you. Once again I think we're being inconsistent. If
33. we're concerned about who can put us into a mental institution or a

1. mental hospital then by God we ought to be just as concerned that
2. there's going to be a physician taking a look at that and putting
3. us in there if...if we're the ones that are going to go then I want
4. a physician saying that I'm going in there not some nurse and I ask
5. for a favorable roll...I want a roll call on this.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right. A roll call has been requested. Senator Sangmeister
8. has moved the adoption of Amendment No. 9 to Senate Bill 250. Those
9. in favor will vote Aye. Those opposed will vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish? Take the
11. record. On that question, the Ayes are 23, the Nays are 31. None
12. Voting Present. The amendment fails. Further amendments?

13. SECRETARY:

14. Amendment No. 10 offered by Senator Sangmeister.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Mr. Secretary, will you read the first part of the amendment
17. so we can...identify it.

18. SECRETARY:

19. Amends Senate Bill 250 as amended on page 4 lines...by deleting
20. lines 24 through 32.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Well in this amendment...is the one that now allows a...a clinical
25. psychologist along with a physician to sign the certificate but
26. eliminates again the social worker and the nurse from signing that and
27. I don't know...we'll have to check with Senator Netsch or Senator
28. Daley now whether this is...this is my amendment now in line with
29. the one of yours that was adopted, No...No. 7. Sorry, I really
30. don't know since we adopted No. 7, I don't know whether my No. 10
31. now is in line with yours or not. Let's adopt it anyway and make sure.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Netsch. Senator Daley.

1. SENATOR DALEY:

2. As I understand it what this amendment does is takes out the
3. ...qualified examiners in the first certificate...Presently we do.
4. We have the qualified examiner. We have the physician or clinical
5. psychologist in the first certificate. What you're doing is you're
6. taking the qualified examiner out, the...the psychiatric social worker,
7. the psychiatric nurse that has been...performing much of the duties
8. in the State mental facility to sign the first certificate. I think
9. we're opposing this amendment. It was similar to the other amendment.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Netsch.

12. SENATOR NETSCH:

13. I would just...thank you...to what Senator Daley said I would
14. add only one thing and that is that this amendment also repeats
15. the language that whenever possible both of the certificates will be
16. executed by a psychiatrist, something which goes considerably beyond
17. the existing law.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Sangmeister to close the
20. debate.

21. SENATOR SANGMEISTER:

22. Well I hope everybody understands what we're talking about but
23. once again you're allowing a social worker to sign you into a mental
24. hospital and I really don't think you want that and I want a roll
25. call on this one.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Daley for what purpose do you arise?

28. SENATOR DALEY:

29. Mr. President, I...make a point on that. It is not a social
30. worker, it's a psychiatric social worker who's been educated and
31. trained in that field over a number of years. There are a limited
32. number throughout Illinois and it's not all social workers.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. All right. Senator Sangmeister has moved the adoption of
2. Amendment No. 10 to Senate Bill 250. A roll call has been re-
3. quested. Those in favor of the amendment will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On that question,
6. the Ayes are 22, the Nays are 28, None Voting Present. The
7. amendment fails. Further amendments?

8. SECRETARY:

9. Amendment No. 11 offered by Senator Sangmeister amends Senate
10. Bill 250 as amended on page 7 line 22 by inserting after the period
11. "however."

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. Well on this particular amendment there's a lot of things
16. involved in here. I am willing to answer any questions concerning
17. it. If I could spend a long period of time here going over every single
18. thing that's in this amendment. I...I consider it somewhat of a
19. cleanup as they wanted to described the amendment that they had and
20. I don't know if there's any particular objections to what we have in
21. this or not. If there are let's hear the objections and argue it
22. out from that standpoint.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Daley.

25. SENATOR DALEY:

26. Mr. President and fellow Senators. We've...the other day we've
27. had a number of meetings on a number of items in regards to Senate
28. Bill 250 with the Illinois Psychiatric Society and we sat down agreeing
29. to many of them but, of course, time was...didn't have enough time
30. on the rest of the amendments. We...I thought it was the understanding
31. that these...all these changes that we accepted and...and some were
32. against that they'd be worked out in the House and now they have
33. these changes. There are many substantive changes and not only

1. procedural changes and the Department of Mental Health has been
2. opposing many of these changes as well as the other interested
3. groups who are working for Senate Bill 250. I was the understanding
4. that these would be...we would sit down again and we would work these
5. out in the House and adopt them in the House and not in the Senate.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Netsch.

8. SENATOR NETSCH:

9. Just to underscore that. There are two of the first things.
10. I don't even know what some of this amendment deals with. I...the
11. last point I have not been able to figure out yet but the first two
12. deal with the return of personal property when someone is discharged.
13. The first one raises a point that I think we all conceded and were
14. willing to try to work something out on but this simply goes much
15. too far and, in effect, says that the department or whoever on...
16. is discharging someone may make their own judgment about what
17. personal property will be returned. The second does the same thing
18. with respect to the return of money and that is just contrary to
19. court decisions so that as these two are written they simply cannot
20. be accepted although we are certainly willing to try to work some-
21. thing out later on.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any further discussion? Senator Sangmeister may close.

24. SENATOR SANGMEISTER:

25. Well all right. As long as those are the two that they're
26. picking out, apparently they have no objection to the rest but that
27. not necessarily so. I'm sorry. That's probably a misrepresentation
28. but anyway on those two items you should be aware that if this
29. amendment is adopted that the proper authorities in a hospital
30. will be able to refuse to return a gun to someone who is picked up
31. and brought in for mental treatment. I really don't find any fault
32. with that kind of a concept. Why should we have to return a weapon
33. to anyone who is brought into a mental hospital for mental treatment

1. and now we got to return that kind of personal property back to
2. them or supposing he has a...a substantial...or he or she has a
3. substantial amount of money on them. Why shouldn't the...the
4. facility director be able to hold back on those kind of funds.
5. For example, if the patient had been purchasing drugs, why can't
6. we hold that money until we feel that this person is more responsible.
7. I...I see no reason why those are not good reasons for adopting this
8. amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Question is, Senator Sangmeister has moved the adoption of
11. Amendment No. 11 to Senate Bill 250. Those in...you wish a roll call,
12. Senator? All right. A roll call has been requested. Those in favor
13. of the amendment will vote Aye. Those opposed will vote Nay. The
14. voting is open. Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 19, the Nays are
16. 33. None Voting Present. The amendment fails. Further amendments?

17. SECRETARY:

18. Amendment No. 12 offered by Senator Sangmeister. Amends Senate
19. Bill...250 as amended on page 14, line 4 by deleting "an initial
20. supply of."

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Well again, all of these items are cleanup. I...I expect the
25. best way to attack this amendment again is to find out whether there's
26. any particular opposition. I thought all of the items in what is
27. now...this is No. 12, right?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Yes.

30. SENATOR SANGMEISTER:

31. Amendment No. 12...it has pretty well been agreed upon. Is
32. that correct? Is there anything you see in here that is not
33. acceptable?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Netsch.

3. SENATOR NETSCH:

4. May I be sure I have the right one. This is the one that
5. starts "amend Senate Bill 250 on page 14, line 4" the two page
6. amendment. Is that the one you're on now? Yes, there is one
7. thing that...that was not agreed upon and I think the Department of
8. Mental Health would be very unhappy if we were to agree to it.
9. We had changed the nature of the review agency in the department
10. from an outside hearing officer to a Utilization Review Committee.
11. That...that is the department's in place thing. They asked us to
12. accommodate them in that respect. We did and this simply changes
13. the name of the Utilization Review Committee to an Admission
14. Transfer Discharge Committee which I think is unduly long, which is
15. not consistent with the department's present practice and it seems
16. to me it's just a silly change.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Well there's a lot more in this amendment than that. If that's
21. the only objection she's got to it you could see how miniscule that
22. is and, by the way, you know all of these amendments that we're trying
23. to put on pertain to private hospitals and apparently the Department
24. of Mental Health is running this whole show and certainly they've got
25. a big stake in it. I don't downplay that but also the private
26. hospitals have as well and a lot of this is cleanup as far as they're
27. concerned and now the only objection I can see is that one name is
28. too long. I hardly think that that's...justification for not passing
29. the amendment and would ask for a roll call on this also.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Daley.

32. SENATOR DALEY:

33. Mr. President and fellow Senators. Again this is part of the

1. meeting...ongoing meeting with the Illinois Psychiatric Society.
2. We sat down in regard to a number of amendments. We agreed upon
3. some of them. We disagreed on others. We said we would work it
4. out. All of a sudden the amendments come up today. Partial
5. amendments or other amendments supposedly around some place. We
6. don't know where they are. As Senator Netsch stated this Utilization
7. Review Committee was agreed upon...by the joint committee in the
8. Judiciary...Committee and it only applies to the Department of
9. Mental Health. It does not apply to private facilities so I think
10. they are mistaken and there are other substantial changes in this
11. amendment and I would oppose the amendment.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Netsch.
14. SENATOR NETSCH:
15. Let's...
16. PRESIDING OFFICER:(SENATOR DONNEWALD)
17. Senator Sangmeister may close.
18. SENATOR SANGMEISTER:
19. Well I thought I was closed...
20. PRESIDING OFFICER:(SENATOR DONNEWALD)
21. I'm sorry...I'm sorry. Just a moment. Senator Rhoads.
22. SENATOR RHOADS:
23. Excuse me, Senator Sangmeister, I would like to clarification.
24. There seems to be a...a debate here between Senator Daley and
25. Senator Sangmeister.
26. PRESIDING OFFICER:(SENATOR DONNEWALD)
27. Swallow hard, Senator.
28. SENATOR RHOADS:
29. Does this or does this not apply to private hospitals? Are we...
30. is it only germane to the Public Health Department or does it apply
31. to private institutions?
32. PRESIDING OFFICER:(SENATOR DONNEWALD)
33. Is that question directed to Senator...

1. SENATOR RHOADS:

2. It's addressed to whoever can answer it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Netsch indicates she will respond. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you. The bill as a whole applies to private as well as
7. public facilities. The Utilization Review Committee is a...which
8. is the subject of this amendment applies only in the...the State
9. facilities...in the...the public facilities. That was what Senator
10. Daley said. The Utilization Review Committee which is a part of
11. our bill is...is used only in the State facilities.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Sangmeister may close.

14. SENATOR SANGMEISTER:

15. Well I expect that's one of the problems of trying to put too
16. much into one amendment. They want to pick out one little thing
17. out of nine points in this amendment and say that that's the reason
18. ...so it should be defeated. Obviously, I suppose we should have
19. set here that with forty some amendments if we're going to take that
20. position but if that's the only...again if that's the only objection
21. they have to this amendment is to...the title of that being too long
22. I'd say that's not significant and the amendment ought to be adopted.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. All right. Senator Daley...the question is, shall Amendment No.
25. 12 to Senate Bill 250 be adopted. Those in favor indicate by saying
26. Aye. Those opposed. A roll call has been requested. On that question,
27. those in favor of Amendment No. 12 vote Aye. Those opposed Nay. The
28. voting is open. (Machine cutoff) voted who wish? Take the record.
29. On that question, the Ayes are 23, the Nays are 30. Amendment No. 12
30. fails. Amendment No. 13.

31. SECRETARY:

32. Amendment No. 13 offered by Senator Sangmeister. Amends Senate
33. Bill 250 as amended on page 2 line 15 and 16 by deleting "such..."

1. disability must."

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. This amendment defines...or the bill defines developmental...

6. defines developmental disability in a way which excludes any adult

7. post traumatic or post infectious process which produces the same end

8. result which could benefit from similar treatment and is therefore

9. recommended that the phrase "such disability must originate before

10. the age of eighteen years" and that's the reason for the amendment.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there debate? Senator...

13. SENATOR SANGMEISTER:

14. ...is there any opposition to that?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. ...Netsch.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. I rise in opposition to the amend-

21. ment. The...the definition which is used in the code as it now

22. stands is the definition that has basically been in use for some

23. time and it is intended to reach only those who are in a...in the

24. traditional sense as well as the medical sense developmentally

25. disabled. The...that has been the State's responsibility. That has

26. been the responsibility of the coverage of the code in the past and

27. the...both the Department of Mental Health and others who have

28. testified before us have indicated to us that we really ought not to

29. try at this stage of the game to totally change the definition of what

30. constitutes someone who is mentally retarded and or developmentally

31. disabled. That is the point of this amendment. It would really

32. make a...fairly...we think it would make a fairly dramatic change

33. in State responsibility and the scope of the Act and it is not a good

1. idea to do at this stage.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Sangmeister may close.

4. SENATOR SANGMEISTER:

5. Well I can't speak with authority as to what the term developmental

6. disability should include or not include but I'll say this I think the

7. psychiatrists in this State have a better idea of...of how that should

8. be described and defined than we do and on that basis I would ask for

9. a favorable roll call.

10. PRESIDING OFFICER:(SENATOR DONNEWALD)

11. The question is, shall Amendment No. 13 to Senate Bill 250 be

12. adopted. Those in favor indicate by voting Aye. Those opposed Nay.

13. The voting is open. Have all voted who wish? Take the record. On

14. that question, the Ayes are 15, the Nays are 32, 1 Voting Present.

15. Amendment No. 13 to Senate Bill 250 fails. Amendment No. 14.

16. SECRETARY:

17. Amendment No. 14 offered by Senator Sangmeister. Amends

18. Senate Bill 250 as amended on page 3, line 1 by inserting between

19. the comma and...residential.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Well my notes mark here that believe it or not the Department

24. of Mental Health is in accord with this cleanup amendment. I would

25. presume that this one certainly we have no objection to but I expect

26. somewhere along the line something has fallen apart but we'll find

27. out.

28. PRESIDING OFFICER:(SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Senator Sangmeister will be astounded to hear this but we will

32. accept this amendment. I would point to you, Senator Sangmeister,

33. that there is one of the points in it that we had discussed that does

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1. not completely solve the problem and we will probably have to
2. do something with it when it gets over to the House. That was to
3. guarantee the right of access to attorneys at all time because
4. court decisions so require but other than that I believe we have
5. been over all of these points and this amendment is acceptable as
6. far as the sponsor is concerned.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Sangmeister...The question is, shall Amendment No. 14
9. to Senate Bill 250 be adopted. Those in favor indicate by saying
10. Aye. Those opposed. The Ayes have it. Amendment No. 14 is adopted.
11. Amendment No. 15. Just a moment. Are there further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. 3rd reading. We...we did have leave earlier today to go...
16. Senator Maragos. We...we do have leave to go to the Order of 3rd
17. reading to Senate Bill 1419. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1419.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. Mr. President and members of the Senate. I rise in support
26. of Senate Bill 1419 and for...ask for your support in passing it
27. even though you've just put on an amendment which I thought will
28. delay the effect of the intent of consolidation and still is
29. important enough that we should get it out of the...this Body and
30. over to the House for further implementation and ask for your
31. favorable support and your vote.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there discussion? Senator Rhoads.

1. SENATOR RHOADS:
2. Thank you, Mr. President and members of the Senate. I said
3. during debate and on Amendment No. 1 that if the amendment went
4. on I'd vote for the bill and I'm going to do that. Sorry Maragos.
5. I just want to point out to the membership that we have a very
6. different vehicle here than what is now contained in House Bill 2554
7. in the House. So there will be two vehicles floating around, but
8. Senator, I'll work with you and try and get it in shape over in the
9. House, too. I support the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Nimrod.

12. SENATOR NIMROD:
13. Question to the sponsor. With this...delay of one year does
14. this mean that the bill will automatically be implemented at the
15. end of one year?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Maragos.

18. SENATOR MARAGOS:
19. Mr...Senator Nimrod, I hope so. By that I mean I hope the...
20. the changes on amendments that are...to be contained and adopted
21. by the House and possibly, as I see, if it does go and get out, this
22. has to come back for a Conference Committee but as soon at that
23. stage then the...and the Governor signs it it'll start December of
24. 1979 rather than December of '78 with the amendment on it now.
25. So it's to be...give us another year and a half to correct any
26. opportunities as far as its effective date and if we see something
27. that...after the passage of this bill that we don't like we can
28. come back in November or early part of '79 and correct it before
29. it becomes effective.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator...Senator Nimrod.

32. SENATOR NIMROD:
33. Yes, Mr. President and fellow Senators. What we're doing is

1. giving the local government officials a year here to make
2. recommendations and changes on something that's already passed.
3. That doesn't make much sense. Why don't we hold the bill up until
4. they have a chance to look at it so we can incorporate their changes
5. or recommendations if that's what the purpose is. Otherwise, we're
6. just passing a law that's going to become effective on consolidation
7. which we have not...or even had adequate time here to review on
8. implementation.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Wooten.

11. SENATOR WOOTEN:

12. Well I just want to point out we're going to hear a lot more
13. comments like that of Senator Nimrod's in one form or another. The
14. ultimate objective, I sincerely believe, is to see that no consolidation
15. of election occurs at all. We must pass this bill. We should not
16. have amended it but we ought to take what we have and get on with the
17. job.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Maragos may close.

20. SENATOR MARAGOS:

21. Again I act on the remarks of Senator Wooten and Senator
22. Rhoads and ask for the final passage.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. All right. The question is, shall Senate Bill 1419 pass.
25. Those in favor vote Aye. Those opposed Nay. The voting is open.
26. Have all voted who wish? All those voted who wish? Take the
27. record. On that question, the Ayes are 47, the Nays are None, 7
28. Voting Present. Senate Bill 1419 having received the constitutional
29. majority is declared passed. Senate Bill 252. Senator Nimrod.
30. Read the bill, Mr. Secretary. Senator Netsch, for what purpose do
31. you arise?

32. SENATOR NETSCH:

33. I think we wanted to get all of the Mental Health bills in their...

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1. with their amendments on first so that they could then be called
2. one after the other and I believe there are no further amendments
3. pending on 252. It's only on 253 so I...I think that the sponsors
4. would like that bill to be called...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. All right. Do we have leave to go to the Order of...to revert
7. to the Order of 2nd reading for the purpose of amendment as to
8. Senate Bill 253. Leave is granted. The bill is on 2nd reading.

9. SECRETARY:

10. Amendment No. 6 offered by Senator Schaffer.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Mr. President or Mr. Secretary, there are two amendments up
15. there offered by me. I'd like to proceed with the smaller of the
16. two, the one...one page.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The Secretary indicates that is it.

19. SENATOR SCHAFFER:

20. Well okay. This amendment is...is basic in...to this bill.
21. Throughout the discussion of the advocacy idea and the guardianship
22. idea the one fear that many of us had was that this particular
23. newly created or consolidated bureaucracy would, in fact, run amuck
24. and that ten years from today we would discover that...it was a
25. forty or fifty million dollar operation and I particularly call
26. this amendment to the attention of the members on this side
27. who I think are interested in it, this amendment simply says that
28. this commission, the Advocacy Commission, it's not the full name
29. that the expenditures for the annual appropriation shall not exceed
30. one percent of the total annual appropriation from the General
31. Revenue Fund to the Department of Mental Health and...Developmental
32. Disabilities. In effect, this amendment puts a one percent cap on
33. the expenditures of the Advocacy Commission. I think this is

1. reasonable. The one percent cap of General Revenue Fund gives
2. them plenty of money. Gives them considerably more than they say
3. the bill...that it will cost and it does not disallow any Federal
4. funds should the...our exalted brethern in Washington pour Federal
5. dollars into this program and if, in fact, it ever does reach a
6. point they need more than one percent they can come back to us and
7. explain it. I think with amendment on this advocacy thing is in
8. really good shape in terms of keeping a handle on...on this new
9. program.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Daley.

12. SENATOR DALEY:

13. Mr. President and fellow Senators, this is an agreed in
14. amendment and I would ask for a favorable...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Schaffer may close. You
17. want a...

18. SENATOR SCHAFFER:

19. Roll call. No, just...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The question is, shall Amendment No...No. 6 be adopted. Those
22. in favor indicate by saying Aye. Those opposed. The Ayes have it.
23. The Amendment No. 6 is adopted. Are there further amendments?

24. SECRETARY:

25. Amendment No. 7 offered by Senator Schaffer.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Amendment No. 7 is basically a technical amendment. It
30. incorporates and corrects some technical errors in the...in
31. Amendments 3, 4 and 5. It...it also specifies that the fees
32. collected by the commission shall be placed in the General Revenue
33. Fund and it also provides that the Act shall become effective on

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1. becoming a law. I move its adoption.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Is there discussion? Question is, shall Amendment No. 7 be
4. adopted. Those in favor indicate by saying Aye. Those opposed.
5. The Ayes have it. Amendment No. 7 is adopted. Are there further
6. amendments?
7. SECRETARY:
8. No further amendments.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Are there...3rd reading. Senator Davidson, for what purpose do
11. you arise?
12. SENATOR DAVIDSON:
13. If you have a break in the action I'd like a point of personal
14. privilege.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. State your point, Sir.
17. SENATOR DAVIDSON:
18. Mr. President, the person who has a little extra relationship
19. to the famous Doc Helm, photographer for the State which most of
20. you know from the DuBois School...Elementary School here in
21. Springfield with their teacher, Mrs. Walton and their teacher's
22. assistant, Mrs. Watson. Would you please stand and be acknowledged
23. by the Senate.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Please rise. Senate Bill 250. Senate bills on 3rd reading.
26. Senate Bill 250. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 250.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Netsch.
33. SENATOR NETSCH:

1. Thank you, Mr. President. This is the basic revision of the
2. Mental Health Code that was the work project of a commission that
3. deliberated for several years of a joint House-Senate Committee
4. that worked on it for an additional year and the Senate Judiciary
5. I Committee which worked on the bills still further for a period
6. of some several months. It...while it is a total revision of the
7. Mental Health Code it doesn't necessarily mean that all of the
8. current law is changed. To some extent it's a codification and...
9. and restatement of existing rules and regulations and Statutes and
10. in some cases, of course, it is a change. I might just mention
11. that three things perhaps that are very basic about it. One, it
12. does set out in one place the rights of patients in both public
13. and private institutions and that includes, of course, their right
14. to...to not just legal protection but to treatment. That is the
15. obligations of those who deal with mental patients and that, of
16. course, is one of the principle reasons I think why all of the
17. mental health groups have been highly supportive of this legislation.
18. It treats the mentally retarded and developmentally...disabled
19. separately. It has separate provisions for them. Something which
20. those people have often wondered...wanted because some of the normal
21. ...commitment proceedings do not really apply to them and havenot
22. been appropriate to them in the past. For the first time it pulls
23. out the treatment of minors and makes very specific provisions with
24. respect to them ~~and~~ that ~~again~~ is something that a number of the
25. groups who have been interested in the care and treatment of the
26. mentally ill and the mentally disabled have long wanted and finally
27. and this, of course, is not the only other thing but I think
28. among the very important things is that for the first time really
29. it provides an opportunity for an administrative hearing both with
30. respect to discharge of a patient and on a refusal to admit a patient
31. and we heard as many people complain about the agencies refusing to
32. accept someone who needed treatment as about some of the other
33. problems and, of course, we have long known that there has been a

1. serious concern about unwarranted or hasty discharge of patients.
2. This is the first time I think that we have really dealt with that
3. problem and that's certainly one of the great strengths of this
4. package. I will answer questions. I certainly hope that the...the
5. package and particularly, of course, this basic bill will have the
6. support of the Senate.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? The question is, shall Senate Bill 250
9. pass. Those in favor vote Aye. Those opposed Nay. The voting is
10. open. Have all those voted who wish? Have all those voted who
11. wish? Take the record. On that question, the Ayes are 48, the
12. Nays are 1, 8 Voting Present. Senate Bill 250 having received the
13. constitutional majority is declared passed. Senate Bill 252,
14. Senator Nimrod. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 252.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Yes, thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. This bill includes both for the developmentally disabled
24. and the mentally ill and it reflects the change which is long over-
25. due in recognizing the different degrees of competency and the
26. preservation of some rights. This proposal has two principal
27. objectives and that's to insure adequate and due process safeguards
28. in evaluating materials...materials which are available for
29. guardianship proceedings and to give the court an opportunity to
30. fashion the appropriate guardianship arrangement for those mentally
31. disabled adults who require a guardianship. I know of no opposition
32. to this bill and this bill is supported by all concerned and those
33. involved in the mental health field and I would be happy to answer

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1. any questions and I'd like to ask for a favorable roll call.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Bowers. Is there further discussion? The question
4. is, shall Senate Bill 252 pass. Those in favor vote Aye. Those
5. opposed Nay. The voting is open. Have all those voted who wish?
6. Take the record. On that question the Ayes are 53, the Nays are
7. None, 1 Voting Present. Senate Bill 252 having received the
8. constitutional majority is declared passed. Senate Bill 253,
9. Senator Daley. Read the bill, Mr. Secretary.
10. SECRETARY:
11. Senate Bill 253.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Daley.
16. SENATOR DALEY:
17. Mr. President and fellow Senators. This creates the Office
18. of State Guardianship which is involved with Senate Bill 252 which
19. will be in effect. This is the last resort where a guardian can be
20. appointed for adults...all adults that need a...a guardianship.
21. Presently, under the present law you must be declared an incompetent.
22. This way they can appoint a limited guardian for limited reasons.
23. Also establishes the Human Rights Commission whereby Regional and
24. State Commission to investigate complaints in public or private
25. facilities. Also it's restricted through the commission basis where
26. they...a investigator cannot go out on his own and investigate without
27. the approval of the commission. Also it creates a legal advocacy
28. program just like the present law with D. D. Advocacy Program
29. which will only pertain to legal advice for the mental health patients
30. in the mental health field and nothing else. I would ask for a
31. favorable roll call.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Is...Senator Hickey.

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1. SENATOR HICKEY:
2. Senator...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator...
5. SENATOR HICKEY:
6. ...I'd like to ask the sponsor a question.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. He indicates he'll yield.
9. SENATOR HICKEY:
10. Senator Daley, is...do I understand this statement to be true
11. that under this bill boards set up can contract with agencies and
12. thus use Title XX money for conservatorships?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Daley.
15. SENATOR DALEY:
16. Yes, they can.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there further discussion? Senator Daley may close or take
19. a vote. The question is, shall Senate Bill 253 pass. Those in
20. favor vote Aye. Those opposed Nay. The voting is open. Have
21. all those voted who wish? Have all those voted who wish? Take
22. the record. On that question, the Ayes are 43, the Nays are 3,
23. 9 Voting Present. Senate Bill 253 having received the constitutional
24. majority is declared passed. Senate Bill 255, Senator Daley.
25. SENATOR DALEY:
26. Mr. President, 255 is a confidentiality section which protects
27. the medical records of the patients. We have worked out an amendment...
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. All right. Just a moment...just a moment. The Secretary
30. informs me that he hasn't read the bill. I think it's only fair,
31. it's constitutional.
32. SECRETARY:
33. Senate Bill 255.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Daley.

5. SENATOR DALEY:

6. Mr. President and fellow Senators. This protects the mental

7. health records of the patients. We have worked on an amendment to

8. ...where the insurance companies did have a problem originally

9. with the bill. I would ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? Question is, shall Senate Bill 255

12. pass. Those in favor vote Aye. Those opposed Nay. The voting

13. is open. Have all voted who wish? Take the record. On that

14. question, the Ayes are 50, the Nays are None, 6 Voting Present.

15. Senate Bill 255 having received the constitutional majority is

16. declared passed. Senator Hickey.

17. SENATOR HICKEY:

18. Thank you, Mr. President. I just...I want a...a point of

19. personal privilege I guess I'd call this.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. State your point, Senator.

22. SENATOR HICKEY:

23. I want to say that this really is a great milestone in mental

24. health history in Illinois and I think we should commend particularly

25. Senator Netsch and Senator Daley on the long and their committee on

26. the long, long hours of very hard work and productive work that

27. they've put into this legislation.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Glass

30. SENATOR GLASS:

31. Thank you, Mr. President. On a matter of personal privilege

32. I think just about to leave the gallery now...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

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3rd Reading

1. State your point.
2. SENATOR GLASS:
3. Thank you...are the visiting students from Washburn Junior
4. High in Winnetka and I wonder if we could acknowledge their
5. presence.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Do we have leave to go to the Order of Postponed Consideration
8. as to Senate Bill 386? Leave is granted. We are on that order of
9. business. Senator Berman. The bill has been read a third time.
10. SENATOR BERMAN:
11. Thank you, Mr. President and Ladies and Gentlemen. Senate Bill
12. 386 is the first of a series of five bills that we discussed at
13. great length on Tuesday. This...the purpose of this is to bring
14. Illinois into conformity with Public Law 94142, the Education for
15. All Handicapped Children Act. There were substantial questions
16. that were raised by the Bureau of the Budget on Tuesday. Through
17. the cooperation of Senator Shapiro and Senator Davidson we have
18. met with the representative of the Governor, Bob Corcoran, this
19. morning and we have agreed that this package of bills if the Senate
20. concurs would be passed out of the Senate to the House so that the
21. Governor's Office and the Bureau of the Budget would have additional
22. time to have substantial input into this package with the goal of
23. bringing Illinois into conformity with the Federal legislation.
24. I have distributed on your desks yesterday a memorandum which gives
25. an outline of what each of the bills as they present...in their
26. present posture...what each of the bill does. 386 is the bill that
27. sets forth a process of due process hearings and a procedure for
28. the allocation of State funds for the delivery of services to the
29. handicapped children in the State of Illinois. I'd be glad to have...
30. respond to any questions and I'm asking for leave that we consider
31. 386 and then 388, 389...I'm sorry, 388, 393...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. That is the order of business that we are going to, Senator...

1. SENATOR BERMAN:
2. All right...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. ...Senator. Leave is not...
5. SENATOR BERMAN:
6. I'd be glad to respond to...
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Is there debate?
9. SENATOR BERMAN:
10. ...any questions regarding Senate Bill 386.
11. PRESIDING OFFICER:(SENATOR DONNEWALD)
12. Senator Davidson.
13. SENATOR DAVIDSON:
14. Mr. President and members of the Senate. I rise in support
15. of this package of bills. This was worked out over the past two
16. years in the School Problems Commission. It's been a long tedious
17. affair and all of us are not happy as any of us are when Federal
18. Government guidelines are laid down on us on many ways but this
19. seems to be the best of all worlds at the moment. These bills are
20. not locked into concrete. Whatever changes need to be done in
21. the House on House Committee to correct any technical errors we
22. may or may not have made. This will be done and we will work
23. together. I urge a favorable vote.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further debate? Senator Buzbee.
26. SENATOR BUZBEE:
27. Thank you, Mr. President. It's very obvious...it's very
28. obvious that this bill is greased. It's going to go through.
29. I would point out to the membership that it hasn't changed one
30. iota from what it was yesterday or the day before when we voted
31. on it and didn't get sufficient votes. I quite frankly was
32. surprised that it didn't get sufficient votes at that time. I
33. was opposed to it then. I'm opposed to it now. What happens, any

1. time we put the label Special Education onto a bill the machine is
2. turned off. When that machine is turned on the letters and the
3. telephone calls start coming. I got them from my district also and
4. somehow or another those of us who may oppose a particular piece of
5. legislation we are always labeled as being opposed to the poor little
6. kids which, of course, is absolutely ludicrous. It's ridiculous. It
7. is not the case. I submit to you that we in Illinois are right now
8. spending about one quarter of a billion dollars a year, two hundred
9. and fifty million dollars a year by line item on Special Education.
10. I believe that is laudable. I believe it is commendable. I'm glad
11. we are doing it. Besides the line item support we give to Special
12. Education we also give the foundation support through the General...
13. State Distributive Formula...State Aid...School Aid Distributive
14. Formula plus we give those local tax dollars...the local school
15. tax collections that go to support Special Education. This bill
16. and this series of bills besides my adamant opposition because the
17. Feds tell us that we will do it and do it their way but with our
18. money this bill is still going to cost us fifty or sixty million
19. dollars year. Nobody's really sure. As a matter of fact, the
20. initial estimates ranged anywhere from twenty-five million up to five
21. hundred million. The Office of Education could not get a handle on
22. it. Right now the latest figures that I have seen are something like
23. fifty or sixty million dollars it's going to cost us. We're going
24. to put it into operation this year. It's not in the budget. I don't
25. know what kind of a deal the Governor's Office has cut. The bill has
26. not changed. It's just as bad today as it was yesterday but it's
27. going...be greased. It's going to go through. Enough people got
28. enough phone calls that you're going to be worried and you're going
29. to vote for it. It is my opinion that the bill exceeds the require-
30. ments of Public Law 94-142 but whether it does or whether it doesn't
31. I still don't think that we have to...to play the...the Feds game
32. here in Illinois and cower to their every desire and spend our
33. State tax dollars on programs that they tell us that we have to...to

1. implement especially when we already have an outstanding Special
2. Education Program in the State of Illinois.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Wooten.

5. SENATOR WOOTEN:

6. Yes, Mr. President. I was prepared to vote for this bill the
7. first time until I heard some of the objections raised and questions
8. raised. I believe Senator Glass, if I recall...what happened? Are
9. not those still valid reservations? I have the feeling, maybe I'm
10. being unjust but I have the feeling that anything that is labeled
11. Special Education will go through the House without a ripple and
12. I just wonder what happened to the...to those large questions which
13. at least caused me to withhold the vote and I would ask Senator
14. Glass, do you still have those reservations?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Glass may respond.

17. SENATOR GLASS:

18. Thank you, Mr. President. In response to Senator Wooten you...
19. your memory may not be exactly correct. I did support this bill and
20. spoke in favor of it. I think that it...it involves two important
21. procedural guarantees. One of them for the parents of handicapped
22. children who want those children placed in private facilities and
23. in instances where the local school district does not agree with
24. them and states that they feel a child can properly be served in
25. a public school there are rather elaborate procedures of appeal for
26. those parents. Also there is a provision in the bill that allocates
27. among the several State agencies the burden of paying the costs in
28. the private institutions. This bill may not be necessary as Senator
29. Buzbee commented to implement 94142. That...that's an open question.
30. I happen to think it's good legislation anyway. I don't...I don't
31. have the same feeling about a couple of bills in the package. I
32. don't think they're necessary but insofar as this bill is concerned
33. I do support it and as I did on the last time it was voted on.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Well all right. I picked the wrong one but in addition to
5. Senator Buzbee I know I heard reservations on both sides of the
6. aisle. I'd certainly like to hear those again and to find out what
7. exactly has changed because I believe the charge was made that we
8. are going to put a greater kind and level and depth of support under
9. the disadvantaged child or the handicapped child than any other kind
10. in education and I thought perhaps it's not as if we're going a
11. little bit too far particularly since the Federal Government suggests
12. we do this but gives us no money to do it.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Grotberg.

15. SENATOR GROTBURG:

16. Thank you, Mr. President. As regards to a couple of the previous
17. speakers that indicate that this bill is greased, I don't know on our
18. side of the aisle we have all these important messages on our
19. calendar from the Governor saying that, you know, you don't like this
20. bill, you don't like that and I find that our Governor's man on the
21. Floor is back in the phone booth trying to find out he forgot to
22. tell him about it and I don't know you better postpone it a little
23. while longer, Senator Berman, because evidently the Governor forgot
24. to tell everybody else except the two people that spoke.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Thank you, Mr. President. I would agree with Senator Grotberg
29. that I think that there...the same objections that were in before
30. are still here and it does indicate that the Governor has not
31. made any indications on either the fiscal or the needs for this
32. bill...to change. I would like to get one thing straight however.
33. I do know that there was questions that said that two of these bills

1. were needed in order to comply with the Federal Government and
2. that was with 395 and 1055 if I recall correctly but it's not
3. a matter of being for or against this bill but every time this
4. bill comes up I hear you say and it needs to be...in order to
5. comply with the Federal...94142. Now it's been determined that
6. it was not necessary and it was so stated by, I believe, even
7. the sponsor of this bill that it's not necessary. So let's not
8. get that part involved into the package about being necessary to
9. comply with that. I've had some additional information I'm
10. looking at and I would like ask...suggest that this be taken out
11. of the register until we...until we had a chance to, at least,
12. confirm what you're saying and maybe discuss this bill a little
13. further.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Further discussion? Senator Davidson.

16. SENATOR DAVIDSON:

17. Yes, Mr. President and members of the Senate. I apologize
18. for speaking for the second time but apparently you weren't
19. listening. We said these bills were not made in concrete that
20. the technical amendments that need to be made will be done in the
21. House Study Committee. No, Senator Buzbee, there wasn't any deal
22. cut with the Governor. The man from the Governor's Office dealing
23. with education met with Senator Berman and myself and the staff
24. this morning to try to work out what needed to be done. Now the
25. other part for all you people who say doesn't needed to be in
26. this bill to meet 94142 that's correct in some instances but
27. your people particularly down from Southern Illinois said, we
28. don't want to leave the rules and regulations in the hands of
29. the Office of Education because that kid's going fall through the
30. crack. No one's going to take care of him and if the local school
31. district refuses to pay the cost there's no place for him to appeal
32. to other than by expensive court procedure. Now we're in this
33. package of bill we'll put in the Statute the onus of making a

1. decision on one: the Superintendent of Public Education. In
2. this case Doctor Cronin and two: if he doesn't make the
3. decision and two: the Governor of Illinois whoever he is, where
4. the responsibility must rest. We're saying to you we worked out
5. a hoped for solution to help Special Education for all people
6. concerned as well as protect the fiscal integrity of Illinois
7. on the matching funds which we Federally funded even though they
8. are our dollars we must meet some of the guidelines. I urge a
9. Yes vote.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any further discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. All right. I'm sorry to speak for the second time. The
14. first time that's happened this year but...Senator Davidson, all
15. right, what are some of the specific changes that will be made in
16. the House? Just be specific as I say I might...my fear is that
17. anything called Special Ed goes right to the House on a whimper.
18. What are some of the changes that are called for?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Well specific per language I cannot tell you, Senator Wooten,
23. but the most important thing is it's only in the last two weeks
24. we began to get response both from the Federal Government on HEW
25. and from the Office of Education in response to inquiries as to
26. what costs and et cetera will be. They're just now after we got
27. them down to the...you and I would use a different term but we're
28. down to the finish line. They began to respond to what they have
29. to do. When those figures are available on what corrections need
30. to be done in either due process and or the lid in 395 for the costs
31. of this child if it has to be in a private institution shared by the
32. State and the local school district and so the local school district
33. does not get bombed, these will be done in the House Subcommittee.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Wooten.
3. SENATOR WOOTEN:
4. Out of that I gather that there is some talk of a lid. May
5. I assume that there will be some kind of limit placed on the...the
6. amount of support we would give so it's not an open ended thing?
7. That is specifically one of the things to be worked out?
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Davidson.
10. SENATOR DAVIDSON:
11. That's my understanding. Is that correct, Senator Berman?
12. Is your understanding?
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Berman.
15. SENATOR BERMAN:
16. I'm not sure I understand what you mean by a lid. Could
17. you be more specific?
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Wooten.
20. SENATOR WOOTEN:
21. The implication was made in the first debate on this that
22. this is kind of open-ended commitment by the State to the handi-
23. capped child. I merely want to know if they're going to be some
24. kind of limits as to the dollar support you give each individual
25. handicapped child because I could envision the cost per child
26. getting to be completely out of hand in...in some areas particularly
27. if you have to use private institutions. We could be signing off
28. on a very large bill. I don't want to be less than generous but
29. I...I don't want to be irresponsible in the matter. Is there going
30. to be some kind of limit placed on the amount of money that can
31. be spent per child or per situation or anything?
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Berman.

1. SENATOR BERMAN:

2. The way that the costs will be limited, Senator Wooten,
3. is through the process that's set up in both 386 and 395. As
4. far as a limitation on and a review of the rates that are to be
5. charged by these private institutions as to a dollar cap, no,
6. there will not be a dollar cap. There will be a formula worked
7. out regarding the contribution by the local districts towards
8. this amount of...towards the costs. There is Federal money
9. coming in to address the costs but under the mandates of 504,
10. the Civil Rights Entitlement and 94142 there can't be a dollar
11. cap because there cannot be a charge to the parent of the child.

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(END OF REEL)

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1. PRESIDING OFFICER:(SENATOR ROCK)

2. I think your time has expired, Senator. Further discussion?

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Senator...A question of the sponsor. Senator Berman, you're

6. asking us here for affirmative votes on final action. Now, are

7. you representing to us that this is not final action that this

8. definitely will be amended over in the House and it'll come back

9. to us for concurrence?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Berman.

12. SENATOR BERMAN:

13. I...I do not have it...the House wired. All right. I want

14. you to know that this morning I spent two hours in discussion with

15. the members of the House Education Subcommittee and the Gentleman

16. sitting in front of you is going to be the House sponsor of these

17. bills. They had substantial questions on a large number of areas

18. the same as was raised on Tuesday. I think the odds are a hundred

19. to one that this bill or these bills will pass out untouched

20. by the House. There are substantial...substantial questions. They

21. have to be resolved in the House and all we're doing is allowing

22. the Governor, BOB sufficient time to see if this plan can be

23. worked out before we say no, we are not going to comply with the

24. Federal law.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. Senator Berman, I'm asking you directly what is your intention

29. with respect to this bill? Do you hope to have it amended in the

30. House or not?

31. PRESIDING OFFICER:(SENATOR ROCK)

32. Senator Berman.

33. SENATOR BERMAN:

1. I...I'm not sure how I can answer that. Do I want...there is
2. an amendment, for example, that I have discussed...that I've
3. indicated that I would put on in the House. It deals with the
4. delivery of the request by IOE of other State agencies for the
5. delivery of Special Education services. That amendment has been
6. discussed specifically. I've committed myself to ask that it be
7. put on in the House but everything else is open to full discussion
8. in the House.

9. PRESIDING OFFICER:(SENATOR ROCK)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Well I guess you've answered it to some extent. I...the
13. questions of Senator Buzbee, Wooten and others was...what's changed
14. in the last two days. You know the...the concern that I expressed
15. in the debate on 3rd reading with regard to medical expenses as
16. distinguished from educational expenses and I cited you an example
17. in School District 204 of seventeen thousand dollars for a single
18. student. You and I both know from...from experience here that
19. there's just tremendous open-ended costs on this. I don't see
20. that anything's changed in the last two days and I'm not willing
21. to accept the representations from the Governor's people that
22. they're going to have greater input. What does that mean to me?
23. It means absolutely nothing. Nothing at all.

24. PRESIDING OFFICER:(SENATOR ROCK)

25. Further discussion? Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and Ladies and Gentlemen of the Senate. I just
28. want to make a brief comment. We did hold a meeting this
29. morning and it was agreed that these bills would go over to the
30. House awaiting a resolution of a conflict between HEW, the Illinois
31. Office of Education, the Bureau of the Budget and the Governor's
32. Office. I intend to vote for this package of bills today to get
33. them over there so we can have the additional month and a half or

1. five weeks to do some more work on them if necessary and I think...
2. I hope that resolves the conflict between the sponsor of the bill
3. and the questions that have been asked from this side of the aisle.
4. I'm in support of the bill but only for purposes of moving them
5. along and getting the situation resolved.
6. PRESIDING OFFICER:(SENATOR ROCK)
7. Any further discussion? Senator Berman may close the debate.
8. SENATOR BERMAN:
9. I just ask for a favorable roll call.
10. PRESIDING OFFICER:(SENATOR ROCK)
11. The question is, shall Senate Bill 386 pass. Those in favor
12. will vote Aye. Those opposed will vote Nay. The voting is open.
13. Senator Hynes, will you vote me Aye please. Have all voted who
14. wish? Have all voted who wish? Take the record. On that question,
15. the Ayes are 45, the Nays are 6, 4 Voting Present. Senate Bill 386
16. having received the constitutional majority is declared passed.
17. Senator Buzbee, for what purpose do you arise?
18. SENATOR BUZBEE:
19. On a point of personal privilege, Mr. President. I certainly
20. hope that when the Illinois Conservative Union starts making their
21. ratings of Senators this year as to spending that they take this
22. bill into consideration as one of the major appropriation bills.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. On the Order of Senate Bills, 3rd reading, Senate Bill 388.
25. Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 388.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Berman.
32. SENATOR BERMAN:
33. Thank you, Mr. President. Senate Bill 388 establishes procedures

1. to insure that children who attend private or parochial schools
2. are not denied Special Education services available to children
3. attending the public schools. I ask for your favorable support.
4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? The question is, shall Senate Bill
6. 388 pass. Those in favor will vote Aye. Those opposed will vote
7. Nay. The voting is open. Have all voted who wish? Have all
8. voted who wish? Take the record. On that question, the Ayes are
9. 43, the Nays are 3, 5 Voting Present. Senate Bill 388 having
10. received the constitutional majority is declared passed. On the
11. Order of Senate Bills, 3rd reading, Senate Bill 393. Read the
12. bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 393.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Berman.

19. SENATOR BERMAN:

20. Senate Bill 393, Mr. President, limits medical services under
21. ...Article XIV to diagnostic and evaluation services. I ask for
22. a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? The question is, shall Senate Bill
25. ...Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, I would just point out that we're now saying that medical
28. procedures are going to be a part of and responsibility of the
29. education community. We're going to pay for the medical procedures,
30. diagnostic and so forth and evaluation procedures. We're going to
31. pay for it with education funds. I'm...I'm really amazed at all
32. the green lights that light up over there on that side of the aisle
33. the...the so-called party of the fiscal conservatives and...and now

1. you're going to say we are going to pay doctor charges, evaluative
2. charges with education dollars. That means as Senator Bruce
3. pointed out yesterday that his daughter attending kindergarten was
4. one of fifty-two children. She doesn't happen to fit the definition
5. of needing Special Education and those fifty-two kids when they
6. get to be a little older we're going to have to pay a lot more
7. extra money to educate them because they weren't educated in the
8. lower grades because they didn't learn how to read and write because
9. there were too many children in the classroom. The teacher didn't
10. have time to...to teach...each one of them. So now we're going to
11. start paying for...for medical evaluation with education funds. It's
12. a terrible concept.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. ...Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. I have to agree to a large extent
17. with Senator Buzbee and I point out to you, Sir, that yesterday in
18. the debate or the day before whenever it was on Senate Bill 386 I
19. challenged many of the conditions contained therein but again you
20. are also right when many of us are, I hate to use the word bludgeoned, but
21. that seems to be the proper terminology, we are bludgeoned by the
22. emissaries of special interests in many, many instances. In this
23. case it happened to be Special Education but what is more significant
24. and here is where you and I differ to a degree. The Democrat
25. Congress is what has done this to the people of the State of Illinois
26. and they have given us no choice whatsoever to the best of my under-
27. standing. You and I may resent and feebly resist but that's as far
28. as it can go as far as I can see since we are under the hammer so
29. to speak. We have been issued a mandate. We have been dictated to
30. not with any options left to us at least so it seems so, Senator, I
31. would be pleased to join you any time you like to make our objections
32. to the highhanded, dictatorial, yes and stupid actions on the part
33. of the Congress in the way they treat our citizens and you and me.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Leonard.

3. SENATOR LEONARD:

4. Can we come back to the Chamber here? This one says it
5. includes medical services for diagnostic and evaluation purposes
6. and definition of Special Education facilities. We're not talking
7. about bandaging someone's arm, taking out their appendix or anything
8. like that. We are also not talking about what the make-up of
9. Congress happens to be. We're talking about Special Education
10. problems and some of those have a very medical base. I think people
11. without too much concentration could figure out that if someone with
12. diabetic it might affect their concentration. If they were hypo-
13. glycemc it might affect their concentration. There are some of
14. these problems that can be solved quickly and directly by medical
15. means and that's what we're talking here and it makes a lot of
16. sense to get these kids diagnosed, get them corrected and get him
17. moving on. You can't punish a kid for being physical...physically
18. sick. Let's make it so we find out what causes the kid's problem.
19. It makes sense. Let's face what the real issue is here.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Lemke.

22. SENATOR LEMKE:

23. Just to comment to the...not the previous...but the speaker
24. before that. Certain members of Congress had voted for this
25. who were not just Democratic. They happened to be from your party
26. and they happened to be from Illinois and if you recall the U.S.
27. Senate has two Senators, one from each party so they each...each
28. of them voted for these measures so this don't make it the one
29. party matter but it's concern of most party and I think...I think
30. it's passed on a bipartisan basis in Congress so we have certain
31. other Senators who also are from your party who vote the same way
32. that we have Senators from our party vote.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Davidson.

2. SENATOR DAVIDSON:

3. I think...Ladies and Gentlemen of the Senate look at the word
4. medical diagnostic services what this bill is all about is to prevent
5. a school district having happen to it which Senator Rhoads remarked
6. about. This is to make sure our local school district is held not
7. responsible for medical treatment. They...they and the State with
8. their funds will help pay on the medical diagnostic services if it's
9. needed to make that diagnostic procedure or that diagnosis. This
10. is to help protect both the local school district and the State funds
11. from being done to them what happened to the district which
12. Senator Rhoads remarked to of having to pay for medical services.
13. This is for medical diagnostic services. That's just what it says.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Knuppel.

16. SENATOR KNUPPTEL:

17. Well I just wanted to correct Senator Lemke. We've got two...
18. two Senators of the same party. They just bear a different labels.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Thank you, Mr. President. By diagnostic services will you
23. mean that...would that be as general as saying that all youngsters
24. could be given a some kind of screening or evaluation? How...how
25. extensive, Senator Berman, could this get to be?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Berman.

28. SENATOR BERMAN:

29. The...the extent of the costsinvolved in diagnosis and evaluation
30. will again depend upon the decisions made first at the local school
31. level, secondly, by a process of...due process hearings. If there is
32. a requirement for further diagnosis and evaluation and a limit
33. imposed by the rate review and reimbursement...process. In order

1. order to determine whether a child is handicapped we are saying
2. that only diagnosis and evaluation shall be paid out of education
3. funds not medical treatment. Those agencies of State Government
4. that have supplied medical and paid for medical treatment such
5. as DMH or DCFS or Public Aid will continue under this package of
6. bills to provide those services not education money.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Suppose a school district determines to set-up a program to
11. screen its youngsters, what percentage of the cost would the school
12. district bear and what percentage would we bear? What percentage
13. would the Feds bear?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Berman.

16. SENATOR BERMAN:

17. The school district is required to evaluate it's children
18. now and as to the sharing of costs that would depend upon what the
19. final formula would be in 39...395. I would point out that most
20. of the school districts are in support of the...if not all the
21. school districts are in support of the formula that now is in 395.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Wooten.

24. SENATOR WOOTEN:

25. All right. So we get down to the question I was not able
26. to ask before...We're not talking about a cap so I suppose the
27. structure of the formula becomes all important. Would you say
28. it's fair to assume that most,if not all,of that cost will be
29. borne by the State and if not, can you give me some idea what
30. percentage of the cost the State would bear?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Berman.

33. SENATOR BERMAN:

1. I don't have a printout of what the projections would be.
2. Let...when I get the 395 we'll...I'll try to explain the formula
3. but let me indicate that we're only...we're talking about as far
4. as children in public schools and their evaluation. We reimburse
5. now under the present School Aid Formula. Personnel reimbursement
6. that would include counselors and psychologists and psychiatrists
7. for evaluation purposes. That's already built in to our funding
8. of Special Education.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Wooten.

11. SENATOR WOOTEN:

12. So you're saying there's no additional cost. Is that it?
13. It's already being done.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Berman.

16. SENATOR BERMAN:

17. Not for screening.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, thank you, Mr. President. One comment as a result of the
22. information. We've taken care of 386. It seems to me that 395
23. will be going across. Under the present questions and things we
24. have we certainly do not need this...this particular bill to follow
25. until later and it's certainly not part of the mandate. I think
26. you ought to go ahead and work on it over there and if it's needed
27. we can always get at these later and I...I think there's still too
28. many questions unanswered. You've got a lot of the package and I
29. would not think that we ought to just jump into the whole picture
30. without having more answers.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? The question is, shall Senate Bill
33. 393 pass. Those in favor will vote Aye. Those opposed will vote

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1. Nay. The voting is open. Senator Egan, will you vote me Aye
2. please. Have all voted who wish? Have all voted who wish? Take
3. the record. On that question, the Ayes are 36, the Nays are 12,
4. 4 Voting Present. Senate Bill 393 having received the constitutional
5. majority is declared passed. On the Order of Senate Bills, 3rd
6. reading, Senate Bill 395. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 395.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER:(SENATOR ROCK)

12. Senator Berman.

13. SENATOR BERMAN:

14. Thank you, Mr. President. Senate Bill 395 establishes
15. a funding mechanism and formula for children who because of the
16. severity of their handicapp must be placed in private or residential
17. facilities. This formula is designed in insure that Special
18. Education services are provided at no cost to the child or his
19. parents and to limit the liability of local school districts for
20. the cost of these programs while insuring that these districts
21. contribute their fair share of these costs. Senate Bill 395
22. also establishes a mechanism to facilitate cooperation among the
23. State agencies and to control costs for such payments. The formula
24. that's presently in this bill and which I'm sure will be debated
25. at great length and evaluated in the House provides for the...this
26. ...this deals with seven thousand children. I want you to keep
27. that in mind...number in mind. Seven thousand children in the
28. State of Illinois who must be placed in non-public facilities.
29. Either day care or residential facilities. Seven thousand of which
30. about two thousand are residential and five thousand are day care.
31. The formula provides that a per capita contribution from the local
32. school district up to the first forty-five hundred dollars and
33. after the...any cost above the forty-five hundred one more

1. contribution of its per capita contribution and the State pays
2. the rest. I merely indicate that the Illinois Association of
3. School Boards and local school board...organizations are in
4. support of this formula.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. My opposition to this whole
9. package still continues. However, since it obviously as Senator
10. Berman so aptly put it awhile ago it is his firm belief that
11. these bills will slide right through the House without...I thought
12. you said you felt they would not...I thought you said that...that
13. you did not think they would be amended in the House.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Berman.

16. SENATOR BUZBEE:

17. Oh, I'm sorry. I did not mean to put words in your mouth
18. but that's what I thought...

19. SENATOR BERMAN:

20. I said that I expect them to be worked over considerably.
21. I said I...I have an amendment for one bill. I said I don't think
22. these bills are going to move out of there...untouched by any
23. means.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. I apologize that I...I misunderstood you awhile ago. However,
28. it is my firm belief that they will get through the House and with-
29. out any substantial changing. There may be some minor changing.
30. I'm just expressing a value judgment at this point obviously but
31. since I believe that they will get through the House that we do
32. need to do something to limit the amount that the local school
33. districts are going to have to contribute and as I understand it

1. this is the bill in the package that wouldn't make that limitation
2. so therefore I'm going to vote Aye even though I'm opposed to
3. the whole package.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Berning.

6. SENATOR BERNING:

7. A question to the sponsor.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. He indicates he...

10. SENATOR BERNING:

11. Seems...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. ...will yield.

14. SENATOR BERNING:

15. Seems that I understood you to say that any child placed...is
16. placed in whatever institution at no cost to the parent. Is
17. this part of the Federal mandate or is there any real reason
18. why parents who are able and desire to contribute to the maintenance
19. or support or education of their children shouldn't be allowed to
20. do so since it would obviously then benefit everyone else by
21. reducing the total cost?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Berman.

24. SENATOR BERMAN:

25. Senator Berning, the essence of the Federal law says that if
26. there is a placement by a public agency into any type of Special
27. Education facility that placement must be at no cost to the parent.
28. Now if I am a parent of a handicapped child and I don't want my
29. child to be placed in a...in an agency that's designated by a
30. public agency and I want to pick my own place for my own child
31. and pay my own way, 94142 and the Federal mandate does not apply.
32. I can put my child anywhere I want but if I want it to be done
33. through a public agency there is no cost to be imposed upon the parent.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? If not, the question is, shall
3. Senate Bill 395 pass. Those in favor will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all voted
5. who wish? Have all voted who wish? Take the record. On that
6. question, the Ayes are 49, the Nays are 2, 1 Voting Present.
7. Senate Bill 395 having received the constitutional majority is
8. declared passed. On the Order of Senate Bills, 3rd reading,
9. Senate Bill 1055. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1055.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Berman.

16. SENATOR BERMAN:

17. Senate Bill 1055 expands the membership of the Advisory
18. Council to include parents and representatives of handicapped
19. children and to insure that the Advisory Council has the
20. opportunity to participate in the development of rules and
21. regulations and the determination of Special Education needs.
22. This is the input by the parents and the community into the
23. whole operation of this. This is one of the bills that the
24. Bureau of the Budget has indicated along with the bill we just
25. passed. It is necessary to come into compliance with the Federal
26. law. I ask your support.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any discussion? Senator Bloom.

29. SENATOR BLOOM:

30. Would you set out the membership...how many...how large is
31. the Advisory Council and how many parents such as people from the
32. Illinois Alliance for Exceptional Children and Adults, et cetera?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berman.

2. SENATOR BERMAN:

3. I believe the membership now is eleven and the group that

4. you...the groups you mentioned is...Oh, Senator Bloom, is two.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bloom.

7. SENATOR BLOOM:

8. So nine providers and two parents basically. No. Well this

9. is what I want to know.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Berman.

12. SENATOR BERMAN:

13. Here's the rundown. A handicapped adult, two parents of

14. handicapped children or consumer representatives, a teacher of the

15. handicapped, a regional superintendent, a superintendent of a

16. school district, a director of Special Education from a district

17. of less than five hundred thousand population, the Director of

18. Special Education for the Chicago Board of Education, a professional

19. affiliated with an institution of higher education, a person

20. interested in deaf-blind individuals and a member of the general

21. public.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bloom.

24. SENATOR BLOOM:

25. Seven providers and four parents. I...I have trouble

26. following this little "Windy" over here.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman.

29. SENATOR BERMAN:

30. You want me to run through it again?

31. SENATOR BLOOM:

32. Just if you could give me the numbers. How many...how many

33. parents does it provide for to be on the council?

1. SENATOR BERMAN:

2. You have two people that are specifically required to be
3. parents.

4. SENATOR BLOOM:

5. Right.

6. SENATOR BERMAN:

7. You also may have...who might...also be parents, a member
8. of the general public, a person interested in deaf-blind
9. individuals, a handicapped adult. So it...you know, it depends
10. upon who they are that you appoint.

11. PRESIDING OFFICER:(SENATOR ROCK)

12. Senator Berman, would you provide Senator Bloom with that
13. list. Thank you.

14. SENATOR BERMAN:

15. Yes, Sir.

16. PRESIDING OFFICER:(SENATOR ROCK)

17. Any further discussion? The question is, shall Senate Bill
18. 1055 pass. Those in favor will vote Aye. Those opposed will
19. vote Nay. The voting is open. Senator Donnewald, vote me Aye
20. please. Have all voted who wish? Have all voted who wish?
21. Take the record. On that question, the Ayes are 50, the Nays
22. are 2. None Voting Present. Senate Bill 1055 having received
23. the constitutional majority is declared passed. Now with leave
24. of the Body we will revert to the Order of Senate Bills, 2nd
25. reading. I would remind the Body that tomorrow is D-Day. So
26. anybody that has a bill on 2nd reading ought to move it today.
27. Senator Knuppel, for what purpose do you arise?

28. SENATOR KNUPPEL:

29. Well I...I did have a bill on Postponed Consideration that
30. I wanted...When will we go to those? Right after 2nd reading?

31. PRESIDING OFFICER:(SENATOR ROCK)

32. Probably tomorrow.

33. SENATOR KNUPPEL:

1. Congratulations. Thank you.

2. PRESIDING OFFICER:(SENATOR ROCK)

3. I've got two on there. I'd like to go to it right now.

4. SENATOR KNUPPLE:

5. Can we cut out that...can we cut out that Joint Session
6. tomorrow so we don't have any pressure on that thing.

7. PRESIDING OFFICER:(SENATOR ROCK)

8. Well the Joint Session is early enough. We usually start
9. around here at ten. We will be back in the Chamber working by
10. ten o'clock.

11. SENATOR KNUPPLE:

12. What are we going to have for breakfast? Fried peanuts.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Walsh, for what purpose do you arise?

15. SENATOR WALSH:

16. Mr. President, I have a bill on Postponed Consideration that
17. I would like to take back to 2nd reading for the purpose of an
18. amendment. When would be the appropriate time to do that?

19. PRESIDING OFFICER:(SENATOR ROCK)

20. Well why don't we get through the...the official 2nd reading
21. bills and then we will do that. If anybody has a amendment on
22. Consideration Postponed so that we can make our job...or the job
23. of the ladies in Enrolling and Engrossing a little easier. Okay?
24. Senator Lemke.

25. SENATOR LEMKE:

26. I have a bill on 3rd reading that we have an amendment on.
27. I'd like to have that amendment put on. It's an agreed amendment
28. by both Labor and Management...

29. PRESIDING OFFICER:(SENATOR ROCK)

30. Yes. We...we...

31. SENATOR LEMKE:

32. ...We put the bill in...so we can get a vote on tomorrow.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. I...I understand and we will go to Senate Bills, 2nd to try
2. to clear that Calendar according to the sponsors wishes. Then
3. we will go to Consideration Postponed if anybody has an amendment
4. in that respect and then there are a number of bills on Senate
5. Bills, 3rd that are to be called back for purpose of an amendment.
6. There's at least four Appropriation bills in that category and
7. hopefully we can get all of this done in the next five minutes.
8. On the Order of Senate Bills, 2nd reading, Senate Bill 1429.
9. Senator Demuzio. Demuzio.

10. SENATOR DEMUZIO:

11. Hello.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Yes.

14. SENATOR DEMUZIO:

15. Could we come back to that? I'm going to have an amendment
16. passed out right now.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. 1478, Senator Egan. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1478.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations I
23. offers two amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Egan. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. Amendment No. 1 is to add various commissions that had
29. for some reason either inadvertantly or expecting this omnibus...
30. been asked to be put on this bill. I would move adoption of
31. Committee Amendment No. 1 and answer any questions.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Senator Carroll...Senator Lemke.

1. SENATOR LEMKE:
2. It's my understanding that the Northeastern Planning Commission
3. isn't in...in this bill. Is that correct, Senator Carroll?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Carroll.
6. SENATOR CARROLL:
7. The Planning Commission is not in this bill, Senator Lemke.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. All right. Senator Carroll has moved the adoption of Amend-
10. ment No. 1 to Senate Bill 1478. Is there any discussion? All
11. those in favor signify by saying Aye. All those opposed. The
12. Ayes have it. The amendment is adopted. Further amendments?
13. SECRETARY:
14. Committee Amendment No. 2.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Carroll.
17. SENATOR CARROLL:
18. Thank you, Mr. President. This is the Hynes Amendment where
19. appropriate. I would move adoption of Committee Amendment No. 2.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Carroll has moved the adoption of Amendment No. 2
22. to Senate Bill 1478. Is there any discussion? All those in favor
23. signify by saying Aye. All those opposed. The Ayes have it. The
24. amendment is adopted. Further amendments?
25. SECRETARY:
26. No further committee amendments.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Any amendments from the Floor?
29. SECRETARY:
30. Amendment No. 3 offered by Senator Daley.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Daley. Senator Daley.
33. SENATOR DALEY:

1. Mr. President and fellow Senators. This amendment...Floor
2. Amendment No...what is it...3 deals with the Mental Health Code
3. and...the Mental Health Advocacy Commission. The guardianship...
4. the figure is 1.5 million dollars. Seventy-five percent of
5. this is taken care of Title XX money. It's the same relationship
6. we have with the DD advocacy which is seventy-five percent. It
7. is taken care of by Federal money which has been enacted by the
8. Governor's Executive Order and I ask for a favorable roll call.
9. PRESIDING OFFICER:(SENATOR ROCK)

10. Senator Daley has moved the adoption of Amendment No. 3 to
11. Senate Bill 1478. Is there any discussion? All those in favor
12. signify by saying Aye. All those opposed. The Ayes have it. The
13. amendment is adopted. Any further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER:(SENATOR ROCK)

17. 3rd reading. On the Order of Senate Bills, 2nd reading,
18. Senate Bill 1429. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1429.

21. (Secretary reads title of bill)

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

23. PRESIDING OFFICER:(SENATOR ROCK)

24. Any amendments from the Floor?

25. SECRETARY:

26. Amendment No. 1 offered by Senator Demuzio.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Thank you, Mr. President. The amendment should have been
31. passed out and on everyone's desk. The amendment...what it does
32. is increases the...the bond authorization of the Capital Develop-
33. ment Board by twenty million dollars to provide for the jails

1. throughout the State of Illinois and I'd move for its adoption.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Demuzio has moved the adoption of Amendment No. 1
4. to Senate Bill 1429. Is there any discussion? Senator Sommer.

5. SENATOR SOMMER:

6. Mr. President and members. This is the extremely costly
7. Jail Program and I would urge members on this side of the aisle
8. to oppose this amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Demuzio moves the...has moved the
11. adoption of Amendment No. 1 to Senate Bill 1425...29. A roll call
12. has been requested. Those in favor of the amendment will vote Aye.
13. Those opposed will vote Nay. The voting is open. Have all voted
14. who wish? Have all voted who wish? Take the record. On that
15. question, the Ayes are 32, the Nays are 24. None Voting Present.
16. The amendment is adopted. Further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 3rd reading. On the Order of Senate Bills, 2nd reading,
21. Senate Bill 1529. Senator Bruce on the Floor? Yes. 1530. 1531.
22. On the Order of Senate Bills, 2nd reading, Senate Bill 1531. Read
23. the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1531.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Appropriations I
28. offers six amendments.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of the House.
33. Committee Amendment No. 1 is the Fifty Percent Hynes Amendment. I

1. would move adoption of Committee Amendment No. 1.
2. PRESIDING OFFICER:(SENATOR ROCK)
3. Senator Carroll has moved...
4. SENATOR CARROLL:
5. Senate. Excuse me.
6. PRESIDING OFFICER:(SENATOR ROCK)
7. Senator Carroll has moved the adoption of Amendment No. 1
8. to Senate Bill 1531. Is there any discussion? If not,, all those
9. in favor signify by saying Aye. All those opposed. The Ayes
10. have it. The amendment is adopted. Further amendments?
11. SECRETARY:
12. Committee Amendment No. 2.
13. SENATOR CARROLL:
14. I would move to Table, Mr. President, Committee Amendment
15. No. 2. It's a technically incorrect. We have a substitute Floor
16. amendment.
17. PRESIDING OFFICER:(SENATOR ROCK)
18. Senator Carroll has moved to Table Amendment No. 2. All
19. those in favor signify by saying Aye. All those opposed. The
20. Ayes have it. The amendment is Tabled. Further amendments?
21. SECRETARY:
22. Committee Amendment No. 3.
23. PRESIDING OFFICER:(SENATOR ROCK)
24. Senator Carroll.
25. SENATOR CARROLL:
26. Thank you, Mr. President. This is a technical amendment
27. adding section numbers from last year's bill. I would move
28. adoption of Amendment NO. 3.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Carroll has moved the adoption of Amendment No. 3
31. to Senate Bill 1531. Is there any discussion? All those in
32. favor signify by saying Aye. All those opposed. The Ayes have
33. it. The amendment is adopted. Further amendments?

1. SECRETARY:

2. Committee Amendment No. 4.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. Committee Amendment No. 4 is the Federal Library Services
8. and adds money for that particular service. I would move adoption
9. of Committee Amendment No. 4.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Carroll has moved the adoption of Amendment No. 4
12. to Senate Bill 1531. Is there any discussion? If not, all those
13. in favor signify by saying Aye. All those opposed. The Ayes
14. have it. The amendment is adopted. Further amendments?

15. SECRETARY:

16. Committee Amendment No. 5.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. Committee Amendment No. 5 reduces the FY'79 request from
22. sixteen million dollars for the Statutory Capital Grants to the
23. State libraries to fourteen million five hundred thousand. About
24. a million and a half dollar reduction over the request of the
25. Secretary of State and about four and a half million above the
26. amount suggested to us by the Bureau of the Budget and the
27. Governor. I would move adoption of Committee Amendment No. 5.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Carroll has moved the adoption of Committee Amendment
30. No. 5 to Senate Bill 1531. Any discussion? Senator Donnewald.

31. SENATOR DONNEWALD:

32. Yes Mr. President and members of the Senate. I...I rise
33. reluctantly to oppose this particular amendment. We did, in fact,

1. pass a law back in the early seventies to fully fund the libraries
2. systems and the Secretary of State has made public statements to
3. fulfill that obligation that the members of the General Assembly
4. enacted into law fully funding that particular project. I would
5. therefore, ask that the Amendment No. 5 be defeated.

6. PRESIDING OFFICER:(SENATOR ROCK)

7. Further discussion? Senator Regner.

8. SENATOR REGNER:

9. President and members of the Senate. I rise in support of
10. this amendment. Last year the request and appropriated monies and
11. then this year's...in the budget book we're ten million one
12. hundred and two thousand dollars. This brings it down just a
13. million and a half to fourteen and a half million dollars which
14. is still four and a half million dollars over the budgeted amount
15. and I would urge the support and adoption of this amendment.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Kenneth Hall.

18. SENATOR KENNETH HALL:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. I rise in opposition to this amendment. It's vitally
21. needed for all of the library districts so I'd urge everyone on
22. this side to vote no on this amendment.

23. PRESIDING OFFICER:(SENATOR ROCK)

24. All right. Any further discussion? Senator Carroll, you
25. wish to close the debate.

26. SENATOR CARROLL:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. By way of closing I would merely say that we are
29. attempting to fund some ninety percent of the formula for the
30. Statutory Grants for Libraries. These are General Revenue Funds.
31. I think it would be wiser to reduce or pare down the full funding
32. this year and go with it next year in order to save some General
33. Revenue dollars. This is four and a half million of additional

1. General Revenue over and above the Governor's Budget if this
2. amendment is adopted as opposed to some six million over. I
3. would move adoption of Amendment No. 5.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. Senator Carroll has moved the adoption of
6. Amendment No. 5 to Senate Bill 1531. A roll call has been
7. requested. Those in favor will vote Aye. Those opposed will
8. vote Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Have all voted who wish? Take the record.
10. On that question, the Ayes are 20, the Nays are 34. None Voting
11. Present. The amendment fails. Further amendments?

12. SECRETARY:

13. Committee Amendment No. 6.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. This is Senator Lemke's Amendment. I think he would
19. move adoption of Amendment No. 6.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Lemke.

22. SENATOR LEMKE:

23. I thought this was...I talked to the Secretary of State and
24. there's no AFSCME in his department so I...I...I think the...I'm
25. not for the amendment. I just think it should be withdrawn.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Well. Senator Lemke has moved to Table Amendment...Committee
28. Amendment No. 6. All those in favor signify by saying Aye. All
29. those opposed. The Ayes have it. The amendment is Tabled. Further
30. amendments?

31. SECRETARY:

32. No further committee amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any amendments from the Floor?
2. SECRETARY:
3. Amendment No. 7 offered by Senator Regner.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Regner.
6. SENATOR REGNER:
7. Mr. President and members of the Senate. With the defeat
8. of Amendment No. 5 this one is incorrect so I withdraw it.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. The amendment has been withdrawn. Further amendments?
11. SECRETARY:
12. Amendment No. 7 offered by Senator Carroll.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Carroll.
15. SENATOR CARROLL:
16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. This is the replacement of Amendment No. 2...which was
18. technically incorrect to reduce the Secretary's Pay Plan to
19. 5.5 percent. It also picks up a technical mistake for preprint
20. renewal notices that has come from the Road Fund of some two
21. hundred thousand dollars. I would move adoption of Amendment
22. No. 7.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Carroll has moved the adoption of Amendment No. 7
25. to Senate Bill 1531. Is there any discussion? Senator Regner.
26. SENATOR REGNER:
27. ...of the sponsor.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. He indicates he will yield.
30. SENATOR REGNER:
31. Senator Carroll, what's the dollar amount please?
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Carroll.

1. The windup will be a total reduction of five hundred seventy-
2. three thousand six hundred and fifteen dollars in personal services
3. plus corresponding retirement and social security. It's both
4. General Revenue and Road Fund. It reduces the Secretary to the
5. 5.5 level and in addition, as I said, technically we didn't know
6. about this in committee. It adds two hundred thousand of Road
7. Fund for the Motor Vehicle Group Operations for preprint renewal
8. notices required to notify vehicle owners of renewal of registration
9. that were originally erroneously calculated.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any further discussion? Senator Carroll has moved the adoption
12. of Amendment No. 7 to Senate Bill 1531. All those in favor signify
13. by saying Aye. All those opposed. The Ayes have it. The amend-
14. ment is adopted. Any further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. 3rd reading. On the Order of Senate Bills, 2nd reading, Senate
19. Bill 1579. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1579.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any amendments from the Floor?

26. SECRETARY:

27. Amendment No...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. No, one's...No.

30. SECRETARY:

31. ...5. Amendment No. 5 offered by Senator Carroll.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Pardon me. I didn't...

1. SECRETARY:
2. Amendment No. 5...
3. PRESIDING OFFICER: (SENATOR ROCK)
4. We read the bill yesterday and did...did...
5. SECRETARY:
6. Oh.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. ...put amendments on and then just left it there. Okay.
9. SECRETARY:
10. Yes, there were four amendments yesterday. This will be
11. Amendment No. 5 offered by...Senator Carroll.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Carroll.
14. SENATOR CARROLL:
15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. When we had been discussing this bill yesterday Senator
17. Harber Hall had made a compelling argument that they needed
18. certain...that the Fire Marshall needed monies to move out of the
19. State Armory because of the Governor's re-organization and that
20. the Armory was no longer the appropriate place because they were
21. no longer part of State Police, et cetera and therefore, this
22. amendment would give back the money in contractual of thirty-
23. five thousand six hundred for rent that Senator Hall so eloquently
24. persuaded us yesterday should be in there. He seemed to have no
25. other objections with what was in the bill. We have reduced it to
26. the 5.5 level, taken out the Public Service Offices, that new PR
27. branch and taken out the long term vacancies. I would move
28. adoption of Amendment No. 5.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any discussion? Senator Hall.
31. SENATOR HARBER HALL:
32. Mr. President, fellow Senators, I was shocked and grieved
33. this morning to hear of the passing of Thomas O'Brien who I'd been

1. working with on this bill. He passed away last evening and I
2. wanted to show this recognition of the fact that he provided
3. a marvelous service to the State and I send my regrets to his
4. family. Mr. President and fellow Senators, in respect to this
5. amendment that would reduce again...an attempt to reduce this
6. appropriation, I would resist the amendment. In the first place,
7. the monies for Personal Services was really a realignment of
8. this office since they have been taken away from the...the
9. Department of Corrections to show the public relations by itself
10. ...the function by itself. Actually these positions were...had
11. always been there. Only they were under different nomenclature
12. within the budget. Mr. O'Brien had prepared an amendment for me
13. that would...put these positions back where they had been all the
14. time and so that the public relations aspect would not be shown
15. as a line item. I have...I have serious doubts as serious
16. questions that we are adequately funding the Fire Marshall if we
17. accept this amendment. For that reason I hope you will vote
18. against it.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Carroll has moved the adoption of Amendment No. 5
21. to Senate Bill 1579. Further discussion? Those in favor will
22. vote Aye. Those opposed will vote Nay. The voting is open.
23. Have all voted who wish? Have all voted who wish? Take the
24. record. On that question, the Ayes are 34, the Nays are 19.
25. None Voting Present. Amendment NO. 5 is adopted. Further
26. amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER:(SENATOR ROCK)

30. 3rd reading. Senator Berning, for what purpose do you arise?

31. SENATOR BERNING:

32. On a point of parliamentary procedure. I assume, Mr. President,
33. my...my understanding is that Senate Bill 1429 was moved from 2nd

1. to 3rd after having an amendment attached and, Mr. President,
2. Senate Bill 14...1429 is under the Community College Act. The
3. amendment is under the Unified Code of Corrections and I submit,
4. Mr. President, that that is not germane and I would ask for a
5. ruling of the Chair as to whether that amendment can be attached
6. to that...that bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Well that...that Order of business has, in fact...been
9. passed by. I...I will certainly check it. Can we get back to
10. that? If it doesn't fit, it doesn't fit. I'm not quarreling
11. with what you're saying. Enrolling and Engrossing will shortly
12. tell us whether or not it fits.

13. SENATOR BERNING:

14. Very well...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. ...that objection should have been brought up at the time
17. the amendment was offered.

18. SENATOR BERNING:

19. I just now got the amendment.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. I'm...well.

22. SENATOR BERNING:

23. ...Mr. President.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. All right. Senator Soper, for what purpose do you arise?

26. SENATOR SOPER:

27. Thank you, Mr. President. Up in the gallery right behind
28. me we have the eighth grade class from the Cicero School with
29. their teacher, Mr. Govens. I wish they'd rise and be shown to
30. the Senate. Will you acknowledge their presence?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Will our guests in the gallery please rise and be recognized.
33. On the Order of Senate Bills, 2nd reading, Senate Bill 1588.

1. Senator Coffey. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1588.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations I offers
6. four amendments.
7. PRESIDING OFFICER:(SENATOR ROCK)
8. This has already been read a second time...What...
9. SECRETARY:
10. Yes...yes...yes. This bill has been read a second time and
11. ...
12. PRESIDING OFFICER:(SENATOR ROCK)
13. Senator Clewis, while we're checking the amendments for
14. what purpose do you arise?
15. SENATOR CLEWIS:
16. Mr. President and members of the Senate on a point of
17. personal privilege...
18. PRESIDING OFFICER:(SENATOR ROCK)
19. State your point.
20. SENATOR CLEWIS:
21. ...I'd like to acknowledge the presence of my twin nieces,
22. Barbara and Jeanette Kaufman with Senator Soper's group from
23. Cicero School.
24. PRESIDING OFFICER:(SENATOR ROCK)
25. All right, Mr. Secretary. 1588.
26. SECRETARY:
27. The bill was read a second time yesterday and we adopted
28. Committee Amendment No. 1, Committee Amendment No. 2.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Committee...we are on...Order of business before the Body
31. is...is the question of Committee Amendment No. 2 to Senate Bill
32. 1588. Senator Carroll.
33. SENATOR CARROLL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. This cuts the pay plan down to the 5.5. It takes out
3. half of the new employees and half of the vacancies. It makes
4. some reductions in contractual in EDP as had been discussed in
5. committee. I would move adoption of Committee Amendment No. 2.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Carroll has moved the adoption of Amendment No. 2
8. to Senate Bill 1588. Is there any discussion? Senator Coffey.
9. SENATOR COFFEY:

10. Mr. President and members of the Senate. I stand up in
11. opposition to this amendment and I do it for several reasons.
12. One, I feel that this Legislative Body has put additional
13. obligations and burdens on the Illinois Commerce Commission.
14. We expect them to...to carry those responsibilities out. This
15. line item drastically cuts some of those areas that we have
16. mandated for the studies such as rates on our utilities in this
17. State. This cut does not help the fiscal condition of this State.
18. These revenues...this is not General Revenue Funds. It is monies
19. that will be returned back to the utility companies and if it
20. is not used I think it is needed to...for the administration...
21. administering of the programs that we've set forth in the
22. Statutes and I would ask that this Body oppose to Amendment No.
23. 2.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Carroll has moved the adoption of Amendment No. 2
26. to Senate Bill 1588. You wish to close? Senator Carroll.
27. SENATOR CARROLL:

28. Very briefly, we are allowing twenty-five percent increase
29. over last year and half of all these enormous new bodies and I
30. would move adoption of Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Carroll has moved the adoption of Amendment No. 2
33. to Senate Bill 1588. All those in favor signify by saying Aye.

1. Senator Coffey has requested a roll call. Those in favor of
2. Amendment No. 2 will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Take the record. On that question, the Ayes are
5. 29, the Nays are 26, None Voting Present. Amendment No. 2
6. is adopted. Further amendments?
7. SECRETARY:
8. Committee Amendment No. 3.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Carroll.
11. SENATOR CARROLL:
12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. This amendment appropriates Federal funds not previously
14. appropriated. I would move adoption of Amendment No. 3.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Carroll has moved the...clear the board, Mr.
17. Secretary. Senator Carroll has moved the adoption of Amendment
18. No. 3 to Senate Bill 1588. Is there any discussion? All those
19. in favor signify by saying Aye. All those opposed. The Ayes
20. have it. The amendment is adopted. Further amendments?
21. SECRETARY:
22. ...Committee Amendment No. 4.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Carroll.
25. SENATOR CARROLL:
26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. Committee Amendment No. 4 was the reduction of a hundred
28. and twenty-seven thousand five hundred suggested by Senator Lemke
29. and I would move adoption of Committee Amendment No. 4.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Coffey.
32. SENATOR COFFEY:
33. Mr. President and members of the Senate. I stand in opposition

1. to Amendment No. 4. I think these cuts as far as salary increases
2. is not necessary and I'd ask a No vote on this amendment.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. Senator Carroll has moved the adoption of Amend-
5. ment No. 4 to Senate Bill 1588. All those in favor signify by
6. saying Aye. All those opposed. In the opinion of the Chair the
7. Noes have it. The amendment fails. Further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any amendments from the Floor?

12. SECRETARY:

13. No Floor amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. 3rd reading. On the Order of Senate Bills, 2nd reading,
16. Senate Bill 1529. 1-5-2-9. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1529.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Higher...Education
21. offers two amendments.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Thank you, Mr. President and members of the Senate. Senate
26. Bill 1529 deals with the Credit Hour Grants for Community Colleges
27. throughout the State of Illinois. Amendment No. 1 provides that the
28. Community College Board shall pay on...on a quarterly basis rather
29. than on a mid-term basis. It has the approval of the committee.
30. I would ask that Amendment No. 1 be adopted.

31. PRESIDING OFFICER:(SENATOR ROCK)

32. Senator Bruce has moved the adoption of Amendment No. 1
33. to Senate Bill 1529. Is there any discussion? All those in favor

1. signify by saying Aye. All those opposed. The Ayes have it.
2. The amendment is adopted. Further amendments?
3. SECRETARY:
4. Committee Amendment No. 2.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Bruce.
7. SENATOR BRUCE:
8. Thank you, Mr. President. There was some question about
9. the definition of Credit Hour Grants. This amendment makes certain
10. that we are talking about Credit Hour Grants. It also specifies that
11. the bill will be taking effect July 1st rather than it...upon it
12. becoming a law and ~~it~~ move the adoption of Amendment No. 2.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Bruce has moved the adoption of Amendment No. 2 to
15. Senate Bill 1529. Is there any discussion? All those in favor
16. signify by saying Aye. All those opposed. The Ayes have it.
17. The amendment is adopted. Any further amendments?
18. SECRETARY:
19. No further committee amendments.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Any amendments from the Floor?
22. SECRETARY:
23. No Floor amendments.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. 3rd reading. On the Order of Senate Bills, 2nd reading,
26. Senate Bill 1530. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1530.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. The Committee on Appropriations II
31. offers three amendments.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Bruce. Or Senator Buzbee, are you going to handle these

1. amendments?

2. SENATOR BUZBEE:

3. No.

4. PRESIDING OFFICER:(SENATOR ROCK)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President. Amendment No. 1 reduces the
8. appropriation of the Illinois Community College Board to a level of the
9. Governor by reducing it by six million one hundred ninety-two
10. thousand six hundred dollars.

11. PRESIDING OFFICER:(SENATOR ROCK)

12. Senator Bruce moves the adoption of Amendment No. 1 to
13. Senate Bill 1530. Yeah. Senator Bruce has moved the adoption
14. of Amendment No. 1 to Senate Bill 1530. Any discussion? All
15. those in favor signify by saying Aye. All those opposed. The
16. Ayes have it. The amendment is adopted. Any further amendments?

17. SECRETARY:

18. Committee Amendment No. 2.

19. PRESIDING OFFICER:(SENATOR ROCK)

20. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President. Amendment No. 2 is in error
23. technically and I would now move to Table Amendment No. 2.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Bruce has moved to Table Committee Amendment No. 2
26. to Senate Bill 1530. Any discussion? All those in favor signify
27. by saying Aye. All those opposed. The Ayes have it. The
28. amendment is Tabled. Further amendments?

29. SECRETARY:

30. Committee Amendment No. 3.

31. PRESIDING OFFICER:(SENATOR ROCK)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Thank you, Mr. President. This would reduce the appropriation
2. for Credit Hour Grants by a million four hundred and ninety-four
3. thousand. It relates to a four percent Civil Service salary
4. adjustment. We are certainly still in negotiation about this but
5. today being the last day the thought was that we would adopt this
6. and continue to discuss the problem through tomorrow and then make
7. whatever adjustments necessary by further amendment and I would
8. move the adoption of Amendment No. 3.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Bruce has moved the adoption of Amendment No. 3 to
11. Senate Bill 1530. Any discussion? All those in favor signify
12. by saying Aye. All those opposed. The Ayes have it. The
13. amendment is adopted. Any further amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any amendments from the Floor?

18. SECRETARY:

19. Amendment No. 4 offered by Senator Weaver.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Weaver.

22. SENATOR WEAVER:

23. Thank you, Mr. President. This clarifies...this is in lieu
24. of Amendment No. 2 which was defective and I'd move its adoption.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Weaver has moved the adoption of Amendment No. 4 to
27. Senate Bill 1530. Is there any discussion? All...all those in
28. favor...I beg your pardon, Senator Hickey.

29. SENATOR HICKEY:

30. I'd like to know what it does, Mr. President?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Weaver.

33. SENATOR WEAVER:

1. I think in Amendment No. 2 we referred to the wrong page
2. numbers and this just clarifies the page numbers.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any discussion? Senator Weaver has moved the adoption
5. of Amendment No. 4 to Senate Bill 1530. All those in favor
6. signify by saying Aye. All those opposed. The Ayes have it.
7. The amendment is adopted. Any further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. 3rd reading. On the Order of Senate Bills, 2nd reading,
12. Senate Bill 1624. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1624.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. No committee amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any amendments from the Floor?

19. SECRETARY:

20. No Floor amendments.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. 3rd reading. On the Order of Senate Bills, 2nd reading,
23. Senate Bill 1672. Senator Shapiro. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1672.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any amendments from the Floor?

30. SECRETARY:

31. Amendment No. 1 offered by Senator Wooten.

32. PRESIDING OFFICER: (SENATOR ROCK)

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

1. SENATOR SHAPIRO:

2. Mr. President, there are several amendments to the bill what
3. I have agreed to do and decided to do. Move it to third today,
4. bring it back tomorrow for...and we'll handle all of the amendments
5. 'cause I understand there's still some resolution to some of them
6. that needs to be made.

7. PRESIDING OFFICER:(SENATOR ROCK)

8. All right. With leave of the Body that will be done. 3rd
9. reading. On the...Oh. Senator D'Arco, for what purpose do you
10. arise?

11. SENATOR D'ARCO:

12. A point of personal privilege...

13. PRESIDING OFFICER:(SENATOR ROCK)

14. State your point, Sir.

15. SENATOR D'ARCO:

16. I would like to have the students from Suter School stand
17. and be recognized by the Senate please. Would you please stand...

18. PRESIDING OFFICER:(SENATOR ROCK)

19. Would our guests in the gallery please rise and be recognized.
20. The Chair will yield to...President Hynes.

21. SENATOR HYNES:

22. We have with us...May I have your attention please. We have
23. with us today a special guest and we have asked her to say a word
24. or two to the members of this Body and I'd like to introduce her
25. to you now. You are all very familiar with her illustrious career.
26. Carol Burnett. Carol.

27. CAROL BURNETT:

28. Thank you very much. Thank you. So I will keep this very
29. brief. I thank you for the warm welcome I have received today
30. from Springfield. I cannot tell you how pleased I am to have
31. been allowed to come here and to speak for the Equal Rights
32. Amendment and I know there are many of you who are against it. I
33. am here as an American citizen who is the mother of three daughters

1. and I...I want to lend my support and I certainly beg that you
2. lend us yours. All of the country is looking to Illinois because
3. you're very important and my little girl..and we live in California
4. ...Erin, nine years old said, Mommy, please give my love to Illinois
5. and please let them give me my equal rights. I thank you very much.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. On the Order of Senate Bills, 2nd reading, Senate Bill 1687.
8. Read the bill, Mr. Secretary.

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(END OF REEL)

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1. SECRETARY:
2. Senate Bill 1687.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Any amendments from the Floor?
7. SECRETARY:
8. Amendment No. 1 offered by Senator Carroll.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Carroll.
11. SENATOR CARROLL:
12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. This amendment would increase the authorization to
14. cover those programs that are now in the school construction
15. category. I would answer any questions. Move adoption of Amendment
16. No. 1.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Carroll has moved the adoption of Amendment
19. No. 1 to Senate Bill 1687. Is there any discussion? All those
20. in favor signify by saying Aye. All those opposed.
21. The Ayes have it. The amendment is adopted. Further amendments?
22. SECRETARY:
23. No further amendments.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any...3rd reading. Senator Don Moore, for what purpose
26. do you arise?
27. SENATOR MOORE:
28. On a point of personal privilege, Mr. President.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. State your point, Sir.
31. SENATOR MOORE:
32. Thank you, Mr. President, members of the Senate. Seated in the
33. gallery behind me are some two hundred and ten students from the
34. Canterbury Junior High School in Markham, Illinois and their

1. teacher, Mrs. Lillian Van Kempema. I wish they...they would rise
2. and be recognized by the Senate.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Will our guests in the gallery please rise and be recognized.
5. On the Order of Senate Bills, 2nd reading, Senate Bill 1711.
6. Read the bill, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 1711.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any amendments from the Floor?
13. SECRETARY:
14. Amendment No. 1 offered by Senator...Shapiro.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. No, we're going...with leave of the Body, have the same
17. procedure. Senator Shapiro wishes to move the bill
18. sans amendment and we'll get to it tomorrow. 3rd reading.
19. On the Order of Senate Bills, 2nd reading, Senate Bill 1744,
20. Senator Nimrod. Read the bill, Mr. Secretary.
21. SECRETARY:
22. Senate Bill 1744.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor?
27. SECRETARY:
28. Amendment No. 1 offered by Senator Nimrod.
29. PRESIDENT:
30. Senator Nimrod.
31. SENATOR NIMROD:
32. Yes, Mr. President. This amendment is to reduce the time
33. period from six to four months and it also makes it applicable

1. generally to employers and I would ask for the adoption of
2. this amendment.

3. PRESIDENT:

4. Is there any discussion? If not, all those in favor signify
5. by saying Aye. Opposed. The Ayes have it. The amendment is
6. adopted. Any further amendments?

7. SECRETARY:

8. Amendment No. 2 offered by...

9. SENATOR NIMROD:

10. Mr. President.

11. PRESIDENT:

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Yeah, Mr. President, I just had a discussion with Senator Hall
15. and I've agreed in the interest of time that if we can move this to
16. 3rd reading, I will bring it back for him tomorrow to
17. 2nd reading if that's all right.

18. PRESIDENT:

19. Then the amendments will be withdrawn and the bill be
20. advanced to the Order of 3rd reading.

21. SENATOR NIMROD:

22. Yeah, with that understanding...

23. PRESIDENT:

24. There are no further amendments? 3rd reading.
25. Senate Bill 1769, Senator Leonard. Read the bill.

26. SECRETARY:

27. Senate Bill 1769.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on...a fiscal note was
30. requested for this bill which has been answered. The Committee
31. On Higher Education offers one amendment.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Leonard.

34. SENATOR LEONARD:

1. Well, the...and I guess I have the only amendment.
2. We've...we've traded these back and forth about six times.
3. It is funded through community colleges under the directions
4. of BED and I ask for its adoption. I think we are all in
5. agreement on this one.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Don Moore.

8. SENATOR MOORE:

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

10. I have reviewed the amendment that Senator Leonard has upon
11. the Secretary's Desk. It is agreeable with...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Well, we're not there yet. This is a...Committee Amendment
14. No. 1. All right. Senator Leonard has moved to Table Committee
15. Amendment No. 1. Is there any discussion? All those in favor signify
16. by saying Aye. All those opposed. The Ayes have it.
17. The amendment is Tabled. Further amendments?

18. SECRETARY:

19. No further committee amendments.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any amendments from the Floor?

22. SECRETARY:

23. Amendment No. 2 offered by Senator Leonard.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Leonard.

26. SENATOR LEONARD:

27. This is...this is an amendment that I believe we're in
28. universal agreement with. It operated the program through the
29. State Community College Board Funding under the cooperation of
30. BED and the Department of Labor and I ask for its adoption.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Leonard has moved the adoption of Amendment
33. No. 2 to Senate Bill 1769. Is there any discussion? All those in
34. favor signify by saying Aye. All those opposed. The Ayes have
35. it. The amendment is adopted. Further amendments?

1. SECRETARY:
2. Amendment No. 3 offered by Senators Grotberg and Davidson.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Grotberg.
5. SENATOR GROTBORG:
6. I believe, Mr. President, that we now...I would ask to
7. withdraw Amendment No. 3 because Amendment No. 2 did the job.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Will be withdrawn. Further amendments?
10. SECRETARY:
11. No further amendments.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. 3rd reading. On the Order of Senate Bills, 2nd reading,
14. Senate Bill 1793. Read the bill, Mr. Secretary.
15. SECRETARY:
16. Senate Bill 1793.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Any amendments from the Floor? 3rd reading.
21. 1807. On the Order of Senate Bills, 2nd reading, Senate Bill
22. 1807. Read the bill, Mr. Secretary.
23. SECRETARY:
24. Senate Bill 1807.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. There was a request for a fiscal note
27. on this bill which has been answered. No committee amendments.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Any amendments from the Floor?
30. SECRETARY:
31. No Floor amendments.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. 3rd reading. On the Order of Senate Bills, 2nd reading, Senate

1. Bill 1820. Read the Bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1820.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. There was a fiscal note request
6. which has been answered. No committee amendments.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Any amendments from the Floor?
9. SECRETARY:
10. No Floor amendments.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. 3rd reading. On the Order of Senate Bills, 2nd reading,
13. Senate Bill 1833. Read the bill, Mr. Secretary.
14. SECRETARY:
15. Senate Bill 1833.
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any amendments from the Floor?
20. SECRETARY:
21. Amendment No. 1 offered by Senator Bruce.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Bruce.
24. SENATOR BRUCE:
25. Thank you, Mr. President. This gets the bill into the form
26. that is approved by the Bureau of the Budget and the BHE.
27. I'd move its adoption.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Bruce has moved the adoption of Amendment No. 1
30. to Senate Bill 1833. Is there any discussion? All those in
31. favor signify by saying Aye. All those opposed. The Ayes have it.
32. The amendment is adopted. Any further amendments?
33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. 3rd reading. Senator Walsh, are you ready? All right.

4. With leave of the Body, we'll go to the Order of Consideration

5. Postponed. Senator Walsh has a bill he wishes to call back for the
6. purpose of an amendment so that we can have the amendment

7. Before us...or have the bill before us in its amended form

8. tomorrow. On the Order of Consideration Postponed, Senate

9. Bill 1755 has been read a third time. Senator Walsh seeks leave

10. of this Body to bring the bill back to the Order of 2nd reading

11. for the purpose of an amendment. Is leave granted?

12. On the Order of Senate Bills, 2nd reading, Senate Bill 1755.

13. Mr. Secretary:

14. SECRETARY:

15. Amendment No. 3 offered by Senator Walsh.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Walsh.

18. SENATOR WALSH:

19. Mr. President and members of the Senate. The members of the Senate

20. recall Senate Bill 1755 amends the Coin Amusement Devices Tax

21. Section of the Revenue Act. As the bill was introduced,

22. it provided for an increase in the fee, the privilege tax for

23. a coin operated amusement devices from ten dollars to fifty

24. dollars and it imposed a five hundred dollar civil fine upon

25. seizure of a machine for nondisplay of the decal. I discussed this

26. bill after it failed passage with several members of the Senate.

27. and we have arrived at what I think is a satisfactory compromise.

28. Amendment No. 3 will provide for a privilege tax of twenty-five

29. dollars per machine. The present...the present law provides for

30. ten dollars per slot and it would provide for a two hundred and

31. fifty dollar civil penalty upon seizure. So, I would move

32. the adoption of Amendment No. 3.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Walsh has moved the adoption of Amendment No. 3
2. to Senate Bill 1755. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President. By way of discussion, Senator
5. Walsh, if he would yield to a question.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Indicates he will yield.

8. SENATOR CARROLL:

9. Not having a copy of the amendment, I'm curious as to what
10. the amendment does.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. It just...oh, Senator Walsh.

13. SENATOR CARROLL:

14. I didn't...our quick hearing was an effective date amendment
15. and that's all. That was my question. Does it do more than
16. change the effective date?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Walsh.

19. SENATOR WALSH:

20. As I tried to explain, Senator Carroll, it reduces the privilege
21. tax from fifty to twenty-five dollars. The present law is
22. ten dollars per slot and it reduces the civil penalty upon
23. seizure from five hundred dollars to two hundred and fifty dollars.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Guidice.

26. SENATOR GUIDICE:

27. Thank you, Mr. President. Will the sponsor yield to a question?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Indicates he will yield. Senator Guidice.

30. SENATOR GUIDICE:

31. Senator, I really don't know the object of your bill.
32. Is it...you know, is it to raise revenue or is it to, you know,
33. fine people who have not complied with the law. I can't really

1. distinguish what you're trying to do here.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Walsh.

4. SENATOR WALSH:

5. Well, the bill will...will obviously do both. See, under

6. the present law, the...under the present law, the privilege tax is

7. ten dollars per slot and the department finds that very difficult

8. to administer because some machines have two slots, some would have

9. three. So, as a practical matter, you know, they're...they've

10. really been enforcing on the basis on ten dollars per machine.

11. So, this would make administration uniform at twenty-five dollars

12. per machine. Also under the present law...if you don't pay the

13. tax, the only penalty is double the...the tax which is twenty dollars

14. plus ten percent so it's only a twenty-two dollar fine if you don't

15. comply and as a practical matter, they're just not...not complying.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Guidice.

18. SENATOR GUIDICE:

19. Is this money that's being raised now or...where we would

20. raise the tax, where does that money go?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Walsh.

23. SENATOR WALSH:

24. Into the General Revenue Fund.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Guidice.

27. SENATOR GUIDICE:

28. Well, then, we're in no way going to be helping the Department

29. of Revenue unless we increase their budget in this particular

30. regard, then. Is that correct?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Walsh.

33. SENATOR WALSH:

1. Well, their...their budget is...the way we passed their...the
2. bill yesterday, there has been a significant increase in their
3. budget to provide for inspectors and investigators, et cetera,
4. so that enforcement of the...of the Revenue Act is going to be
5. enhanced by the budget bill that we passed yesterday.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Guidice:

8. SENATOR GUIDICE:

9. But this bill is not going to do it, though?
10. This bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Lemke.

13. SENATOR LEMKE:

14. Are we making any exception in here for veteran and charitable
15. organizations? We're increasing their money again and they're having enough
16. time trying to operate. Are we going to...the department going to
17. have any exceptions for these not-for-profit organizations that
18. have...own amusement devices, like pool tables and juke boxes
19. and so forth?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Walsh.

22. SENATOR WALSH:

23. There's...there's no exemption to my knowledge, for anybody.
24. If you have the device, the twenty-five dollar tax must be paid.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Lemke.

27. SENATOR LEMKE:

28. I think there should be the...the fee should stay the same as
29. far as these veterans and charitable groups because I don't think
30. we should increase their costs anymore. I think Senator Mitchler would
31. agree. We've got enough hard hit and I think the department should
32. come up with an exception to this and...and put it in the form
33. of this bill because I can't vote for a bill that's going to increase

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1. costs of veterans and so forth.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? Senator Walsh has moved the adoption

4. of Amendment No. 3 to Senate Bill 1755. Those in favor signify

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

6. is adopted. The bill will be returned to the Order of Consideration

7. Postponed. On that same Order of Business, Senator Knuppel seeks

8. leave to bring back Senate Bill 1649 back to the Order of

9. 2nd reading for purpose of an amendment. Is leave granted?

10. On the Order of Senate Bills, 2nd reading, Senate Bill 1649,

11. Mr. Secretary.

12. SECRETARY:

13. Amendment No. 2 offered by Senator Knuppel.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Wait a minute. First of all, I'd...I think there is an amendment

18. on the bill and therefore, I'd seek leave to reconsider the vote

19. by which Amendment No. 1 was adopted.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. We will consider Amendment No. 1. Senator

22. Knuppel seeks to reconsider the vote by which Amendment No. 1

23. was adopted. All in favor signify by saying Aye. All those opposed.

24. The Ayes have it. The vote is now reconsidered.

25. SENATOR KNUPPEL:

26. I'd like to Table Amendment No. 1.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Knuppel moves to Table Amendment No. 1 to Senate

29. Bill 1649. All those in favor signify by saying Aye. All those

30. opposed. The Ayes have it. The amendment is Tabled. Further

31. amendments?

32. SENATOR KNUPPEL:

33. Now, I have Amendment No. 2...

1. SECRETARY:
2. Amendment No. 2...

3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Knuppel.

5. SONTOR KNUPPEL:
6. ...and I'd move the adoption of Amendment No. 2.

7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Knuppel has moved the adoption of Amendment No. 2 to
9. Senate Bill 1649. Is there any discussion? All those in favor
10. signify by saying Aye. All those opposed. The Ayes have it.
11. The amendment is adopted. Further amendments?

12. SECRETARY:
13. No further amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)
15. Return it to the Order of Consideration Postponed. Senator
16. Regner. With leave of the Body, we'll go to House Bills,
17. 2nd reading. Senator Regner has a bill which has to be moved
18. and passed tomorrow. House Bills, 2nd reading. House Bill 3375.
19. Read the bill, Mr. Secretary.

20. SECRETARY:
21. House Bill 3375.
22. (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any amendments from the Floor?

26. SECRETARY:
27. No Floor amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)
29. 3rd reading. All right. We will...all right. Resolutions.
30. Oh. Messages from the House.

31. SECRETARY:
32. A Message from the House by Mr. O'Brien, Clerk.
33. Mr. President - I am directed to inform the Senate that

1. the House of Representatives has adopted the following Joint
2. Resolution in the adoption of which I am instructed to ask the
3. concurrence of the Senate, to-wit:

4. House Joint Resolution 91.

5. (Secretary reads HJR 91)

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right. Senator Bruce has moved to suspend the
8. rules for the immediate consideration and adoption of House
9. Joint Resolution 91 which calls for the Joint Session to be at
10. 8:30 in the morning, tomorrow morning. All those in favor
11. signify by saying Aye. All those opposed. The Ayes have it.
12. The rules are suspended. Senator Bruce now moves the adoption of
13. House Joint Resolution 91. All those in favor signify by saying
14. Aye. All those opposed. The Ayes have it. The resolution is
15. adopted. All right. We'll now revert, with leave of the Body,
16. to Senate Bills on 3rd reading. There are a number of bills
17. where members have indicated they wish the bill returned
18. to 2nd reading for purposes of an amendment. If we can handle
19. this with some dispatch, the...we hope to adjourn very shortly.
20. Senator Philip, for what purpose do you arise?

21. SENATOR PHILIP:

22. Purpose of announcement, Mr. President.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Yes, Sir.

25. SENATOR PHILIP:

26. I'd just like to remind the so-called baseball players that
27. we have softball practice tonight at 5:00 o'clock at Iles
28. Park, that's Ash and 6th. Once again, we're going to play the
29. Senate staff. Yeah, we've agreed to fogive Senator Rock and
30. some of his cohorts...are going north for some kind of a funny
31. fund raiser, but we'll...we'll give them some...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Just a small gathering of twelve or thirteen thousand intimate

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1. friends. Senator Graham, for what purpose do you arise?
2. SENATOR GRAHAM:
3. What Order are we going to return these bills from 3rd
4. reading for an amendment?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Right now.
7. SENATOR GRAHAM:
8. I want to be on the list.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Your...your number is...
11. SENATOR GRAHAM:
12. 1827.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. You are on the list.
15. SENATOR GRAHAM:
16. Thank you.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Berman, you want to handle 1454 today?
19. All right. On the Order of Senate Bills, 3rd reading,
20. Senate Bill 1454. Senator Berman seeks leave of the Body to
21. return Senate Bill 1454 to the Order of 2nd reading for
22. purpose of an amendment. Is leave granted? On the Order of
23. Senate Bills, 2nd reading, Senate Bill 1454, Mr. Secretary.
24. SECRETARY:
25. Amendment No. 1...Amendment No. 1 offered by Senator Schaffer.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Schaffer. Take it out of the record. 3rd reading.
28. On the Order of Senate Bills, 3rd reading, Senate Bill 1519.
29. Senator Lemke seeks leave of the Body to return Senate Bill 1519
30. back to the Order of 2nd reading for purpose of an amendment.
31. Is leave granted? Leave is granted. On the Order of Senate Bills
32. 2nd reading, Senate Bill 1519. Mr. Secretary.
33. SECRETARY:
34. Amendment No. 1 offered by Senator Lemke.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Lemke.

3. SENATOR LEMKE:

4. What this...this amendment is agreed upon by both Labor and
5. Management. It sets forth the procedures to allow an employee
6. to voluntarily work the seventh day of the week. I ask for its
7. favorable adoption.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Lemke...put Amendment No. 1 on the board, please.

10. Senator Lemke has moved the adoption of Amendment No. 1 to Senate
11. Bill 1519. Is there any discussion? All those in favor
12. signify by saying Aye. All those opposed. The Ayes have
13. it. The amendment is adopted. Any further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. 3rd reading. On the Order of Senate Bills, 3rd reading, Senate
18. Bill 1572, Senator Graham. Do you wish that returned to
19. the Order of 2nd reading? Well, it's up to you...Senator Graham.

20. SENATOR GRAHAM:

21. If I do, it's going to be with great reluctance because
22. being unwilling to do it, we'll probably establish a bad
23. precedent. I hate for us to run through the time that we're...
24. that's going to be necessary to have a playback of yesterday's
25. amendment offered by the great economist from...from Carbondale
26. which really does not do anything but to indicate that he never
27. gets angry, he just gets even. If...I do this with reluctance
28. but if the Senator from Carbondale continues in his efforts
29. to try to destroy the guard complements of the prisons of the State
30. of Illinois and he's going to persist in his motion, I'll bring
31. the bill back and then he'll be the first guy I call when the
32. first penitentiary goes up for grabs next year...bring it back.
33. And I have the same problem, I don't get angry, but sometime I'll

1. get even.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Yesterday, he told me I would be the second one that he
6. called, he was going to call Senator Regner first and then me.
7. But the...the sly old fox, I appreciate his political attempt to
8. lay any future prison riot at my feet, but I absolutely
9. reject and refuse to accept that responsibility.
10. I'm trying to save a million dollars worth of General Revenue
11. Funds which are not needed, Mr. President and if Senator Graham
12. wants to do it today, fine. If he wants to wait till tomorrow, fine.
13. I...I personally would just as soon wait till tomorrow.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. All right. Let's...let's wait till tomorrow. On the Order of
16. Senate Bills...take it out of the record. 3rd reading.
17. On the Order of Senate Bills, 3rd reading, Senate Bill 1585.
18. Senator Moore seeks leave of the Body to return 1585 back to the
19. Order of 2nd reading for the purpose of an amendment. Is leave
20. granted? On the Order of Senate Bills, 2nd reading, Senate Bill
21. 1585, Mr. Secretary.

22. SECRETARY:

23. This bill has had...Committee Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. This is the Hynes amendment. I would
28. move its adoption.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Buzbee has moved the adoption of Amendment No. 1 to
31. Senate Bill 1585. Is there any discussion? All those in favor
32. signify by saying Aye. All those opposed. The Ayes have it. The
33. amendment is adopted. Further amendments?

1. SECRETARY:

2. Committee Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. This amendment reduces the Department
7. of Public Aid's pay plan to 5.5 percent. It's a total cut of
8. three million six hundred sixty-three thousand eight hundred thirty-
9. seven dollars and I would move its adoption.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Buzbee has moved the adoption of Amendment No. 2.
12. to Senate Bill 1585. Is there any discussion? All those in
13. favor signify by saying Aye. All those opposed. The Ayes have it.
14. The amendment is adopted. Further amendments?

15. SECRETARY:

16. No further committee amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any amendments from the Floor?

19. SECRETARY:

20. Amendment No. 3 offered by Senator Buzbee.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Thank you, Mr. President. Amendment No. 3 reduces the Department
25. of Public Aid's appropriation by one million two hundred eighteen
26. thousand two hundred and seventeen dollars. It cuts two hundred
27. and eighty thousand dollars out of the central division. Cuts
28. two new positions. Phases in six new positions and cuts
29. one-half of the long-term vacancies with the corresponding cuts
30. in retirement - social security and it cuts contractual
31. to...by deleting funds for consultant, deletes funding for
32. overestimation of rental of office space. It cuts thirteen hundred
33. dollars out of the regional division. It cuts three hundred twenty-

1. seven thousand eight hundred twenty-seven thousand eight hundred
2. twenty-seven...eight hundred thirty-two dollars out of electronic
3. data processing by cutting funds for seven new positions,
4. phasing in six new positions and deleting funding for nineteen
5. long-term vacancies with the corresponding cuts in retirement -
6. social security and commodities and equipment. Cuts five thousand
7. eight hundred and fifty dollars out of the training division,
8. seventy-six hundred out of enforcement, twenty-two hundred out of
9. social services, two hundred two thousand out of the medical
10. division, deleting funding for eleven new employees, phasing in
11. five new employees and cutting nine long-term vacancies
12. with corresponding cuts in retirement and social security.
13. Cuts seventy-one thousand nine hundred dollars out of the field
14. level division. Cuts twenty-one hundred dollars out of the
15. general assistance for equipment. Cuts three hundred sixteen
16. thousand five hundred ninety-four dollars out of the food
17. stamp division by cutting one new position and the corresponding
18. cuts in retirement - social security with three hundred thousand
19. of that allowing for one-half increase for food stamp transaction
20. costs and that is, as I said, a total reduction of one million
21. two hundred eighteen thousand two hundred seventeen dollars and
22. I would move its adoption.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Buzbee has moved the adoption of Amendment No. 3 to
25. Senate Bill 1585. Is there any discussion? All those in favor
26. signify by saying Aye. All those opposed. The Ayes have it.
27. The amendment is adopted. Further amendments?

28. SECRETARY:

29. Amendment No. 4 offered by Senator Moore.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Moore.

32. SENATOR MOORE:

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

1. Amendment No. 4 adds three million dollars to the line item for
2. the pharmacy increasing it from eighty-three million to eighty-
3. six million. The reason for this is to bring them in line
4. for the actual cost of filling of prescriptions. I'd move for
5. a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Moore has moved the adoption of Amendment No. 4
8. to Senate Bill 1585. Is there any discussion? All those in
9. favor signify by saying Aye. All those opposed. The Ayes
10. have it. The amendment is adopted. Further amendments?

11. SECRETARY:

12. Amendment No. 5 offered by Senator Lemke.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Lemke. The amendment will be considered withdrawn.
15. Further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. 3rd reading. On the Order of Senate Bills, 3rd reading,
20. Senate Bill 1590. Senator Rupp seeks leave of the Body to
21. bring this bill back to the Order of 2nd reading for a purpose
22. of an amendment. Is leave granted? Leave is granted. On
23. the Order of Senate Bills, 2nd reading, Senate Bill
24. 1590.

25. SECRETARY:

26. Amendment No. 5 offered by Senator Carroll.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
31. This is the monies to add back for rental of property. I would
32. move adoption of Amendment No. 5.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Carroll has moved the adoption of Amendment No. 5
2. to Senate Bill 1590. Is there any discussion? All those in favor
3. signify by saying Aye. All those opposed. The Ayes have it.
4. The amendment is adopted. Further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any amendments...no further Floor amendments. 3rd reading.
9. 1601, Senator Sommer. Senator Sommer seeks leave of the Body
10. to bring back Senate Bill 1601 back to the Order of 2nd
11. reading for purpose of amendment. Is leave granted?
12. On the Order of Senate Bills, 2nd reading, Senate Bill 1601.
13. Mr. Secretary.

14. SECRETARY:

15. Amendment No. 18 offered by Senator Vadalabene.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the Senate. This
20. is the one that adds the educational T.V. projects and I move
21. for immediate consideration and adoption of Amendment No. 18.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Vadalabene has moved the adoption of Amendment No.
24. 18 to Senate Bill 1601. Is there any discussion? Senator Sommer.

25. SENATOR SOMMER:

26. Mr. President and members. This includes three projects,
27. one at Chicago State University ranked sixty-first on the BHE
28. list. And Western Illinois ranked fifty-seventh and something at
29. the Edwardsville Campus ranked seventy-second. What we do
30. is the BHE ranks these projects and then we funded the first
31. forty odd some. This funds a project in the sixties and seventies.
32. It's up to the Body's choice as to whether they wish to make
33. this kind of arrangement or not. We're not bound by what BHE
34. does, necessarily, but I think we ought to vote on it.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? You wish a roll call? Oh, Senator
3. Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President. I'd just like to ask the sponsor a
6. question.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Indicates he will yield. Senator Vadalabene.

9. SENATOR GLASS:

10. Senator Vadalabene, in light of what Senator Sommer said,
11. would you be interested in including projects number forty-one
12. through sixty as well or are we just skipping and going out of
13. order and taking yours?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Well, first of all, we're not bound by that list and
18. secondly, you know, to each his own. Senator Sommer has agreed to
19. bring this bill back to the Order of 2nd for the purpose
20. of this amendment. He's consented. I'm appreciative to him and
21. if anyone else has any amendments that involves their area
22. or their district, that's up to you. I am watching the district
23. that I represent and this is the reason for the amendment.
24. Now, Senator Glass, you, I think, should do the same thing in your
25. area. Thank you, Senator Sommer, for this opportunity.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right. Senator Vadalabene has moved the adoption of
28. Amendment No. 18 to Senate Bill 1601. All those in favor signify
29. by saying Aye. All those opposed. The Ayes have it. The amendment
30. is adopted. Further amendments?

31. SECRETARY:

32. Amendment No. 19 offered by Senator Carroll.

33. PRESIDING OFFICER: (SENATOR ROCK)

34. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This amendment deals with Chicago State for educational
4. T.V. However, this is funds that are reappropriated and signed
5. by the Governor. If the McMillan - Wooten bill passes, we would
6. have to change the title of it. That's all this does. I would
7. move adoption of Amendment No. 19.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Carroll has moved the adoption of Amendment No.
10. 19 to Senate Bill 1601. Is there any discussion? All those
11. in favor signify by saying Aye. All those opposed. The Ayes
12. have it. The amendment is adopted. Further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. 3rd reading. Senator D'Arco, for what purpose do you
17. arise?

18. SENATOR D'ARCO:

19. Mr. President, I would ask that the children from the Dill
20. School in the gallery behind me stand and be recognized by the Senate.
21. Would you please stand?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Will our guests in the gallery please stand and be recognized.
24. Senator Newhouse on 1688. Okay. Yes, Senator Buzbee. For
25. what purpose do you arise?

26. SENATOR BUZBEE:

27. On a point of personal privilege, Mr. President. We
28. have on the Floor this afternoon one of our former staff members
29. who has just completed her second year at the SIU law school.
30. She is currently standing number one in her class at SIU law
31. school and is the general editor of the Law Review and I would
32. like for the Senate to acknowledge Mary Lou Lowder.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. PRESIDING OFFICER: (SENATOR ROCK)

2. 1690, Senator Collins. 1780. 1690. Senator Collins seeks
3. leave of...1690, there's an amendment pending. Bring it back,
4. is that what you want to do? Okay. Senator Collins seeks leave
5. of this Body to bring back Senate Bill 1690 to the Order
6. 2nd...1690, 1690, to the Order of 2nd reading for the purpose
7. of an amendment. Is leave granted? Leave is granted. On the
8. Order of Senate Bills 2nd reading, Senate Bill 1690. Mr.
9. Secretary.

10. SECRETARY:

11. Amendment No. 3 offered by Senator Collins.

12. PRESIDING OFFICER:

13. Put 3 on the board. Senator Collins.

14. SENATOR COLLINS:

15. Amendment No. 3 is a clarification of the language
16. which Senator Berning raised yesterday in reference to the...the
17. appointments to the board and I move for its adoption.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Collins has moved the adoption of Amendment No.
20. 3 to Senate Bill 1690. Is there any discussion? All those in
21. favor signify by saying Aye. All those opposed. The Ayes have
22. it. The amendment is adopted. Any further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. 3rd reading. 1780. On the Order of Senate Bills, 3rd
27. reading, Senate Bill 1780. Senator Davidson seeks leave of the
28. Body to bring back 1780 to the Order of 2nd reading for purpose
29. of an amendment. Is leave granted? Leave is granted. On the
30. Order of Senate Bills, 2nd reading, Senate Bill 1780.
31. Mr. Secretary.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Newhouse.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Thank you, Mr. President, Senators. Sometime back I think
5. you will all remember we had heated debate on the Floor
6. concerning Title I. At that time, some of us began to look around
7. for a vehicle by which we could provide that Title I monies
8. follow disadvantaged children. We found a vehicle in 1780 and
9. I'm grateful to the sponsor for permitting that. There has since
10. been passed out of the House another Title I bill and there is
11. some honest disagreement among those of us who certainly have as
12. a goal the establishment...the establishment of Title I as
13. to which bill is to go which way. So, there...that is honest. I
14. respect that and I hope they respect what I am doing. This
15. bill...this amendment does precisely what I've just said. It
16. puts us in the posture of the State of Illinois saying that Title
17. I funds will follow disadvantaged children. I would ask for a
18. favorable roll call. Ask your support on the bill...amendment.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. Senator Newhouse has moved the adoption of
21. Amendment No. 1 to Senate Bill 1780. Is there any discussion?
22. All those in favor signify by...Senator Berman.

23. SENATOR BERMAN:

24. Will the sponsor yield to a question?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Indicates he will yield. Senator Berman.

27. SENATOR BERMAN:

28. Senator Newhouse, this language is in substantially the same
29. form as the language in the Jones bill in the House. Is that correct?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Newhouse.

32. SENATOR NEWHOUSE:

33. There...there is one difference, Senator. There is not a phase-in.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berman.

3. SENATOR BERMAN:

4. I...we have had some discussions on this regarding the
5. phase-in and regarding a few other items. Is it your intention
6. to comply with that agreement in relation to this bill and this
7. amendment?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. I'm not sure I understand you, Senator.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berman.

14. SENATOR BERMAN:

15. Well, for example. We've discussed and I thought we were
16. in agreement regarding a phase-in, regarding hold harmless,
17. regarding the extent of the coverage and application of Title
18. I. Will those same considerations be given to this amendment
19. in the House as will be given to the Jones bill in the Senate?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Newhouse.

22. SENATOR NEWHOUSE:

23. There had been no such agreement, Senator, on this bill and
24. I...I...I'm open and flexible. Today, I have placed the amendment
25. on. I do not control the bill. If you want to talk some other
26. portions of the amendment, I'll be willing to talk with you, but
27. this is the amendment as it stands.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Berman.

30. SENATOR BERMAN:

31. Well, the thing that concerns me is the point that you make
32. that you don't control this bill. And I believe that there has been
33. some understanding regarding certain refinements in this approach

1. that I and others are in agreement with. And I am concerned
2. that we are moving in a direction that somebody may turn around
3. and say they can no longer control their action. And either
4. we have an understanding or we don't have an
5. understanding and I want some clarification
6. on that.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Newhouse.

9. SENATOR NEWHOUSE:

10. If I understand you, Senator, there was no understanding that
11. there would be one single bill on this subject matter.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Washington.

14. SENATOR WASHINGTON:

15. Mr. President and members of the Senate. I support the
16. concept, if not all the language in this Amendment No. 2 to
17. Senate Bill 1780 and I want to, want to thank Senator
18. Davidson for making 1780 a vehicle to carry the message, so to speak.
19. I...I intend to vote for the amendment but I have some serious
20. problems with the bill and I certainly don't want to mislead
21. anyone into thinking by supporting the amendment and thanking
22. Senator Davidson for permitting it to go on his bill that I
23. will in turn support the bill. There is some confusion here
24. between some of the members of the House relative to what is the
25. best vehicle for the message of implementing Title I
26. as we thought it should have been done five years ago. I happen
27. to think House Bill 2619 is the proper vehicle and I intend to
28. support it when it comes across. I cannot, in good conscience,
29. vote against a clear-cut statement relative to the disposition of
30. Title I funds, so I am forced, more or less, to vote for this
31. amendment. But I will not vote for the bill and I wanted the
32. sponsor to know that I appreciate his offer, but a better one
33. came along.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. All right. Senator Smith.
3. SENATOR SMITH:
4. Mr. President and members of the Senate. First of all,
5. I, too, have been a party to much of what has happened here,
6. more or less, I should say. I compliment Senator Newhouse
7. for keeping an understanding that he had with Senator Davidson
8. that I knew nothing about, frankly, until this afternoon when we
9. went into conference. Again, I...I compliment the good
10. Senator. I do not, however, agree with the logic behind the
11. contention that this amendment should prevail. Mr. President,
12. would I be in order if I should make a motion now to Table this
13. amendment?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. That motion would be in order.
16. SENATOR SMITH:
17. Then I make such a motion.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Smith has moved to Table Amendment No. 1 to
20. Senate Bill 1780. Senator Chew.
21. SENATOR CHEW:
22. ...to hold that motion because I had asked to be heard
23. prior to the motion, please.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. I'm sure he will.
26. SENATOR CHEW:
27. Thank you.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Chew.
30. SENATOR CHEW:
31. I regret that this has come on this side of the track.
32. I was in on negotiations and the vehicle that I understood would be
33. used was 2619 which is a House Bill. I was subsequently informed

1. that there was an amendment to be attached to the Davidson
2. bill. I stated then and there that not only would I oppose
3. the amendment, but I would oppose the bill.
4. I'm not here to grandstand, be heard or get newsprint or
5. anything else. I'm merely here to try to lend what I can
6. to good government. I'm not concerned about what the news-
7. papers say about me or when they say it as long as they
8. spell my name correctly. But I am concerned about
9. some of us that are here for that purpose and I think we're all here or
10. at least we ought to be here for that purpose. I can commend Senator
11. Newhouse for having made a commitment, not having backed off that
12. commitment even after being requested to do so. It's his
13. prerogative. I respect him. This is not the way to go. I agree
14. with you, Senator Berman. Your understanding was the same
15. as mine. And we should have left it that way. It looks like
16. we've got a lot of indians and maybe no chiefs, or maybe
17. a lot of chiefs and no indians. I don't know. But Berman, your
18. understanding is correct. I understood what you did and I still
19. understand that 2619 is the way we're going and I committed this
20. morning on that and I'm still committed on that but I respect
21. Senator Newhouse for holding his commitment and I will not
22. support the amendment nor the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Collins. Any further discussion? Senator...Senator
25. Smith has moved to Table Amendment No. 1 on...to Senate Bill
26. 1780. Those in favor of the motion...Senator Hynes.

27. SENATOR HYNES:

28. Mr. President, rather than go to a roll call on this,
29. which is a matter that has been the subject of considerable
30. discussion, it seems to me that all of the parties that are involved
31. and are speaking on this matter have a common interest and I think
32. that will be demonstrated very clearly in the near future. It would
33. seem to me that to avoid any conflict that could arise out of

1. this roll call, that this could be taken out of the record,
2. this amendment could be held and if...if it is not resolved then
3. Senator Newhouse has the right to offer the amendment again
4. tomorrow.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President, there is a second amendment on...to go on
9. this bill...be offered on this bill which is offered by me.
10. As a courtesy...offered Amendment No. 1. If you want to take
11. Amendment No. 1 out of the record and...with the understanding
12. that if he wants to offer it tomorrow on 3rd reading I'll
13. be glad to bring it back and do it, but I do want to pursue with the
14. Amendment No. 2 which yesterday when we advanced it to 3rd
15. reading...said I'd bring it back today when I had this amendment
16. ready. That was the purpose of bringing it back. I'll
17. be glad...if he wants to...take No. 1 out and my amendment which
18. then would be No. 1 and if he wants to offer his amendment
19. tomorrow, I'll extend the courtesy of bringing it back.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Newhouse. The question was whether...spare us, John.
22. Senator Newhouse, the question was whether or not you would be
23. willing to withdraw the amendment temporarily.

24. SENATOR NEWHOUSE:

25. Can we take it out of the record for the moment, please?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Take it out of the record. Senator Soper, for what
28. purpose do you arise?

29. SENATOR SOPER:

30. On a point of personal privilege. Visiting the Capitol
31. behind...in the gallery behind me, are eighth grade students from
32. Our Lady of the Mount Church of Cicero with their two
33. teachers, Marie Ribbecky and Mr. Williams and their principal,
34. Mr. Larry Johnson. Wish they would rise and be recognized by the Senate.

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1. PRESIDING OFFICER: (SENATOR ROCK)
2. Will our guests please rise and be recognized. All right.
3. Let's...Senator Davidson, just bear with me momentarily. 3rd
4. reading. Take it...take that one out of the record. We'll
5. get back to that. We have some others here. And wait...wait just
6. a minute. 1786, Senator Hynes. I've asked him, Senator Wooten,
7. if he would mind getting back to it. Well. Okay. Let's...yeah.
8. If Senator Egan is ready, he has an amendment that just came up
9. from the Reference Bureau. On the Order of Senate Bills,
10. 3rd reading, Senate Bill 736. Senator Egan seeks leave of the Body
11. to bring 736 back to the Order of 2nd reading for purpose of
12. an amendment. Is leave granted? On the Order of Senate Bills,
13. 2nd reading, Senate Bill 736. Mr. Secretary.
14. SECRETARY:
15. Amendment No. 2 offered by Senator Egan.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Egan.
18. SENATOR EGAN:
19. Mr. President, I...there is one amendment on the bill now
20. which is incorporated into the second amendment. It was
21. technical. I'd like to Table that.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. All right. Senator Egan moves to reconsider the vote by which
24. Amendment No. 1 was adopted. All those in favor signify by
25. saying Aye. All those opposed. The vote is reconsidered.
26. Senator Egan now moves to Table Amendment No. 1 to Senate
27. Bill 736. All those in favor signify by saying Aye. All
28. those opposed. The Ayes have it. The amendment is Tabled.
29. Further amendments?
30. SECRETARY:
31. Amendment No. 2 offered by Senator Egan.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Egan.

1. SENATOR EGAN:

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

3. What Senate Amendment...what this amendment does to Senate

4. Bill...736 is change the...the figures. It...it is what is commonly

5. a phase-in amendment. The beginning year we'll see a reduction

6. in the sales tax on the replacement and remodeled equipment

7. of one penny and three quarters, the second year it will go to

8. two pennies, the third year to two and a half cents, the fourth

9. year to three cents, the fifth year to three and a half cents and

10. the sixth year to four cents. So, that there will be a total

11. exemption in the sixth year. I have discussed the matter at

12. exceeding length with the Bureau of the Budget and I have discussed

13. it with the Governor and they have not yet gotten back to me.

14. I'm putting this amendment on in hopes that they will accept it

15. and I commend it to your favorable consideration.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan has moved the adoption of Amendment No. 2

18. to Senate Bill 736. Is there any discussion? All those in favor

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

20. The amendment is adopted. Further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. 3rd reading. Senator Hynes on 1786. On the Order of

25. Senate Bills, 3rd reading, Senate Bill 1786. Senator Hynes seeks

26. leave of the Body to bring Senate Bill 1786 back to the Order of

27. 2nd reading for purpose of an amendment. Is leave granted?

28. Leave is granted. On the Order of Senate Bills, 2nd reading, Senate

29. Bill 1786. Mr. Secretary.

30. SECRETARY:

31. Amendment No. 1 offered by Senator Hynes.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Hynes.

1. SENATOR HYNES:

2. Mr. President and members of the Senate. This amendment
3. would do two things. First of all, it would provide
4. that the Commissioner of Banks in cooperation with the Commissioner
5. of Savings and Loan and the Director of Financial Institutions
6. shall prescribe joint rules and regulations for the implementation
7. of the Reversed Mortgage Program and this is similar to the
8. approach that is taken in California and secondly, it
9. would include credit unions within the purview of the bill so
10. it would be banks, savings and loans and credit unions and
11. I would move the adoption of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Hynes has moved the adoption of Amendment No. 1 to
14. Senate Bill 1786. Is there any discussion? All those in favor
15. signify by saying Aye. All those opposed. The Ayes have it.
16. The amendment is adopted. Further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 3rd reading. Senator Graham on 1827. On the Order of
21. Senate Bills, 3rd reading, Senate Bill 1827. Senator Graham
22. seeks leave of the Body to bring Senate Bill 1827 back to the
23. Order of 2nd reading for purpose of an amendment. Is leave
24. granted? Leave is granted. On the Order of Senate Bills,
25. 2nd reading, Senate Bill 1827. Mr. Secretary.

26. SECRETARY:

27. Amendment No. 2 offered by Senator Graham.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Graham.

30. SENATOR GRAHAM:

31. Members of the Senate, in committee a long time ago, I offered
32. an amendment and we got the bill moving and since then we have been
33. in contact with Medical Society, Hospital Association, Parameds,

1. Department of Public Health and all those who are interested in
2. life saving methods and I think that perhaps we have a...an
3. amendment here that is pretty close to doing the things that we
4. want it to do. This is a long ways from where we started back
5. in 1970. All these are on your desks. The definitions of all the
6. departments and all the duties are clearly defined. I commend
7. it to you for your serious study and certainly urge its adoption.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Graham has moved the adoption of Amendment No. 2
10. to Senate Bill 1827. Is there any discussion? Senator Berman.

11. SENATOR BERMAN:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Indicates he will yield. Senator Berman.

15. SENATOR BERMAN:

16. Senator Graham, there is some language...I don't know if
17. we've had a lack of communication or just what has happened,
18. but...well, no, there's some differences in the language. That's...
19. we've been moving on other things and I've not had a chance
20. to discuss with you and there is some language differences
21. that I would like to suggest in that one area that we were
22. pointing to and I was wondering if you might be able to hold this
23. until tomorrow and allow me to show you the language differences
24. that...that are here. I know that you and I have been trying to
25. work together and I just haven't had that opportunity.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Graham.

28. SENATOR GRAHAM:

29. I have no objection to that. However, I want you to
30. realize that you do...Senator, tomorrow is D-day. There will be
31. more work done on it here and more in the House but I certainly
32. will yield to your suggestion. I'd like to meet with you in the
33. morning after the President has left or sooner and...or submit to

1. Mr. Glen Braden your suggested language, would you please...
2. our attorney.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. 3rd reading. Take it out of the...take it out of
5. the record, Mr...with leave of the Body.

6. SENATOR GRAHAM:

7. Leave it on 2nd, I don't care.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. 1847. On the Order of Senate Bills, 3rd reading, Senate
10. Bill 1847. Senator Daley seeks leave of the Body to bring
11. 1847 back to the Order of 2nd reading for purpose of an amendment:
12. Is leave granted? On the Order of Senate Bills, 2nd reading,
13. Senate Bill 1847, Mr. Secretary.

14. SECRETARY:

15. Amendment No. 6 offered by Senators Daley and Moore.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Daley.

18. SENATOR DALEY:

19. Mr. President and fellow Senators. This is an agreement
20. worked out through the various groups, the Illinois State
21. Chamber of Commerce, the Illinois Manufacturers Association,
22. the Illinois Trial Lawyers, in regards to products liability.
23. What it does, it raises the statute of repose to ten and twelve
24. years instead of nine and ten. Also, it allows again changes
25. of reporting from the insurance industries throughout Illinois
26. that write products liability. There has been a number of
27. modification and changes which are acceptable and number three,
28. the amendment that I placed on dealing with pharmaceutical
29. companies instead of having an unlimited statute of repose,
30. we have placed an eighteen statute of...statute of repose dealing
31. with drugs. This is acceptable to everyone, especially the Trial
32. Lawyers and myself in regards to the pharmaceutical industry and
33. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Daley has moved the adoption of Amendment No. 6
2. to Senate Bill 1847. Any discussion? Senator Rhoads.
3. SENATOR RHOADS:
4. Question of the sponsor.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Indicates he will yield. Senator Rhoads.
7. SENATOR RHOADS:
8. Senator Daley, this is the amendment that's now...what's
9. the posture of the...of the House legislation?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Daley.
12. SENATOR DALEY:
13. House Bill 1333 will be amended the same as our bill.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Rhoads.
16. SENATOR RHOADS:
17. Thank you, Mr. President. I rise in support of Amendment
18. No. 6.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Sangmeister.
21. SENATOR SANGMEISTER:
22. Yes, I'm sorry. Was the amendment passed out? I don't
23. find it on my desk. I don't want to hold things up but I just
24. want...you...you did have it passed out?
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Daley. All right. Any further discussion? Senator
27. Daley has moved the adoption of Amendment No. 6 to Senate Bill 1847.
28. All those in favor signify by saying Aye. All those opposed.
29. The Ayes have it. The amendment is adopted. Further amendments?
30. SECRETARY:
31. No further amendments.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. 3rd reading. Senator Davidson, where are we now with respect to

1. 1780? Where...
2. SENATOR DAVIDSON:
3. Well, as I understand it, we're in position to resolve our
4. problems and go on with the...the amendment.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. All right. Senator Davidson seeks leave of the Body to bring
7. 1780 back to the Order of 2nd reading for purpose of an
8. amendment. Is leave granted? Leave is granted. On the Order of
9. Senate Bills, 2nd reading, Senate Bill 1780. Mr. Secretary.
10. SECRETARY:
11. Amendment No. 1 offered by Senator Newhouse.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Newhouse.
14. SENATOR NEWHOUSE:
15. Mr. President, Senators. I will now move to Table
16. ...to take my...move my amendment from the record permanently.
17. with this explanation. I think that what we set out to accomplish
18. has been accomplished. We have received assurances that there will
19. be a Title I bill to go to the Governor's Desk and that's what
20. we all are interested in. With that assurance then,
21. Mr. President, I would ask now that you take Amendment No. 1
22. from the record.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Amendment No. 1...
25. SENATOR NEWHOUSE:
26. And I appreciate the cooperation of all those Senators who worked
27. with and for this purpose.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Amendment No. 1 will be withdrawn. Further amendments?
30. SECRETARY:
31. Amendment No. 1 offered by Senator Davidson.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Davidson.

1. SENATOR DAVIDSON:

2. Yes, Mr. President and members of the Senate. This amendment was
3. distributed. This amendment does two things. One, it will
4. give a three year pay back to...to school districts which have
5. had an overpayment from the previous year to allow the downstate
6. districts to be done for them which we did...when Chicago had that
7. tremendous overpayment a couple of years ago. Secondly,
8. it will put a cap on the unusual waiting effect on Title I as far as
9. State money only is concerned. All the educated disadvantage
10. will receive the...all the waited effect up through the twelve
11. sixty cap...any new money then will only...the wait will only
12. be the twenty-five, .25, that's for high school students.
13. This will take us to a level of twelve eighty-one for all the
14. school districts throughout the State. This will take some
15. additional money over what the Governor has put in his
16. budget, but this will get a fair share of the money to the downstate
17. unit districts and I urge the adoption of this amendment.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Davidson has moved the adoption of Amendment No. 1
20. to Senate Bill 1780. Any discussion? Senator Berman.

21. SENATOR BERMAN:

22. Question of the sponsor.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Indicates he will yield. Senator Berman.

25. SENATOR BERMAN:

26. Do you...do you have a printout of who gets what under the
27. bill as amended, if this bill is adopted?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. I do not have it in hand. We made the request of IOE
32. at 2:00 o'clock yesterday afternoon and they said it would be
33. twenty-four to thirty-six hours before they...deliver it to it so the

1. printout would be for every school district in the State.
2. As soon as they deliver it to us, I'll make copies available.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Berman.
5. SENATOR BERMAN:
6. Thank you, Mr. President. On the amendment, I would ask
7. for a moment of hopefully undivided attention on what this
8. amendment does and to whom. First, may I address those people
9. who are interested in a more equitable distribution of Title 1
10. money. This amendment hurts your cause. The reason it hurts
11. your cause is that this bill puts a cap on the Title 1
12. allocation at the twelve hundred and sixty dollar level while
13. raising everybody else's money, non-Title 1 money, to twelve
14. hundred and eighty-one dollars. This amendment discriminates
15. against Title 1 children. Number two, those of you who are concerned
16. about unit and elementary districts getting a better access
17. to the formula through a lowering of the qualifying rates,
18. this amendment does not reduce the qualifying rates for unit and
19. elementary districts. It does not reduce those qualifying rates.
20. Thirdly, those of you, especially downstate, who have
21. districts that have increased assessed valuations and decreasing
22. pupil populations and there are overpayments that have to be
23. paid back, I would point out that the overpayment provision
24. in this bill, although it spreads out the overpayment for three
25. years, only applies...only applies to overpayments in the
26. year '77 - '78. It's only a one year shot that gives you relief
27. from those overpayments. And you know that your increased assessed
28. valuations and your decreased pupil population isn't going to end
29. with '77 - '78. For those reasons, I can't think of many, if any
30. persons that ought to support this amendment and I
31. urge a No vote.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Any further discussion? Senator Washington.

1. SENATOR WASHINGTON:

2. Yes, Mr. President, members of the Senate. I agree with
3. the substance and the thrust of Representative...Senator
4. Berman's remarks. This amendment presupposes that the continuing
5. and escalating need of Title 1 funds has ended. It presupposes there
6. are statistics which can indicate that the Title 1 funds up
7. to date have served its purpose. It does not take into consideration
8. high unemployment rates, burgeoning ghettos, impoverished
9. areas and inadequate educational facilities mainly in the large
10. urban industrial areas, specifically in Chicago and more
11. particularly in my own district. It seems to me that if one
12. is going to put a cap on those Title 1 funds, there should be
13. some supporter statistics which indicate that Johnny can read,
14. that Mary can read and that the educational standards in our
15. cities have improved. That is patently untrue. I think it would be
16. a great mistake to put a cap on these funds. I think we've got to
17. keep them openended. I think we've got to understand that the
18. problem of poverty and its commensurate or concomitant low
19. educational situation has not been increased by an foreseeable
20. or appreciable means over the past few years. I think it's a
21. dangerous kind of amendment. I think we've simply got to open our
22. eyes to the fact that we've got to grapple with this question of
23. inadequate education in the intercities and grapple with it
24. mightily in terms of money. There is no other solution and that's
25. what the whole struggle for Title 1 funds is all about. I don't
26. think anyone has any doubt about that. There's a direct proportion
27. to increasing and improving education with the amount of money
28. poured into it and I think we should continue on that bent.
29. We have no choice. We cannot go back. We cannot remain static
30. as this amendment suggests. I bitterly and strongly oppose it and
31. I urge you also to defeat it.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President and Ladies and Gentlemen. In direct
3. response to Senator Washington and Senator Berman who spoke
4. before him, I think a couple of important points need to be made.
5. One, Senator Washington...rather, Senator Newhouse
6. has said that he has assurance that the amendment he intended
7. to offer calling for the Title 1 funds to follow the students
8. that qualify for those funds, is somehow going to be supported and
9. will be delivered to the Governor's Desk. Now, if that had been the
10. law as it should have been all these years, the Title 1
11. funds were, in fact, available to be used for those school children
12. for whom they were intended, then the funding level that Illinois
13. provides would be ample to take care of all the programs now
14. designed for the poverty children. And as a matter of fact,
15. I think we should all recognize that Illinois spends more money
16. than any other State and almost twice as much as the second
17. closest state, New York, for the Title 1 children. In other
18. words, we have done an outstanding job if we can get that money
19. in those attendance centers where there...it is needed and
20. intended. So, I don't...I don't understand at all the argument
21. that cutting off the level of Title 1 funding where it is now
22. doesn't do the job. It does do the job. Illinois is, in fact,
23. doing well in this area and if we provide that the money
24. will be used for those students for whom it is intended, the funding
25. is entirely adequate and so that I would urge support of this
26. amendment.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Wooten.

29.

30. End of reel.

31.

32.

33.

1. SENATOR WOOTEN:

2. Thank you, Mr. President. The points that have been made
3. by the last two speakers are perfect example why both elements
4. should be in this bill. If you take them apart then you can
5. attack the one as if the other did not exist. But taking the
6. two together, putting a cap on that factor at 3., 375, remember
7. that the money has been increasing geometrically. The problem
8. is it hasn't been going to the right kids. The cap is not
9. going to do any harm in terms of amounts of money going to
10. children who are entitled. Our problem is to see that it
11. gets to those kids. The two together made very good sense.
12. I don't think we should back off from the double concept
13. because they are now split into two bills. A very wise
14. tactical maneuver, but I think the Senate, in its wisdom,
15. should not let that tactical maneuver preside over what
16. is eminently good judgment in keeping the two together.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Well, Mr. President and Ladies and Gentlemen of the
21. Senate. I think it would be no surprise to anyone in the
22. Chamber that I do support this amendment as I do support
23. Senate Bill 1780. And to correct a statement made that
24. the bill does not provide for reduction in qualifying
25. rates is totally erroneous. It does provide for reduction
26. of a seven cent...a seven cent reduction for unit districts
27. and three cents for elementary districts. And I would call
28. to the attention to...of the Senator who made that statement
29. to take a good look at the amendment because those rates are
30. reinstated in the amendment and they are left the same as
31. they are in the bill in order to make sure that the cap stays
32. at twelve sixty for that type of funds. So in summation,
33. the amendment is a good amendment. I think it's necessary

1. to achieve parity and equality as far as Title I funds are
2. concerned and I would urge everyone in the Chamber to vote
3. for the amendment.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. Thank you, Mr. President, Senators. I knew about
8. the cap on the qualifying rate when I asked for the
9. privilege of amending this bill. I agreed to accept that
10. because it does some other things that are acceptable to some
11. downstate school children and some downstate Legislators.
12. I agreed to work...vote for the amendment and the bill and
13. I expect to do so.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Hynes.

16. SENATOR HYNES:

17. Wonder if the sponsor would yield to a question or two.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. He indicates he will yield. Senator Hynes.

20. SENATOR HYNES:

21. Senator, if this bill is amended as you desire it, in
22. relation to the Governor's budget in his proposed allocation
23. for education, what will be the effect of the bill if it were
24. to be fully funded. In other words, how much will this cost
25. as amended?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. The print out per se actually dollar amount, I can't
30. tell you, Senator Hynes. There will be additional money
31. approximately nineteen million dollars over what the
32. Governor put forth of the hundred and three and he's already
33. added seven to it. This is based on the School Problems;

1. Commission's Formula and we will have it tomorrow or sometime
2. late tonight, whenever IOE delivers the computer printout.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hynes.

5. SENATOR HYNES:

6. Well then you want us to adopt this amendment and I
7. would assume, later a appropriation to fund it at an
8. amount that you can't tell us...you simply can't tell
9. us the final figure, you don't know what the amount
10. of...that will be necessary to fund this bill is, you
11. don't know how much this formula will cost at this
12. point. You're simply putting in some changes that
13. you think make some sense without knowing the cost?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Two things, Senator Hynes, one is many amendments
18. have been put on about what the cost is, but if we're
19. going to talk about appropriation bill, there is more
20. than sufficient money in 1486 or 1456, more than the
21. total cost of this 'cause it's above it. Our estimate
22. was nineteen million dollars at the School Problems
23. Commission of two weeks ago. We can give you the
24. exact dollar amount tomorrow or yet tonight, when
25. IOE delivers the computer printout.

26. SENATOR HYNES:

27. Well, I...I realize that the...that there's more
28. than enough money in...in the appropriation bill, that's
29. the second part of what I'm going to get to. The first
30. point is, you do not know how much this amendment will
31. cost and you're asking this Body to adopt an amendment
32. to the School Aid Formula and put a bill in position
33. for final passage tomorrow, which you...you would propose

1. would be the solution to the School Aid Formula question
2. this year and you don't know how much it costs. It seems
3. to me that that's irresponsible to begin with. Secondly,
4. this will not, under any stretch of the imagination, spend
5. all of the money that is in the...in the appropriation
6. bill and there are many of us in this Chamber and in both
7. Houses who feel that the Governor's recommendation for
8. common school aid is inadequate. This is, in effect, a
9. cave-in to the Bureau of the Budget because this will not
10. spend the additional...funds that are necessary. And
11. anyone who votes for this amendment is caving in to the
12. Bureau of the Budget, it's that simple. Now, we are
13. suggesting that a level some forty-five to fifty million
14. dollars above what the Governor has recommended is the
15. ...desirable level for funding the schools this year,
16. and is a level that the State can afford. And our
17. Appropriation's Committees cooperatively have been trying
18. to reduce expenditures in other areas to help finance
19. that, but if this bill, in its present form, becomes
20. the final solution, so to speak, and if it passes the
21. General Assembly in this form, we will not be able to
22. spend any more than...than what you indicate the range
23. might be. We certainly will not be able to spend the
24. monies that most of us, at least I hope most of us,
25. think are available and would like to see allocated
26. to the School Aid Formula. So I think is a very
27. undesirable amendment. I think that it ought to be
28. defeated and I think we ought to get on to other business.
29. I secondly object to the amendment on the ground that
30. it does put a cap on the Title I expenditures. There
31. is no justification that I have heard, there is no
32. justification that I can think of for putting on such
33. a cap. There is a need in that area and I think that that

1. ought to remain a part of the formula as it has been since
2. the formula was adopted.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? Senator Hickey.

5. SENATOR HICKEY:

6. Thank you, Mr. President. I can understand the position
7. of Chicago wanting to be able to keep on in the way that
8. it has been able to do in the amount of total dollars for
9. ...for the city. I have in front of me here something that
10. says Chicago has twenty-two percent of the students and
11. the percentage of the new dollars which have come from
12. the State in the last five years has been forty-one
13. percent. And I think that all of us know that there is
14. unusual need there and we want to address it. We think
15. that it has been addressed, we want it to continue to
16. be addressed, but we don't believe that that kind of
17. escalation need continue. And as Senator Wooten said,
18. the problem needs to be addressed to get the right money
19. to the right kids. If Chicago had ever filed a plan
20. for what they had done with Title I money the way, as I
21. understand most of the other school districts in the
22. State had done, there might be a little more faith in
23. the money going in continued escalation like that.
24. But that has not happened and something needs to happen
25. to keep that proportion from...that disproportion from
26. continuing. We all know that this isn't going to be
27. the final thing that goes through here now. There are
28. going to be a lot of things that have to be put together
29. and considered. But this one thing of putting the cap
30. on Title I money, on State money, Title I money, is a
31. good thing. Do you people from Chicago have your
32. constituency, I don't blame you for trying to push that, but
33. so do we have ours and that must be reckoned with too.

1. And I urge the support of this amendment.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President and members of the Senate, it is not
6. my custom to speak on more than one occasion and I hope
7. you will forgive me, but there is one additional point
8. I need to make and that is with reference to the last
9. speakers' commentaries about expenditure of Title I
10. funds. The fact is a plan has been filed, but it has
11. also been indicated and I...will repeat that I intend
12. to support the, Representative Jones' bill. I intend
13. to support a bill which will, in fact, show...have
14. that money go and make...and require a tracking. But
15. I would like to pose this question, if that bill were
16. to be amended to apply State-wide, I wonder if the
17. last speaker would support it. In other words, is what
18. is good for Chicago also good for Rockford and Peoria.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Hickey.

21. SENATOR HICKEY:

22. Sure that it is, Senator Hynes. I...I think...I
23. don't think that's funny, I think that you have a very
24. different situation in Chicago than we...than we do
25. have downstate, a very different situation, and you've
26. handled it very, not you, but the...the Chicago School
27. Board has handled it very differently.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hynes.

30. SENATOR HYNES:

31. Then you would be opposed to the...the tracking
32. of the money and requiring it to be earmarked in
33. Rockford and Peoria and elsewhere, but would support it in

1. Chicago?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Daley.

4. SENATOR DALEY:

5. Mr. President and fellow Senators. Chicago is not
6. unique or different, you have blacks, you have poor people
7. in Rockford or...Peoria or Waukegan or any other city.
8. Chicago is similar to all the urban areas, Senator, I'd
9. like to have you comment that you don't have any poor
10. people in Rockford.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Berman.

13. SENATOR BERMAN:

14. I just wanted to correct the record. That statement
15. I made about the bill as...amended, not having the decrease
16. in the qualifying rates was erroneous. My error was
17. pointed out to me, but my opposition to the amendment
18. still stands on the other points that I made.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Senator Davidson may close
21. the debate.

22. SENATOR DAVIDSON:

23. Yes, Mr. President and members of the Senate, two
24. things. All this amendment does is to try to get a
25. fairer share of the money distributed to other areas for
26. all the school kids. Presently, any new money under
27. the old formula, if this isn't going in, Chicago gets
28. thirty-three percent of the new money with twenty-two
29. percent of the students. Now, everybody is talking
30. about a fair share. We're saying when the Title I
31. extraordinary waiting effect was put in the formula
32. in 1973 it was put in seeking a way so that the
33. educated disadvantage...educational disadvantaged

1. could have an opportunity to have the same number of dollars
2. behind them for a base level for a basic quality education.
3. That's what we have done. What we're saying now, we have
4. reached that stage from this day forward, all of us, all of
5. us, all eleven hundred school districts get a fair share
6. of whatever new money is available past the twelve sixty-
7. one. I urge a favorable vote on this amendment.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Davidson has moved the adoption of Amendment
10. No. 1 to Senate Bill 1780. Those in favor of the amend-
11. ment will vote Aye. Those opposed will vote Nay. The
12. voting is open. Have all voted who wish? Have all voted
13. who wish? Take the record. On that question the Ayes
14. are 38, the Nays are 19, none Voting Present. The
15. amendment is adopted. Further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. 3rd reading. Senator Lane on 1873. All right, the
20. Secretary has informed me, if we can revert we're still...
21. still are on the Order of Senate Bills 3rd reading. The two
22. ordinary and contingent expense appropriations for two
23. of the code departments have been returned from Enrolling
24. and Engrossing. With leave of the Body, we're go to those...
25. that order of business. On the Order of Senate Bills 3rd
26. reading, Senate Bill 1585. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 1585.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Moore.

33. SENATOR MOORE:

1. Thank you, Mr. President and members of the Senate.
2. Senate Bill 18...or 1585 as amended is the ordinary and
3. contingent appropriation for the expenses of the Department
4. of Public Aid, with after the reductions in the amount
5. of two billion, two hundred and fifty-four million,
6. six hundred and eighty-three thousand, six hundred and
7. forty-six dollars. Be happy to answer any questions.
8. If not, I'd ask for a favorable roll call.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Is there any discussion? The question is shall
11. Senate Bill 1585 pass. Those in favor will vote Aye.
12. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish?
14. Have all voted who wish? Take the record. On that
15. question the Ayes are 35, the Nays are 17, 1 Voting Present.
16. Senate Bill 1585 having received a constitutional majority
17. is declared passed. On the Order of Senate Bills 3rd
18. reading, Senate Bill 1590. Read the bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 1590.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Rupp.
25. SENATOR RUPP:
26. Thank you, Mr. President. Just urge a favorable
27. roll call vote.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Is there any discussion? If not, the question is
30. shall Senate Bill 1590 pass. Those in favor will vote
31. Aye. Those opposed will vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish?
33. Take the record. On that question the Ayes are 46, the

1. Nays are 3, 1 Voting Present. Senate Bill 1590 having
2. received a constitutional majority is declared passed.
3. Senator Hynes, for what purpose do you arise?

4. SENATOR HYNES:

5. Mr. President to remind the membership again, we
6. are to be on hand at 8:00 o'clock in the morning for
7. the Session at which time we will hand out the seating
8. chart and...and also the schedule for next week. And
9. I would therefore move we stand adjourned until 8:00
10. o'clock tomorrow morning.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Hynes moves that the Senate stand adjourned
13. until 8:00 a. m. on Friday, May 26th. The Senate stands
14. adjourned.

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