

ECOM GENERAL ASSEMBLY

REGULAR SESSION

JUNE 22, 1977

1. PRESIDENT:

2. The hour of nine o'clock having arrived, the Senate
3. will please come to order. Prayer will be by Monsignor
4. Michael O. Driscoll of Our Savior's Church of Jacksonville.
5. Will our guests in the galleries please rise.

6. MONSIGNOR O. Driscoll:

7. (Prayer by Monsignor O. Driscoll)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. Friday, May the 27th, 1977, Wednesday, June
12. the 15th, 1977, Thursday, June the 16th, 1977 and Friday,
13. June the 17th, 1977.

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

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

20. PRESIDENT:

21. You have heard the motion. Is there any discussion?
22. If not, all those in favor signify by saying Aye. Opposed.
23. The Ayes have it. So ordered. Senator Berning.

24. SENATOR BERNING:

25. Mr. President, I move that reading and approval of
26. the Journals of Monday, June 20th, Tuesday, June 21st,
27. in the year 1977 be postponed pending arrival of the printed
28. Journals.

29. PRESIDENT:

30. You've heard the motion. Is there any discussion?
31. If not, all those in favor signify by saying Aye. Opposed.
32. The Ayes have it. So ordered. Committee Reports.

33. SECRETARY:

1. Senator Donnewald, Chairman of the Committee on
2. Assignment of Bills, assigns the following House Bills
3. to committee: Appropriations I, House Bill 2269 and
4. 2378. Appropriations II, House Bills 1599 and 2377.

5. Senator Carroll, Chairman of the Committee on
6. Appropriations I, reports out the following House Bills: House Bill
7. 2296, 2388 and 2399 with the recommendation Do Pass.
8. House Bill 635, 2355 and 2369 with the recommendation
9. Do Pass as Amended. House Bill 994 with the recommendation
10. Do Not Pass.

11. Senator D'Arco, Chairman of the Committee on
12. Reorganization of State Government, reports out House
13. Bills 2397 and 2409 with the recommendation Do Pass.

14. Senator Buzbee, Chairman of the Committee on
15. Appropriations II, reports out House Bills 107 and 980
16. with the recommendation Do Pass.

17. PRESIDENT:

18. Message from the House.

19. SECRETARY:

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

21. Mr. President - I am directed to inform the
22. Senate that the House of Representatives has concurred
23. with the Senate in the passage of a bill with the following
24. title, to-wit:

25. Senate Bill 1236 with House Amendment No. 1.

26. PRESIDENT:

27. Secretary's Desk. Resolutions.

28. SECRETARY:

29. Resolution 192, offered by Senator Mitchler, it's
30. congratulatory.

31. And Resolution 193 offered by Senator Berman and it's
32. congratulatory.

33. PRESIDENT:

1. Do we have leave to place these resolutions on the
2. Consent Calendar? Leave is granted. House Bills,
3. 2nd reading. House Bill 1, Senator Egan. House Bill
4. 17, Senator Knuppel. House Bill 41, Senator Chew.
5. House Bill 54, Senator Savickas. House Bill 64,
6. Senator Kosinski. House Bill 113, Senator Guidice.
7. House Bill 165, Senator Egan. House Bill 166, Senator
8. Egan. House Bill 186, Senator Hynes. Read the bill.
9. SECRETARY:
10. House Bill 186.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. The Committee on Appropriations
13. I offers one amendment.
14. PRESIDENT:
15. Senator Rock.
16. SENATOR ROCK:
17. Thank you, Mr. President and Ladies and Gentlemen
18. of the Senate. Amendment No. 1 is offered by Senator
19. Carroll in the Appropriations Committee, would state
20. very simply that this section does not preclude the
21. dispersment to units of local government or school districts
22. of Federal funds which have been designated by the Federal
23. Government for such distribution. I would move the adoption
24. of Amendment No. 1.
25. PRESIDENT:
26. Is there any discussion? Senator Rock moves the
27. adoption of Amendment No. 1. All those in favor signify
28. by saying Aye. Opposed. The Ayes have it. The amendment
29. is adopted. Any further amendments?
30. SECRETARY:
31. No further committee amendments.
32. PRESIDENT:
33. Any amendments from the Floor? 3rd reading.

1. House Bill 192, Senator Lemke. House Bill 198, Senator
2. Egan. House Bill 255, Senator Knuppel. House Bill
3. 272, Senator Schaffer. House Bill 297, Senator Knuppel.
4. House Bill 299, Senator...Senator Sangmeister.
5. House Bill 302, Senator Sangmeister. House Bill 352,
6. Senator Guidice. 375, Senator D'Arco. Read the bill.
7. SECRETARY:
8. House Bill 375.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. The Committee on Judiciary
11. II offers one amendment.
12. PRESIDENT:
13. Senator D'Arco.
14. SENATOR D'ARCO:
15. Mr. President, it's my understanding that since the
16. amendment hasn't been adopted yet...the appropriate
17. motion because I do want to Table it, is the motion
18. to Table or is the motion to suspend the rules?
19. Simple motion to Table?
20. PRESIDENT:
21. The motion to Table the committee amendment.
22. SENATOR D'ARCO:
23. I so move.
24. PRESIDENT:
25. Senator D'Arco moves to Table Amendment No. 1.
26. Is there any discussion? If not, all those in favor
27. signify by saying Aye. Opposed. The Ayes have it.
28. The amendment is Tabled. Any further amendments?
29. SECRETARY:
30. No further committee amendments.
31. PRESIDENT:
32. Any amendments from the Floor?
33. SECRETARY:

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

2. PRESIDENT:

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. This amendment corrects what Amendment No. 1

6. tried to do. It provides that a judge be required

7. to...may at the discretion of a judge, be required

8. to serve up to forty years less time credit for

9. good behavior before becoming eligible for parole and

10. I would move its adoption.

11. PRESIDENT:

12. Is there any discussion? Senator D'Arco moves

13. the adoption of Amendment No. 2. All those in favor

14. signify by saying Aye. Opposed. The Ayes have it.

15. The amendment is adopted. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. House Bill 413; Senator Kosinski.

20. House Bill...read the bill.

21. SECRETARY:

22. House Bill 413.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. The Committee on Judiciary

25. II offers one amendment.

26. PRESIDENT:

27. Senator Kosinski.

28. SENATOR KOSINSKI:

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

30. amendment removes the part of aggravated arson from the

31. bill and I move for its adoption.

32. PRESIDENT:

33. Senator Kosinski moves the adoption of Amendment No. 1.

1. All those in favor signify by saying Aye. Opposed. The
2. Ayes have it. The amendment is adopted. Any further
3. amendments?
4. SECRETARY:
5. No further committee amendments.
6. PRESIDENT:
7. Any amendments from the Floor? 3rd reading.
8. House Bill 417, Senator Lemke. House Bill 526, Senator
9. Bruce. Read the bill.
10. SECRETARY:
11. House Bill 526.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. The Committee on Executive
14. offers one amendment.
15. PRESIDENT:
16. Senator Bruce.
17. SENATOR BRUCE:
18. Thank you, Mr. President and members of the Senate.
19. As amended, the amendment strikes everything in the bill
20. and only adds in the requirement that as you file a
21. disclosure form, you must file the governmental unit who
22. employs you and I would ask also, Mr. President, that we
23. change the description of this bill on the Calendar because
24. it does not do what it now indicates on the Digest.
25. I would move the adoption of the amendment.
26. PRESIDENT:
27. Senator Bruce moves the adoption of Amendment No. 1.
28. All those in favor signify by saying Aye. Opposed. The
29. Ayes have it. The amendment is adopted. Any further
30. amendments?
31. SECRETARY:
32. No further committee amendments.
33. PRESIDENT:

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

2. With leave of the Body, we will bypass the appropriation

3. bills on 2nd reading and at some point later in the day,

4. return to those when the chairmen of the committees and the

5. minority spokesmen are on the Floor and available.

6. House Bill 714, Senator Kenneth Hall. Read the bill.

7. SECRETARY:

8. House Bill 714.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

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

13. House Bill 741, Senator Joyce. Read the bill.

14. SECRETARY:

15. House Bill 741.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments.

18. PRESIDENT:

19. Any amendments from the Floor?

20. SECRETARY:

21. Amendment No. 1 offered by Senator Joyce.

22. PRESIDENT:

23. Senator Joyce.

24. SENATOR JOYCE:

25. Yes, this deletes the word "shall" and adds in lieu

26. of "may." It would let the pension checks be sent to

27. a savings and loan or a bank if they were desired.

28. PRESIDENT:

29. Is there any discussion? Senator Joyce moves the

30. adoption of Amendment No. 1. All those in favor signify

31. by saying Aye. Opposed. The Ayes have it. The amendment

32. is adopted. Any further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. 3rd reading. House Bill 748, Senator Buzbee.

4. House Bill 806, Senator Netsch. House Bill 844, Senator

5. Savickas. House Bill 891, Senator Savickas. House

6. Bill 903, Senator Roe. House Bill 910, Senator Glass.

7. Read 903, Mr. Secretary.

8. SECRETARY:

9. House Bill 903.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Local Government

12. offers one amendment.

13. PRESIDENT:

14. Senator Roe. Senator Roe moves the adoption

15. of Amendment No. 1. Is there any discussion? All those

16. in favor signify by saying Aye. Opposed. The Ayes have

17. it. The amendment is adopted. Any further amendments?

18. SECRETARY:

19. No further committee amendments.

20. PRESIDENT:

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

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. House Bill 922, Senator Collins. House Bill

24. 975, Senator Chew. House Bill 984, Senator Guidice.

25. House Bill 985, Senator Guidice. House Bill 1046,

26. Senator Hynes. House Bill 1051, Senator Guidice.

27. House Bill 1052, Senator Rhoads. Read the bill, Mr.

28. Secretary.

29. SECRETARY:

30. House Bill 1052.

31. (Secretary reads title of bill)

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

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

HB 1112
6/23/77
2nd Reading

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

2. House Bill 1055, Senator Leonard. Read the bill, Mr.

3. Secretary.

4. SECRETARY:

5. House Bill 1055.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Are there amendments from the Floor? Senator

10. Leonard.

11. SENATOR LEONARD:

12. Have one amendment which says this does not pertain

13. to legislative action by the State or any unit of

14. local government.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Question is shall

17. Amendment No. 1 to 1055 be adopted. Those in favor

18. indicate by saying Aye. Those opposed. The Ayes have it.

19. Amendment No. 1 is adopted. Are there further

20. amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. House Bill 1112, Senator Berman.

25. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 1112.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Judiciary

30. I offers one amendment.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Are there...Senator Berman.

33. SENATOR BERMAN:

1. Thank you, Mr. President and members of the Senate.
2. Amendment No. 1 was adopted in committee, but after a
3. further discussion on the bill, there had to be further
4. changes made. That has...the further changes are incorporated
5. totally in Amendment No. 2 so at this time, I would move
6. to Table Committee Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Heard the motion. Those in favor of Tabling Committee
9. Amendment No. 1 indicate by saying Aye. Those opposed.
10. The Ayes have it. Amendment No. 1 is Tabled. Senator
11. Berman.

12. SENATOR BERMAN:

13. Now, Mr. President, I'd move for adoption of
14. Amendment No. 2. Amendment No. 2 changes the bill so that
15. it...on injunctions to prevent physical abuse, it is
16. limited to only members of the family and is in keeping
17. with the recommendations made in the committee to limit
18. the expansion of the injunction...injunctive relief as
19. much as possible. I move the adoption of Amendment No. 2.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall
22. Amendment No. 2 to House Bill 1112 be adopted. Those
23. in favor indicate by saying Aye. Those opposed. The
24. Ayes have it. Amendment No. 2 is adopted. Are there
25. further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. 3rd reading. House Bill 1205, Senator Lane.
30. House Bill 1228, Senator Roe. House Bill 1240, Senator
31. Rock. House Bill 1257, Senator Maragos. Read the bill,
32. Mr. Secretary.

33. SECRETARY:

1. House Bill 1257.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

6. House Bill 1307, Senator Guidice. House Bill 1325,

7. Senator Joyce. House Bill 1406, Senator Lemke.

8. House Bill 1424, Senator Lane. House Bill 1500, Senator

9. Egan. House Bill 1508, Senator Berman. House Bill

10. 1600, Senator Savickas. House Bill 1604, Senator Guidice.

11. House Bill 1650, Senator Netsch. House Bill 1753,

12. Senator Schaffer. Senator Rhoads, for what purpose do

13. you arise?

14. SENATOR RHOADS:

15. Mr. President, I had sought leave of the...permission

16. from the President to...to read an appropriation bill on

17. 2nd reading, 1726. It's of an emergency nature. I spoke

18. with Senator Hynes and Senator Rock about this.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. I'm advised by the President we're going back to

21. all appropriation measures in...

22. SENATOR RHOADS:

23. Oh, okay.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...one fell swoop. House Bill 1824, Senator Rock.

26. Senator Rock. Someone handling 1824? Senator Rock.

27. SENATOR ROCK:

28. Let's come back to it.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. We...we do have leave to come back to that momentarily.

31. 1833, Senator Rock. House Bill 1853, Senator Davidson.

32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House...House Bill 1853.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. A request for a fiscal note was...
4. was requested and it has been answered. No committee
5. amendments.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Are there amendments from the Floor? 3rd
8. reading. House Bill 1958, Senator Bruce. House Bill
9. 2032, Senator Knuppel. House Bill 2089, Senator
10. Knuppel. House Bill 2143, Senator Guidice. House
11. Bill 2179, Senator Demuzio. House Bill 2198,
12. Senator Schaffer. House Bill 2203, Senator Demuzio.
13. House Bill 2212, Senator Kenneth Hall. Read the bill,
14. Mr. Secretary.
15. SECRETARY:
16. House Bill 2212.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Are there amendments from the Floor? 3rd reading.
21. House Bill 2290, Senator Joyce. Read the bill, Mr.
22. Secretary.
23. SECRETARY:
24. House Bill 2290.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. The Committee on Pensions, Personnel
27. and Veterans Affairs, offers one amendment.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Joyce. Take it out of the record.
30. House Bill 2291, Senator Nimrod. House Bill 2306, Senator
31. Hynes. House Bill 2309, Senator Vadalabene. Read the bill,
32. Mr. Secretary.
33. SECRETARY:

1. House Bill 2309.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Are there amendments from the Floor? 3rd reading.
6. House Bill 2322, Senator Merlo. Do we have leave to return
7. to that Order momentarily? 2338, Senator Carroll.
8. Read the bill, please, Mr. Secretary.
9. SECRETARY:
10. House Bill 2338.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. The Committee on Appropriations
13. I offers one amendment.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Carroll.
16. SENATOR CARROLL:
17. Thank you, Mr. President. Committee Amendment No. 1
18. is to delay the effectiveness of this Act for one year. I move
19. adoption of Committee Amendment No. 1.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? Question is shall Amendment
22. No. 1 to House Bill 2338 be adopted. Those in favor indicate
23. by saying Aye. Those opposed. The Ayes have it. Amendment
24. No. 1 is adopted. Are there further amendments?
25. SECRETARY:
26. No further committee amendments.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Are there amendments from the Floor? 3rd reading.
29. House Bill 2345, Senator Carroll. Read the bill, Mr.
30. Secretary.
31. SECRETARY:
32. House Bill 2345.
33. (Secretary reads title of bill)

1. 2nd reading of the note...there was a...the bill. There
2. was a request for a fiscal note which has been answered.
3. The Committee on Appropriations I offers one amendment.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. This is a technical
8. amendment to cure some of the defects in the bill and to
9. delay the effective date. I would move the adoption of
10. Committee Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall
13. Committee Amendment No. 1 be adopted to House Bill 2345.
14. Those in favor indicate by saying Aye. Those opposed.
15. The Ayes have it. Committee Amendment No. 1 is adopted.
16. Are there further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Are there amendments from the Floor? 3rd reading.
21. 2348, Senator Carroll. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 2348.

24. (Secretary reads title of bill)

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

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. This, too, is the technical
31. amendment and delay of the effective date. I would move
32. the adoption of Committee Amendment No. 1.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? The question is shall
2. Committee Amendment No. 1 to House Bill 2348 be adopted.
3. Those in favor indicate by saying Aye. Those opposed. The
4. Ayes have it. Committee Amendment No. 1 is adopted. Are
5. there further amendments?

6. SECRETARY:

7. No further committee amendments.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Are there amendments from the Floor? 3rd reading.
10. House Bill 2349, Senator Carroll. Read the bill,
11. Mr. Secretary.

12. SECRETARY:

13. House Bill 2349.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Appropriations
16. I offers one amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President. This amendment is to delay
21. the effective date till July 1, '78. I would
22. move adoption of Committee Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? The question is shall
25. Committee Amendment No. 1 to House Bill 2349 be adopted.
26. Those in favor indicate by saying Aye. Those opposed
27. Nay. The Ayes have it. The amendment is adopted. Are there
28. further amendments?

29. SECRETARY:

30. No further committee amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Are there amendments from the Floor? 3rd reading.
33. House Bill 2350, Senator Carroll. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 2350.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Appropriations
5. I offers one amendment.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Carroll.
8. SENATOR CARROLL:
9. Thank you, Mr. President. This amendment allows
10. certain exemptions and delays the effective date till
11. July 1, 1978. I would move the adoption of Committee
12. Amendment No. 1.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Is there further discussion? The question is shall
15. Amendment No. 1 to House Bill 2350 be adopted. Those
16. in favor indicate by saying Aye. Those opposed Nay. The
17. Ayes have it. Amendment No. 1 is adopted. Are there
18. further amendments?
19. SECRETARY:
20. No further committee amendments.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Are there amendments from the Floor? 3rd reading.
23. Senator Rock, we had leave to return to...what was the
24. number of the bill, Senator?
25. SENATOR ROCK:
26. 1824. With leave of the Body, I'll handle that for
27. Senator Sangmeister.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there leave? Leave is granted. Read the bill,
30. Mr. Secretary.
31. SECRETARY:
32. House Bill 1824.
33. (Secretary reads title of bill)

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

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

4. Senator Merlo, are you prepared...we had leave to go back

5. to your bill. What was the number of the bill? House

6. Bill 2322. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 2322.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. The Committee on Pensions, Personnel
11. and Veterans Affairs offers one amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Merlo. Senator Merlo.

14. SENATOR MERLO:

15. Mr. President, at the committee meeting, I had
16. agreed to attempt to remove Amendment No. 2 of a...of a bill,

17. 2322. However, in talking to the House sponsor of the

18. amendment, he thought that it would be unjust to remove the

19. amendment and therefore, I would like to go with the bill

20. as is. But I do understand that Senator Karl Berning has

21. an amendment that would do the very thing that was suggested

22. in committee and I will oppose the amendment when he

23. presents it, if that's agreeable.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. All right. We...we...I think we must deal with

26. Committee Amendment No. 1. And Senator Merlo, is it your...

27. SENATOR MERLO:

28. Yes.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. ...desire to move...

31. SENATOR MERLO:

32. Pardon me.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Merlo.

2. SENATOR MERLO:

3. I correct myself. There was an amendment and this

4. had to do with the contractual service employees and that

5. is mainly the secretaries of the legislators. There was

6. a period there that they were not permitted to contribute

7. but I think it amounted to three months and this would

8. give an opportunity to pay into the fund so that they would

9. get credit for the three months. There was no opposition

10. in committee and I would move the adoption of this amendment.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. That is Committee Amendment No. 1?

13. SENATOR MERLO:

14. That's number 1.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion as to Committee Amend-

17. ment No. 1? Question is shall Committee Amendment

18. No. 1 to House Bill 2322 be adopted? Those in favor

19. indicate by saying Aye. Those opposed? ~~... The Ayes~~

20. have it. Committee Amendment No. 1. Are there

21. further amendments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 2 offered by Senator Berning.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Berning.

30. SENATOR BERNING:

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

32. Amendment No. 2 to House Bill 2322 removes what was an

33. amendment in the House adding to the original bill provisions

1. for a pension to be granted to an individual's surviving
2. spouse. The individual himself, having been a State employee
3. prior to World War II and who, having lost his life prior
4. to the establishment of the State pension system. Now,
5. laudible as the objection may be to provide some additional
6. income for a widow in this case, I submit to the members of the
7. Senate that it is totally unconscionable to attempt to
8. burden the pension system with benefits for someone
9. for the services of an individual prior to the existence
10. of the system. If we make one exception, obviously
11. there will be hundreds and hundreds of additional
12. applications for the same kind of special benefits.
13. It is totally unacceptable and I would move for
14. ...for the adoption of Amendment No. 2.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Bloom.

17. SENATOR BLOOM:

18. How much would this amendment cost if it stayed
19. on? How much...how much would this provision cost if it
20. stayed on?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Berning.

23. SENATOR BERNING:

24. Senator, there is absolutely no way of knowing.
25. We don't know how many people could and perhaps would
26. apply once this provision is opened up.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Usually these provisions, is it not correct, Senator,
31. are usually drawn in such a way so they affect maybe one,
32. two or three people, is that not correct?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

The amendment merely says, for the widow of a
1. serviceman who lost his life prior to a given date.
2. You and I both know as does every member of this Senate,
3. that next year, it would be a simple matter to amend
4. out that one or two words which make it restrictive
5. and we would have the situation before us of attempting
6. to accommodate every employee who retired before, I say
7. before, the establishment of this pension system.
8. There is no way of estimating the cost which could
9. accrue should this amendment not be adopted.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. I'd like to ask the...Senator Berning some questions
14. on this. What was the date that this pension system was
15. established?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berning.

18. SENATOR BERNING:

19. It was established in 1944, I can't give you the
20. exact date.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. I believe it was January 1, 1944. Now, this
25. serviceman had...would have been employed by the State
26. prior to the establishment of the pension system and he
27. was on active military service prior to the establishment
28. of the pension system and he was killed in service prior
29. to the time of establishment of the pension system. Now,
30. what is attempted to be done in 1977, quite a few number of
31. years after this incident occurred, is to give to the widow
32. of this veteran who was killed in the war prior to the...even
33. the establishment of the pension system, a retroactive type
34. of death benefit. Is that explaining exactly what is being attempted?

1. to be done?
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Berning.
4. SENATOR BERNING:
5. That is correct and bear in mind there was absolutely
6. no contribution by anybody up to the time of the establishment
7. of the system.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Mitchler. Your time is nearly expired.
10. SENATOR MITCHLER:
11. Well, Senator Berning, well, I wanted to sort of get
12. the facts in the record so we'd all understand it.
13. I think the precedent that is being set here unless we
14. adopt Senator Berning's amendment, is one that is very
15. glaring. We can be proud of what we do for the veterans
16. in the State of Illinois, their widows, their orphans,
17. and everybody. But I think this would be going a little
18. bit too far and really would it be doing what you intend
19. to do when you give some type of benefit to a surviving
20. widow of someone who is killed in action. This happened
21. back in 1943 or 1944. Here it is 1977 and you're going
22. back. This is...if this would pass without the Berning
23. amendment, what you would be doing would be just getting
24. a largess or a gift to someone or two or however many
25. qualify. And I...I think it's...it's going a little bit
26. too far. I think we've provided this widow, if you would
27. check the benefits that she's received, she would have
28. received a considerable amount of benefits from the Veteran's
29. Administration and the State of Illinois.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Bloom.
32. SENATOR BLOOM:
33. No, no, she wouldn't have. You'd make your choice.

1. Do you want to pay her through the pension system
2. or through Public Aid?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Merlo.

5. SENATOR MERLO:

6. Well, Mr. President and members of the Senate,
7. I, too, oppose the amendment. We're talking about an
8. individual who has had at least fifteen years of service
9. and then is under...I'm talking about employment service
10. and then has gone into the...the Army and who has lost his life
11. in the service of his country giving, of course, a
12. supreme sacrifice. And if this individual would have
13. just lived to 1945, at one year after, the creation of this
14. pension fund, he would have been entitled to this money.
15. I think this is fair, this is equitable and I think that
16. in all justification, it should be voted down.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. I, too, rise in opposition to Amendment No. 2
22. and let me just see if I have all the pieces together.
23. Amendment...there was a House Amendment No. 2 to House Bill
24. 2322, as I understand it, which provided this annuity
25. for widows of certain former employees. Now, the former
26. employee had to be in State service at least fifteen
27. years and had to be killed in action prior to January 1, 1944
28. when had he lived, he could have exercised his option to
29. join the retirement system. To answer Senator Bloom's
30. question, the cost figures we have is fifteen thousand dollars
31. total. I think the amendment is a good one, that was put on
32. in the House. Senator Berning, by Amendment No. 2,
33. here, is attempting to delete that provision. And for that

1. reason and many others, I rise in opposition to Senator
2. Berning's Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Graham.

5. SENATOR GRAHAM:

6. Thank you, Mr. President and members of the Senate.
7. I think too often, Ladies and Gentlemen, we completely
8. disregard or ignore the suggestions by the Senator from
9. Deerfield. I think that he has indicated a willingness
10. and a dedication to this pension fund that many of us
11. have not. I don't always agree with Senator Berning.
12. I think before we go out to defeat the amendment proposed
13. by the Senator, we ought to remember his words, that we
14. are getting ready to possibly establish a precedent. There's
15. no reason in the world for us not considering our veterans
16. and the benefits that they're entitled to, but there is
17. no reason in the world that we set up a precedent that will
18. destroy the pension system either. I think we're torn
19. between two things here. Personally, I'm going to support
20. the Berning amendment and I think that, Ladies and Gentlemen of the
21. Senate, if you look at the overall picture of the pension
22. fund and the potential that this may bring to it with
23. regard to other amendments that will come along next year and
24. afterwards, if you want this to be an ongoing pension fund,
25. you'll look well to your vote on this before we start out to
26. set a precedent to destroy the whole thing. I'm going
27. to support the Berning amendment.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. President and members of the Body, I have to
32. admit that Senator Berning's position is consistent
33. with that that's been taken by the Pension Commission over the

1. years. However, that position has been wrong and Senator
2. Merlo has supported that position. And that position has
3. been wrong, Senator Merlo. This time, you're right. I'm
4. glad to see that you're right. Anybody who serves the
5. State of Illinois, whether it was before or after, and who...
6. who lost his life or who gave time in the service should be
7. entitled to the pension benefits for the time that he served.
8. There's been a bill before that commission ever since I've
9. been in this Body that allows somebody who had...who was
10. serving the State of Illinois and then went into service
11. to have credit for his time. But a person who just wasn't
12. old enough yet to be in the service of the State of
13. Illinois and then came in and served fifteen years, ought
14. to have the same right to have credit for the time he's
15. in the service. I'm glad you begin to see the light.
16. I'm glad that you've left that hide bound rock ribbed
17. position that the commission has of not recognizing
18. military service. This recognizes a man who gave his life
19. for this country and before that he gave fifteen years to the
20. State of Illinois. He deserves and his widow deserves
21. this pension, but there's a lot of other veterans and
22. remember this next year.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Glass.

25. SENATOR GLASS:

26. Well, Mr. President and Ladies and Gentlemen. I
27. ...I find myself sympathetic to the...to the remarks of Senator
28. Knuppel when you talk about a man who has served the State of
29. Illinois and served his country and how deserving he is of a
30. pension benefit, but Ladies and Gentlemen, that's an easy
31. argument to make in every case. The facts are that
32. Senator Rock mentioned this may cost fifteen thousand dollars
33. but that's, as I understand it, only for one case. The

1. magnitude of a change like this spread across the entire
2. pension system could go well beyond that and I think if we
3. start making exceptions for every sympathetic case that
4. there is, we're going to do real violence to the pension
5. system. I think Senator Berning's amendment deserves support
6. and I would urge its adoption.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Senator Berning
9. may close the debate. If you wish.

10. SENATOR BERNING:

11. Thank you, Mr. President. Let me just repeat, the
12. pension system is not a welfare system. It is bought and
13. paid for by the participants to include someone's beneficiary
14. who never made a penny contribution, is in itself, indefensible.
15. But, as Senator Glass has reiterated, the precedent we
16. establish here will have manifold ramifications. There
17. is no way of estimating how many people will come under this
18. and obviously they would make the effort to come under if
19. we break the standards now. This amendment merely protects
20. your and my State employees pension system and I urgently
21. ask your Aye vote on Amendment No. 2.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. All right. The question is shall Amendment No. 2
24. to House Bill 2322 be adopted. Those in favor vote Aye.
25. Those opposed Nay. The...I've already decided we'll have
26. a roll call. The question is shall Amendment No. 2 to
27. House Bill 2322 be adopted. Those in favor vote Aye.
28. Those opposed Nay. The voting is open. Have all those
29. voted who wish? Have all those voted who wish?
30. Take the record. On that question the Ayes are 21, the
31. Nays are 25. Amendment No. 2 fails. Are there...request
32. for a verification by Senator Berning. Will the members please
33. be in their seats. The Secretary will call...Senator Berning.

1. Senator Berning, do you wish the negative vote?
2. Verification of the negative vote. Will the members please
3. be in their seats. Secretary will call the negative vote.
4. SECRETARY:
5. Following voted in the negative: Berman, Bloom,
6. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
7. Donnewald, Guidice, Kenneth Hall, Hickey, Johns, Joyce,
8. Knuppel, Kosinski, Leonard, Maragos, Merlo, Rock,
9. Savickas, Schaffer, Vadalabene, Mr. President.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Berning.
12. SENATOR BERNING:
13. Senator Guidice.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is Senator Guidice on the Floor? Take him from the
16. roll.
17. SENATOR BERNING:
18. Senator Chew.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Chew is there in his seat where he belongs
21. like a good legislator.
22. SENATOR BERNING:
23. Senator Daley.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Daley on the Floor? Remove his name from
26. the roll.
27. SENATOR BERNING:
28. Senator Buzbee.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Buzbee is on the Floor in a different seat.
31. SENATOR BERNING:
32. Senator Hynes.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Hynes is where he belongs, in his seat.

2. SENATOR BERNING:

3. He is screened. Senator Joyce.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Joyce is in his seat. The roll has been
6. verified, Senator. There are 24 Nays, 21 Ayes. Amendment
7. fails. Are there further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. 3rd reading.: We will return to the Order of
12. 2nd reading later in the day. We will now proceed to
13. recalls from 3rd reading to the Order of 2nd reading
14. for the purposes of amendment. Now, if the members would
15. listen to the numbers that I'm going to read, I...they
16. would be prepared when they are called. The numbers
17. that would be called are 168...all of these are House
18. Bills, 168, 236, 250, 322, 557, 658, 694, 743, 825,
19. 901, 902, 936, 941, 1182, 1313, 1433, 1524, 1975, 2086,
20. 2108, 2161, 2289, 2343. Do we have leave to return to the
21. Order of 2nd reading for the purposes of amendment
22. on House Bill 168? Leave is granted. The bill is now
23. on 2nd reading. Senator Savickas as to House Bill 168
24. which is now on the Order of 2nd reading.

25. SECRETARY:

26. Amendment No. 1 offered by Senator Savickas.

27. SENATOR SAVICKAS:

28. Well, Mr. President, the amendment was actually offered
29. by Senator Daley and it's the home rule amendment and I would
30. move its adoption.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Question is shall Amendment
33. No. 1 to House Bill 168 be adopted. Those in favor indicate

1. by saying Aye. Those opposed. The Ayes have it. Amendment
2. No. 1 is adopted. Are there further amendments?

3. SECRETARY:

4. Amendment No. 2 offered by Senator Regner.

5. SENATOR REGNER:

6. Mr. President, Senator Savickas, was that the
7. home rule amendment that you put on?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He indicates...

10. SENATOR REGNER:

11. I'll...I'll withdraw my amendment, then.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. All right. Amendment is withdrawn. Are there
14. further amendments?

15. SECRETARY:

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

17. Senator D'Arco as to Amendment No. 2 to House Bill 168.

18. He indicates that he wishes to withdraw the amendment.

19. Amendment is withdrawn. Are there further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. 3rd reading. House Bill 236, Senator Rock.

24. Do we have leave to return to the Order of 2nd reading
25. for the purpose of amendment? You did not request that...

26. Senator Harber Hall indicated that he wished to offer an
27. amendment. Is that correct? On House Bill 236?

28. Senator...just a moment. Is it your desire to recall the bill?

29. Oh. House Bill 250, Senator Maragos. Do we have leave to
30. return to the Order of 2nd reading for the purpose of amendment?

31. Leave is granted. House Bill 250 is now on 2nd reading.

32. Senator Maragos.

33. SECRETARY:

1. Amendment No. 2 offered by Senator Maragos.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. Amendment

6. No. 2 gives the control and supervision of the filing of

7. these various funds and stocks to the Attorney General's

8. Office instead of the Secretary of State. This is...applies

9. to the Franchise Disclosure Act and the original bill

10. which established the Franchise Disclosure Act in 1973

11. called for the Attorney General to be the administer of the

12. Act and this will insure a better administration because the

13. public will have to go to only one office for the enforcement

14. and for the supervision of these...of these items. And therefore,

15. I ask for the adoption of Amendment No. 2.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is shall

18. Amendment No. 2 to House Bill 250 be adopted. Those in

19. favor indicate by saying Aye. Those opposed. The Ayes

20. have it. Amendment No. 2 is adopted. Are there further

21. amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. 3rd reading. House Bill 322, Senator D'Arco.

26. Do we have leave to return to the Order of 2nd reading

27. for the purpose of amendment? Senator D'Arco.

28. SENATOR D'ARCO:

29. Thank you, Mr. President. Amendment No. 1...

30. SECRETARY:

31. Amendment No. 1 is offered by Senator Berman.

32. SENATOR D'ARCO:

33. ...amends House Bill 332 on page 1, by deleting

34. the word petition and inserting in lieu thereof, the

1. word request. Senator Berman will explain the amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President. This is a one word change
6. in House Bill 322 in line with the discussion in the committee,
7. all this does is to change the word petition to request so that
8. you don't have to go through a formal court petition for
9. the reporting of a judgment in accident cases, but merely
10. a request through the Clerk's office. I move the adoption
11. of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Question is shall Amendment
14. No. 1 to House Bill 322 be adopted. Those in favor indicate
15. by saying Aye. Those opposed Nay. The Ayes have it.
16. Amendment No. 1 is adopted. Are there further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. 3rd reading. House Bill 557, Senator Harber Hall.

21. Do we have leave to return to the Order of 2nd reading?

22. Leave is granted. Senator Harber Hall.

23. SECRETARY:

24. Amendment No. 2 offered by Senator Knuppel.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. This...this amendment is offered because it deals
29. with trespass to buildings and makes it a Class A misdemeanor,
30. I think, which is a higher penalty than trespass to land
31. and many other kinds of trespass. And the...all this...all
32. my amendment would do would be except a person from the
33. penalties who is related to the owner or occupant as a spouse

1. child or parent, because I'm afraid the bill, in it's
2. present form, would be used in marital or conjugal
3. disputes and the penalty is too severe and therefore,
4. I exempted those particular closely related persons
5. who might be involved in attempting to work out reconciliations
6. and not really be intentionally trespassing but would be
7. trying to solve marital or domestic problems. I think this
8. is a good amendment and should be adopted.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Harber Hall.

11. SENATOR HALL:

12. Senator Knuppel pointed out some possibilities
13. that this amendment would help exclude, that seemed
14. very reasonable in the committee hearing and I concur
15. in this amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Question is shall
18. Amendment No. 2 to House Bill 557 be adopted. Those in
19. favor indicate by saying Aye. Those opposed. The Ayes
20. have it. The amendment is adopted. Are there further
21. amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. 3rd reading. Senator Hynes.

26. SENATOR HYNES:

27. Mr. President and members of the Senate.
28. I wish I could have the attention of the membership for just
29. a moment. A number of members have inquired about the
30. schedule for the balance of the day and the rest of the week
31. and I'd like to try to the extent we can clear that subject
32. up. We will shortly go to the Order of House Bills 3rd
33. reading, as soon as we finish these recalls. We will work

1. till 1:00 o'clock at which time the Republicans have
2. requested time for a caucus so we will break from
3. 1:00 until 2:30 for the Republican caucus and we will return
4. at 2:30 and go back to House Bills, 3rd reading. We will
5. work late this evening and we've ordered dinner so that
6. dinner will be available as with the Senate Bills when
7. we worked late, in the President's office later this
8. afternoon. While the dinner is being served, we will
9. handle the Agreed Bill List. The schedule for tomorrow
10. calls for the Appropriations Committee to meet in the
11. morning and as you all know the House is...is behind with
12. appropriation bills. Not all of them have reached us.
13. And at the end of the day, we will decide how much time
14. the committee will need tomorrow so the Floor Session will
15. probably start earlier than the 2:00 o'clock originally
16. announced but we will not know that definitely until the
17. end of the day. Friday, again, there will be Appropriations
18. Committee meeting and a lengthy Floor Session. So,
19. be prepared to work tonight, tomorrow night and Friday
20. night for sure. We will also work on Saturday and on
21. Sunday. And the schedule will be announced as it becomes
22. firm as we go along. One last item, we have distributed
23. the memorandum with respect to Agreed Bill List No. 4...
24. No. 5. No. 4 will be voted on today. No. 5 is on the
25. Calendar. It will be voted on on Friday. Any Senator
26. wishing to be recorded as voting No or Present on any
27. individual bill, has until 4:30 p.m. tomorrow, Thursday,
28. June 23rd, to file that indication with the Secretary
29. and if any three members join together and wish to have a bill
30. removed, that request must also be filed by 4:30 tomorrow
31. afternoon. The printout of all of the bills on the list is
32. also being distributed to you so that you're reading and
33. analysis of the bills will be facilitated.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 658, Senator Netsch. House Bill
3. ...Senator Netsch, you've indicated that you wanted to recall
4. House Bill 658 from the Order of 3rd reading to 2nd reading
5. for the purpose of amendment. You're up. Do we have leave
6. to return to the Order of 2nd reading? Leave is granted.
7. Senator Netsch.
8. SECRETARY:
9. Amendment No. 1 offered by Senator Knuppel.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Well, just a moment. Is it your desire to return the
12. bill? Oh. Senator Knuppel. Senator Netsch.
13. SENATOR NETSCH:
14. Yes, as I indicated yesterday, I had told Senator
15. Knuppel originally that he could offer an amendment to the
16. bill on 2nd reading. This is a revisory bill but he had
17. asked for the opportunity to do that. The bill was moved
18. to 3rd reading before I was conscious of it and so I had
19. given him my word that I would bring it back for that
20. opportunity.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Rock.
23. SENATOR ROCK:
24. Can we...can we ask leave just to come back to this?
25. Senator Shapiro has indicated or did indicate earlier
26. that he wished to be present on the Floor when this matter
27. was brought up and I see...
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Do we have leave?
30. SENATOR ROCK:
31. ...just as a matter of courtesy let's come back to it.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Leave is granted. House Bill 694, Senator Bruce.

1. Do we have leave to return to the Order of 2nd reading
2. for the purpose of amendment? Leave is granted. Senator
3. Bruce.

4. SENATOR BRUCE:

5. Yes, Mr. President. I move to reconsider the vote
6. by which Amendment...Committee Amendment No. 1 was adopted
7. and I ask that it be Tabled so that we can adopt No. 2
8. which is technical in nature and corrects the errors in 1.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. You've heard the motion. All those in favor indicate
11. by saying Aye. Those opposed. The Ayes have it.
12. Amendment No. 1 is Tabled. Senator Bruce.

13. SENATOR BRUCE:

14. Now move the adoption of Amendment No. 2 which is
15. Amendment No. 1 in correct form.

16.
17.
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21. End of reel
22.
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33.

Rule 2

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall
3. Amendment No. 2 be adopted. Those in favor indicate by
4. saying Aye. Those opposed Nay. The Ayes have it. Amend-
5. ment No. 2 is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. 3rd reading. House Bill 743, Senator Harber Hall.

10. Do we have leave to return to the Order of 2nd reading
11. for the purpose of amendment? Leave is granted. Senator
12. Harber Hall.

13. SECRETARY:

14. Amendment No. 1 offered by Senator Harber Hall.

15. SENATOR HARBER HALL:

16. This...this amendment schedules a list of payments
17. that would be made to these hemophiliacs. This bill
18. concerns hemophiliacs and the State would have some obligation
19. to cover some of the cost of hemophiliac treatment. This
20. amendment shows what the maximum amounts are to be paid
21. according to the gross income of the recipient of this type
22. of aid. I move adoption of the amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. ...Senator Rock.

25. SENATOR ROCK:

26. Well, we are graced with our House sponsor standing
27. to my right, but I indicated to him that I am opposed
28. to this amendment, at least in its present form. I
29. think the program is a good one and I have no objection
30. whatever to the bill, but if you would take a look at
31. the amendment, we are calling for a financial assistance
32. program which would include half the cost of inpatient
33. hospital care plus premiums for medical insurance for

1. those who are eligible. I frankly have no idea what this
2. is going to cost, but it seems to me to be a pretty
3. healthy slug and one that we ought to take a look at
4. before we embark on this kind of a program.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Hall.

7. SENATOR HALL:

8. I have been informed that the estimated cost of this,
9. because of the very rarity of this condition is only forty
10. to fifty thousand dollars.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. Is that an annual...annual cost, additional annual
15. cost. Well, I'm, you know, I...the sponsor certainly
16. has a right to have the bill in the shape he wants
17. it in. I would just ask everybody to take a long hard
18. look at this. I think the program of some kind of
19. assistance for those who are suffering from hemophilia
20. is certainly of laudable purpose, but we are embarking
21. on...on new programs. I will take Senator Hall's word
22. as I always have as to the cost. I think his estimate
23. is low, frankly, but this isn't...bear in mind this is
24. a new program and it's an annual cost and this is one
25. of the few instances in which we are required to pay
26. for premiums for medical insurance. I will not on
27. that basis oppose the amendment, but I'm sure not
28. happy with the bill as amended.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Well, this amendment is supplied by the Department
33. of Public Health and they have assured me that the

1. costs are exorbitant because of the rarity and the
2. financial situation of the known hemophiliacs right
3. now. I would have the same concern that Senator Rock
4. has. I do think that the State probably ought to adopt this
5. policy whether these figures that we have for covering
6. some of these costs are accurate or not, I frankly
7. am not in a position to say, but I think we ought to
8. try it out and see where it is. I know it's not going
9. to be a terribly expensive thing because it just,
10. there just isn't that much of it, but we certainly will
11. watch it closely if the bill passes in its present
12. form.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is shall
15. House...Amendment No. 1 to House Bill 743 be adopted.
16. Those in favor indicate by saying Aye. Those opposed.
17. The Ayes have it. Amendment No. 1 is adopted. Are
18. there further amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. 3rd reading. In order to expedite this operation,
23. I'm going to call the next House Bill, which is 766,
24. Senator Leonard and also the one after that, which would
25. be Senator Vadalabene. That way the membership can be
26. prepared. House Bill 766. Do we have leave to return
27. to the Order of 2nd reading for the purpose of amend-
28. ment? Leave is granted. Senator Leonard.

29. SECRETARY:

30. Amendment No. 1 offered by Senator Rock.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

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

1. the Senate. Amendment No. 1, this bill was heard in the
2. Executive Committee and there was frankly some disconcerting
3. aspect, if you will, to the appointing power. It calls
4. for the creation of a study commission for land resources
5. management and had, in fact, included within the terms of
6. the appointing power, certain private groups and one code
7. department. Some of us on the committee felt we were
8. better advised to leave the appointing power with the
9. leaders of the General Assembly and also have the Governor
10. appoint four people, two of whom would be elected local
11. officials. I understand the sponsor has no objection.
12. I would move the adoption of Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is shall
15. Amendment No. 1 to House Bill 766 be adopted. Those in
16. favor indicate by saying Aye. Those opposed. The Ayes
17. have it. Amendment No. 1 is adopted. Are there further
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. 3rd reading. House Bill 825. And the next bill will
23. be Senator...Kenneth Hall, 901. As to House Bill 825,
24. do we have leave to return to the Order of 2nd reading?
25. Leave is granted.

26. SECRETARY:

27. Amendment No. 1 offered by Senator Vadalabene.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. I understand that this bill is all right the way it
32. is and I can advance it to 3rd. Let me see what that
33. amendment was. I think that the...

HB 901
6/22/77
Recall

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Did you request? Senator, did you request that the
3. bill be returned to the Order of 2nd reading?
4. SENATOR VADALABENE:
5. Oh, yes. All right. Okay. The word...all right.
6. Are you ready to go?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. We're ready, if you're ready...
9. SENATOR VADALABENE:
10. All right.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Teddy.
13. SENATOR VADALABENE:
14. Floor Amendment No. 1 to House Bill 825 on page 1, the
15. word...utilization put the following, as appropriated. And
16. I move for its adoption.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there further discussion? The question is shall
19. Amendment No. 1 to House Bill 825 be adopted. Those
20. in favor indicate by saying Aye. Those opposed Nay.
21. The Ayes have it. The amendment is adopted. Now, do we
22. have further amendments?
23. SECRETARY:
24. No further amendments.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. 3rd reading. Senator Kenneth Hall, as to 901.
27. The next bill will be 902, Senator Knuppel. As to
28. 901, do we have leave to return to the Order of 2nd
29. reading for the purpose of amendment? Leave is
30. granted. Senator Kenneth Hall.
31. SECRETARY:
32. Amendment No. 1 offered by Senator Kenneth Hall.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Hall.

2. SENATOR KENNETH HALL:

3. Thank you, Mr. President, Ladies and Gentlemen of
4. the Senate. Amendment No. 1 to House Bill 901 is an
5. amendment that was promised that would be put on 2nd
6. reading when this bill was heard and it provides that
7. when fire protection districts hold their referendum
8. to determine whether or not fire protection...districts
9. shall be formed. It should be done at General Elections
10. rather than at a special election, and that's what the
11. amendment does.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is shall
14. Amendment No. 1 to House Bill 901 be adopted. Those
15. in favor indicate by saying Aye. Those opposed. Amend-
16. ment No. 1 is adopted. Are there further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. 3rd reading. House Bill 902 is Senator Knuppel.
21. The next bill will be...936 with Senator Bruce. Do
22. we have leave to return to the Order of 2nd reading
23. for the purpose of amendment as to House Bill 902?
24. Leave is granted. Senator Knuppel.

25. SECRETARY:

26. Amendment No. 5 offered by Senator Knuppel.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Who's offering the amendment?

31. SECRETARY:

32. Has your name on it, Senator Knuppel.

33. SENATOR KNUPPEL:

1. It's my bill, but I don't think I offered an amendment.
2. It's Senator Sommers. Is he on the Floor? Senator Sommers,
3. did you...you came and talked to me yesterday about an
4. amendment to 902.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Sommer.

7. SENATOR SOMMER:

8. Senator Knuppel, it's being drafted right now. Could
9. we hold on this?

10. SENATOR KNUPPEL:

11. (Machine cut-off) out of the record. I'll...I'll
12. look at this one here, because I...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Well...

15. SENATOR KNUPPEL:

16. I don't recall ever submitting a...a fifth amend-
17. ment. I'll look at it.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Well, we'll...we'll...we'll advance, we'll...the
20. bill is already on 2nd, we'll advance it to 3rd and
21. come back if we have time later. Senator Bruce as to
22. House Bill 936. The next bill will be 941 with Senator
23. Egan. Senator Bruce. Do we have leave to return to
24. the Order of 2nd reading for the purpose of amendment
25. as to House Bill 936? Senator Bruce. Leave is granted.

26. SECRETARY:

27. Amendment No. 2 offered by Senator Bruce.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President. Amendment No. 1 was in
32. error, this was proposed by Senator Lemke. It includes
33. hit and run drivers in making petty offenses, that was
34. not our intention, so I'd move to reconsider the vote by

1. which Amendment No. 1 was adopted so that we might Table
2. it and then adopt Amendment No. 2 which is the correct
3. amendment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The motion is having...voted on the prevailing side
6. as to Amendment No. 1 to House Bill 936, be reconsidered.
7. Those in favor indicate by saying Aye. Those opposed
8. Nay. The matter is reconsidered. Senator Bruce now
9. moves that Amendment No. 1 be Tabled. Those in favor
10. indicate by saying Aye. Those opposed Nay. The amend-
11. ment is Tabled. Senator Bruce.

12. SENATOR BRUCE:

13. Now, I move the adoption of Amendment No. 2, Mr.
14. President.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is shall
17. Amendment No. 2 be adopted. Those in favor indicate by
18. saying Aye. Those opposed Nay. The Ayes have it.
19. Amendment No. 2 is adopted. Are there further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. 3rd reading. House Bill 941, Senator Egan. Do
24. we have leave to return to the Order of 2nd reading
25. for the purposes of amendment? Leave is granted. Now
26. the next bill after this will be Senator Harber Hall.
27. Senator Egan.

28. SECRETARY:

29. Amendment No. 2 offered by Senator Hickey.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Hickey.

32. SENATOR HICKEY:

33. Thank you, Mr. President. This simply brings the

1. rest of the bill into conformity by changing the number
2. 17 to 16.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? The question is shall
5. Amendment No. 2 to House Bill 9...just a moment, Senator
6. Egan.

7. SENATOR EGAN:

8. Yes, Senator Hickey, would you refresh my memory
9. please, I...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hickey.

12. SENATOR HICKEY:

13. This deletes the number 17 and inserts in lieu thereof
14. 16. In as much as the bill provides for the reduction of
15. the number of members of the Board of Higher Education
16. because of taking off the Superintendent of Public Instruction.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Egan.

19. SENATOR EGAN:

20. Yes, now...I rise in opposition to this amendment,
21. Senator Hickey, insofar as my motion is going to Table...
22. to Table Committee Amendment No. 1. With the...with the...the
23. bill as originally introduced the Independent Federation
24. Chairman would be replacing the...he would be an additional
25. member and the board under those...under that makeup, would
26. comprise in number 17. So that this amendment, after
27. Amendment No. 1 is Tabled is not necessary.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Just...just a moment, Senator. You have control of
30. the bill and it is your desire to Table Amendment No. 1.
31. We'll first consider that.

32. SENATOR EGAN:

33. That is correct.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. All right. Do we have...the motion is to...to Table
3. Amendment No. 1 to House Bill 941. Those in favor indicate
4. by saying Aye. Just a moment, Senator Hickey. There is
5. discussion.

6. SENATOR HICKEY:

7. Yes, I'll say there's discussion, Mr. President. This
8. bill failed in committee. I don't...I don't have the vote,
9. but the bill failed. I brought it back for reconsideration
10. and added this amendment which pleased the original sponsor
11. in the House. She was delighted to have the amendment added
12. to it. And that's the way it got out of committee. Now,
13. the Senate sponsor is asking that the amendment for which
14. reason the bill was brought out...back...back alive and
15. added in order to make it come to the floor is asking
16. that that be deleted. I think you should know, as he
17. said, what...what the bill originally did was to put
18. the Chairman of the Independent Colleges and Universities
19. Association on to the Board of Higher Education. I
20. want to call attention to the fact that this association
21. is an association of college presidents. The Board of
22. Higher Education, while it does have representatives
23. from public systems boards, their people, who are
24. policy makers on their boards, and are policy makers
25. when they come to the Board of Higher Education. This
26. bill in its original form would completely change that
27. by putting a paid administrator, who works for policy
28. makers, on the board and he would be the only one on
29. the Board of Higher Education. The amendment which
30. the committee adopted and which we're not debating,
31. says that one of the members which is appointed by the
32. Governor, shall be a member of a board, of a board
33. of trustees of a private college or university. This

1. sees to it that there is a voice from the private colleges
2. and universities on the Board of Higher Education and that
3. he is a trustee of policy making stature, not a paid
4. administrator. It doesn't add any members to the board.
5. The original bill had this association picking that person.
6. An association of presidents picking a policy maker to
7. go on a policy making board and it's just absolutely
8. outside the original conception and the way the whole
9. Board of Higher Education operates. And remember, the
10. original sponsor of the bill from the House, was in
11. committee, was delighted to have this brought back,
12. revived and to have this amendment put on it and is
13. very pleased with the bill and I strenuously oppose
14. this amendment.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Egan.

17. SENATOR EGAN:

18. Well, thank you, Senator, except that I was not
19. present at the hearing, being the Senate sponsor and
20. the House member proceeded just to get the bill out
21. of committee. I would not have done that myself.
22. As a matter of fact, I would have passed the bill as
23. it was originally introduced. Let me just say that
24. that's precisely what we want. We want the...the
25. Chairman of the Independent Federation to sit on the
26. board. There are...there...at present five sector
27. representatives ex officio members, of the public
28. members one is the former chairman of the community
29. college board, three are University of Illinois
30. graduates, one is an SIU graduate, one a community
31. college graduate, two are from the Illinois private
32. colleges, one from Bradley and one from Tulane and
33. finally there's a student member. All we want is

1. the Chairman of the Independent Federation to sit on
2. the board as the 17th member and that is the request.
3. So my motion is to Table Amendment No. 1 that was put
4. on in the committee.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. There is further discussion? Senator Walsh.

7. SENATOR WALSH:

8. Mr. President and members of the Senate. I was
9. a member of the Committee on Higher Education which
10. heard this bill and I supported the bill in its
11. original form and opposed it in the...in the form
12. in which it ultimately came out of committee. I
13. believe the amendment that Senator Hickey put on
14. this bill makes the bill absolutely meaningless.
15. At the present time there are three members on the
16. Board of Higher Education that you might say represent
17. private institutions, nonpublic institutions. I
18. don't believe there has been a time since the Board
19. of Higher Education was created that there has not
20. been at least one and probably as many as, we now
21. have three members representing private higher
22. educations. So to provide by bill that there shall
23. be one is just ridiculous because there always has
24. been without this bill, and I'm sure there always
25. would be, even without this bill. This bill as introduced
26. and in the form into which Senator Egan would like to
27. restore it, would provide that a member on the Board
28. of Higher Education would in a sense, represent, the
29. private institutions, because they would be able to
30. delegate from their ranks someone to the Board of
31. Higher Education. Just as the other governing boards
32. in the State now have a member representing them on
33. the board. I would support the motion of Senator Egan,
34. I think the bill is good and I believe the bill as

1. amended by Senator Hickey would be meaningless.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Question of the sponsor, Mr. President.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The sponsor of the...

8. SENATOR BUZBEE:

9. Of...of the motion.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Of the motion. Senator Egan. He indicates he

12. will respond.

13. SENATOR BUZBEE:

14. My question is, Senator, who is the present President

15. of the Illinois Independent Federation of Colleges?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Egan. You're pretty...just pretty far between

18. yourselves, but...Senator Egan.

19. SENATOR EGAN:

20. I think it's Doctor Muttinger.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Of which institution.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Egan.

27. SENATOR EGAN:

28. Ah...I can't remember, Senator Buzbee, but I'll

29. get the information for you immediately.

30. SENATOR BUZBEE:

31. No...no, I'm trying to make a point, Senator. The

32. point is that he is the president of some independent

33. college, is that not true?

1. SENATOR EGAN:

2. Yes.

3. SENATOR BUZBEE:

4. All right. That would be the same thing as our
5. asking Doctor Corby of the University of Illinois
6. to be a member of the Higher Board of Education or
7. Doctor Malpus of Western Illinois University or Doctor
8. Braut or Doctor Shaw of either one of the SIU campuses
9. to tell them we want...want them to sit as a member of
10. the Board of Higher Education. It's absolutely ludicrous,
11. Senator. I, you know, we have private higher education
12. represented on that board now by your own admission.
13. There are two members at the present time who are
14. graduates of...of private colleges, the...one of the
15. members of the board I happen to know that comes from
16. the SIU system, the President of the SIU Board, Mr.
17. Harris Row of Jacksonville, is also a member of a
18. private college board. I believe he is a graduate of
19. a private college. What we ought to be doing is going
20. the other way and taking those representatives from
21. the higher boards, pardon me, from the...from the
22. public boards, that is SIU, the University of Illinois
23. and Governors and Regents, we ought to be taking them
24. off of the Higher Board of Education and make that
25. board completely autonomous. But we certainly don't
26. need a paid university administrator whose only job
27. in life is to propagate and promulgate his university
28. and to have him being a policy maker for all of higher
29. education in the State of Illinois as a member of that
30. board. Now, I was opposed to the bill to start with.
31. If this amendment stays on, I suppose that I will vote
32. for it, I don't know yet. But it certainly is in a
33. lot better shape with this amendment than it is without

1. this amendment and I would plead with the members of
2. the Senate to think long and hard before you vote
3. to Table this amendment, because what you're going
4. to be doing is putting on a paid professional educator
5. whose only job is to keep his college going. We're
6. going to make him one of the seventeen policy makers
7. on the Higher Board of Education if this amendment
8. comes off.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Is there further
11. discussion? The motion by Senator Egan is before the
12. Body, that being to Table Amendment No. 1 of House
13. Bill 941. Those in favor indicate by saying...just
14. a moment, Senator Nimrod. Is this...discussion of
15. this bill?

16. SENATOR NIMROD:

17. Yes, what I'd like to do is just for purpose of clarification,
18. Mr. President. For those that want to support Senator
19. Egan, how would they vote?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. They would vote Aye to Table the...to Table Amend-
22. ment No. 1.

23. SENATOR NIMROD:

24. Table...to Table Amendment No. 1.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Yes, sir. The question is shall Amendment...Senator
27. Buzbee.

28. SENATOR BUZBEE:

29. For those who do not want to support Senator Egan,
30. how would they vote?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. They would vote No.

33. SENATOR BUZBEE:

34. Thank you.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The question is shall Amendment No. 1 be Tabled.

3. Those in favor vote Aye. Those opposed Nay. The

4. voting is open. Have all voted who wish? Take

5. the record. On that question the Ayes are 29, the

6. Nays are 13, 1 Voting Present. Amendment No. 1 is

7. Tabled. Are there further amendments? 3rd reading.

8. House Bill 1182, Senator Harber Hall. (Machine cutoff)

9. have leave to return to the Order of 2nd reading for

10. the purpose of amendment? Leave is granted.

11. SECRETARY:

12. Amendment No. 3 offered by Senator Harber Hall.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Harber Hall.

15. SENATOR HARBER HALL:

16. Mr. President and fellow Senators. 1182 is the

17. restaurant bill that excludes the department from

18. inspections from small restaurateurs. Yesterday,

19. Senator Ozinga offered an amendment, yesterday or the

20. day before, making it...changing from fifty thousand

21. to two hundred thousand dollars the annual gross

22. at which cutoff point this bill would be applicable.

23. After consultation...after consultation with Senator

24. Ozinga, he and I have agreed that a hundred thousand

25. would be more proper and I would move...I would move

26. for adoption...for first of all I have to withdraw

27. Amendment No. 2. I'd like leave of the Body to, having

28. voted on the prevailing side, I'd move that Amendment

29. 2 be Tabled.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Well, the motion is to having voted on the prevailing

32. side as to Amendment No. 2 to House Bill 1182 be re-

33. considered...

34. SENATOR HARBER HALL:

35. To be reconsidered.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. To be re-reconsidered. Those in favor indicate by
3. saying Aye. Those opposed. The Ayes have it. The matter
4. is reconsidered. Now, Senator Hall, do you now move
5. to...

6. SENATOR HARBER HALL:

7. Thank you, Mr. President. I now move to adopt
8. Amendment...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Wait a minute, you got a minute, you want to Table
11. Amendment No. 2.

12. SENATOR HARBER HALL:

13. I move to Table Amendment No. 2.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. All right. You heard the motion. Those in favor
16. indicate by saying Aye. Those opposed. The Ayes have
17. it. Amendment No. 2 is Tabled. Amendment No. 3, Senator
18. Harber Hall.

19. SENATOR HARBER HALL:

20. Amendment No. 3 is one hundred thousand. I move
21. adoption of Amendment No. 3. I move to adopt Amendment
22. No. 3.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Ozinga.
25. The question is shall Amendment No. 3 to House Bill 1182
26. be adopted. Those in favor indicate by saying Aye. Those
27. opposed. The Ayes have it. Amendment No. 3 is adopted.
28. Are there further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. 3rd reading. House Bill 1315, Senator Merlo. The
33. Secretary indicates that he does not have an amendment,

1. Senator Merlo. On his desk.

2. SENATOR MERLO:

3. Mr. President, Senator Schaffer has the amendment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Do we have leave...

6. SENATOR MERLO:

7. It's merely...it's merely a technical amendment...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Well, just...just a moment...we have to go back
10. to the Order of 2nd reading. Do we have leave, as to
11. House Bill 1315? Leave is granted. Senator Schaffer.

12. SENATOR SCHAFFER:

13. I believe the amendment is up there, yes, fine. This
14. simply, this is an agreed amendment, it simply clarifies
15. notification and states that notification begins, the
16. time period begins when the notification is mailed. I
17. know of no objection, we're all copesetic on it.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is shall
20. Amendment No. 2 to House Bill 1315 be adopted. Those
21. in favor indicate by saying Aye. Those opposed Nay.
22. The Ayes have it. Amendment No. 2 is adopted. Are
23. there further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. 3rd reading. We have been requested to...do we have
28. leave to have photographs taken at this time? Still
29. photographs? Leave is granted. House Bill 1433, Senator
30. Knuppel. Do we have leave to return to the Order of 2nd
31. reading for the purpose of amendment? Leave is granted.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Knuppel.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. There's been a problem with bidding on repair work at
5. the...at the Illinois State Fairgrounds with respect
6. to the Department of Agriculture. They feel that the bids
7. are excessive, so they want to let the money that was
8. appropriated for the repairs, lapse, take new bids, but
9. they can't get that done now, so they are amending it
10. by adding the sum of thirty-seven thousand dollars for
11. these repairs and as I understand it that money had
12. been appropriated, but they couldn't get the thing...they
13. couldn't get bids within the limits they wanted so they
14. want to amend this on to the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is shall
17. Amendment No. 1 to House Bill 1433 be adopted. Those
18. in favor indicate by saying Aye. Those opposed. The
19. Ayes have it. Amendment No. 1 is adopted. Are there
20. further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. Senator Rhoads, as to 15...Senator
25. Knuppel as to 1975. Do we have leave to return to the
26. Order of 2nd reading? Just skip it. Just a moment.
27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Senator Knuppel, this is the bill that I talked to
30. you about yesterday.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just...just a moment, Senator Knuppel.

33. SENATOR KNUPPEL:

1. All right, now I know what it's about, but I
2. hadn't requested it so apparently it had been requested
3. by Senator Davidson. He has an amendment, there were
4. three misspelled words and...and...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. You have given permission to...

7. SENATOR KNUPPEL:

8. All right...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. ...return to the Order of 2nd reading.

11. SENATOR KNUPPEL:

12. Yeah. Right.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Do...do we have leave to return to the Order of
15. 2nd reading? Leave is granted.

16. SECRETARY:

17. Amendment No. 1 offered by Senator Davidson.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Mr. President, and members of the Senate. This amend-
22. ment is to correct three misspelled words in the Dangerous
23. Drug Control Act. We sent it out of here to Senate Bill 647
24. that was supposed to have been handled in Judiciary over
25. in the House and they did not get to it after the chairman
26. had told Representative Jones they would get it done and
27. we need this change in the Statute. All it does correct
28. those three words. Move the adoption of the amendment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? The question is shall
31. Amendment No. 1 to House Bill 1975 be adopted. Those
32. in favor indicate by saying Aye. Those opposed. The
33. Ayes have it. Amendment No. 1 is adopted. Are there
34. further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. 3rd reading. Senator Demuzio. 2086 and then next
5. 2108, both are your bills, Senator. Do we have leave to
6. return to the Order of 2nd reading for House Bill 2086?
7. Leave is granted.

8. SECRETARY:

9. Amendment No. 2 offered by Senator Demuzio.

10. SENATOR DEMUZIO:

11. This is Senator Hickey's amendment on 2086 so
12. I'll yield to her.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Hickey.

15. SENATOR HICKEY:

16. This is an easement which has all been surveyed
17. and approved by DOT in Winnebago County to the tune
18. of three thousand dollars. Some property the State
19. doesn't need any more.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall
22. Amendment No. 2 to House Bill 2086 be adopted. Those
23. in favor indicate by saying Aye. Those opposed. The Ayes
24. have it. The amendment is adopted. Are there further
25. amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. 3rd reading. House Bill 2108, Senator Demuzio. Do
30. we have leave to return to the Order of 2nd reading for
31. the purpose of amendment? Leave is granted.

32. SECRETARY:

33. Amendment...

HB 2161
Recall
6/22/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. No, 2108 is...it's not being brought back for an
5. amendment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. I have a note here. Did you request that it be brought
8. back?

9. SENATOR DEMUZIO:

10. No, it was brought back. The amendment was put on
11. last week.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. All right. 3rd reading. House Bill 2161, Senator
14. Rock. Do we have leave to return to the Order of 2nd
15. reading for the purpose of amendment? Leave is granted.

16. SECRETARY:

17. Amendment No. 1 offered by Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President and Ladies and Gentlemen
20. of the Senate. House Bill 2161 would permit a county
21. to establish a public building commission even though
22. a municipality within the county already had one
23. established. This bill was sponsored by me at the
24. request of the speaker. And during, prior to the
25. committee meeting, there was an amendment that was
26. delivered to me and I...I did indicate to the proponent
27. of the amendment that I would offer it in committee.
28. The committee looked upon it, frankly, with a little
29. disfavor, so I said that I would offer it on the Floor
30. in accordance with my commitment to the House proponent.
31. But what this would do would allow a community college
32. district to set up a public building commission by
33. referendum, obviously, if...if the majority of the

1. residents within the community college district boundaries
2. opted to set up a public building commission. I know
3. there probably is some substantial opposition, but I
4. would move the adoption of Amendment No. 1.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Joyce.

7. SENATOR JOYCE:

8. Yes, thank you, Mr. President. I rise in strong
9. opposition to this. I see absolutely no reason why
10. a community college board needs to have a public
11. building commission. I think public building com-
12. missions are a scourge on the country anyway and...to
13. give more leeway in this area is just absolute nonsense.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Hickey.

16. SENATOR HICKEY:

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

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. He indicates he will respond.

20. SENATOR HICKEY:

21. At this point...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rock.

24. SENATOR HICKEY:

25. ...if a community college has any capital development,
26. three-quarters of it is paid by the State of Illinois.
27. Would that continue under this arrangement, if they
28. establish their own building commission?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock.

31. SENATOR ROCK:

32. Well, the building commission, as you know, is an
33. entity formed to allow for...to authorize the sale of

1. Revenue Bonds. Now whether or not that other avenue would...would
2. remain, I would assume it would, because there's no...there's
3. no change made by virtue of this amendment. It would just
4. allow them to form a commission for the purpose of issuing
5. and ultimately retiring Revenue Bonds.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Glass.

8. SENATOR GLASS:

9. I have a question of the sponsor, if he would yield,
10. Mr. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Indicates he will.

13. SENATOR GLASS:

14. Senator Rock, was the...was this amendment offered in
15. committee?

16. SENATOR ROCK:

17. I...I...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR ROCK:

21. ...placed it with the Committee Clerk and got about
22. half way through my explanation and it was indicated to
23. me that given the work load in the committee, they had
24. some sixty-seven bills in the committee, that I would
25. be better advised if I wished to get the Speaker's bill
26. out of committee, not to offer it in the committee, but
27. I...I attempted, yes.

28. SENATOR GLASS:

29. And...and who wants the...this bill? Is it just
30. one of the community college districts or how is the
31. community college breakdown?

32. SENATOR ROCK:

33. Well frankly...yeah, frankly, I'm...I'm not sure

1. of that. This, as I...indicated was the Speaker's bill,
2. there is some problem peculiar to DuPage County. The
3. amendment was...was delivered to me by Representative
4. Glenn Schneider, and asked...he said he had the Speaker's
5. at least tacit approval to attempt the amendment and I
6. indicated that I would make the attempt.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. Well I...I would just say thank you, Mr. President,
11. that I, I'm concerned a little bit about the points raised
12. by Senator Hickey, that is the possible contribution of
13. the State. I think that may well be an exposure we don't
14. want to undertake.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is shall
17. Amendment No. 1 to House Bill 2161 be adopted. Those in
18. favor indicate by saying Aye. Those opposed. The No's
19. have it. The amendment fails. Are there further amend-
20. ments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. House Bill 2289, Senator Vadalabene.
25. Senator Vadalabene, did you request that that be called
26. back? House Bill 2343, Senator Maragos. Do we have
27. leave to return to the Order of 2nd reading for the
28. purpose of amendment? 2nd reading.

29. SECRETARY:

30. Amendment No. 1 offered by Senator Maragos.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Maragos.

33. SENATOR MARAGOS:

1. Mr. President and members of the Senate. Amendment
2. No. 1 is a technical amendment and it's really a play
3. on words because it tries to eliminate the word technical.
4. It appears that the Comptroller's Office, which is the
5. one in charge of handling these funds, feels that it
6. cannot properly allow contracts to come in because
7. they don't understand what the word technical means.
8. They'd rather have the words, contractual, meaning
9. profession services and also artistic services, but
10. they'd like to eliminate the word technical to make
11. it uniform to the rest of the bill, the rest of
12. the Act and therefore I ask for its adoption.

13. PRESIDENT:

14. Is there any discussion? Senator Maragos
15. moves the adoption of Amendment No. 1. All those
16. in favor signify by saying Aye. Opposed. The Ayes
17. have it. The amendment is adopted. Any further
18. amendments?

19. SECRETARY:

20. No further amendments. Senator Maragos.

21. SENATOR MARAGOS:

22. Mr. President, I...earlier spoke with Senator
23. Donnewald, who was in the Chair, that Senate Bill 2...
24. House Bill 250 had been taken down to 2nd reading, but
25. we forgot to eliminate one other amendments. When you
26. finish the roll call, will you get back to Senate Bill 250,
27. please.

28. PRESIDENT:

29. Any further amendments on House Bill 2343?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. House Bill 250 on the Order of 3rd reading.

1. Is leave granted to bring it back to the Order of 2nd reading
2. for the purpose of amendment? Leave is granted. House Bill
3. 250 on the Order of 2nd reading. Senator Maragos.

4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. I would like at
6. this time to Table Amendment No. 1, which is presently in
7. effect on Senate Bill 2...House Bill 250, because Amendment
8. No. 2 which was adopted earlier this morning is in contradiction
9. and it's...it's in better shape and therefore, I ask for the
10. Tabling of Amendment No. 1 on Senate Bill, on House Bill 250.

11. PRESIDENT:

12. Is there any discussion? Senator Maragos moves to Table
13. Amendment No. 1. All those in favor signify by saying...excuse
14. me, Senator Maragos, was that amendment adopted already? That
15. amendment was adopted.

16. SENATOR MARAGOS:

17. It was adopted prior, yes.

18. PRESIDENT:

19. Senator Maragos moves to reconsider the vote by which
20. Amendment No. 1 was adopted. All those in favor signify by
21. saying Aye. Opposed. The Ayes have it. The vote is re-
22. considered. Senator Maragos moves to Table Amendment No. 1.
23. All those in favor signify by saying Aye. Opposed. The Ayes
24. have it. The amendment is Tabled. Any further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. Messages from the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate
32. that the House of Representatives has passed bills with the
33. following titles in the passage of which I am instructed to ask
34. concurrence of the Senate, to-wit:

35. House Bills 973 and 1033.

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

2. Mr. President - I am directed to inform the
3. Senate that the House of Representatives has concurred
4. with the Senate in the passage of a bill with the
5. following title, to-wit: Senate Bill 1317 with
6. House Amendment No. 1.

7. PRESIDENT:

8. Secretary's Desk. On the Order of House Bills 3rd
9. reading. House Bill 106, Senator Vadalabene. And
10. may I call the attention of the membership to the
11. fact that we have a tremendous number of bills on
12. the Calendar and that our motto ought to be silence
13. is golden and that the Chair and your fellow colleagues
14. would appreciate any restraint that you can possibly
15. show in...in expressing your views. We also have a
16. policy that the Secretary will keep for posterity
17. any of your comments that you wish to put in writing
18. and deliver to the Secretary's Office. Senator
19. Vadalabene on House Bill 106. Read the bill.

20. SECRETARY:

21. House Bill 106.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, thank you, Mr. President and members of the
28. Senate. The purpose of this bill is to create within
29. the Department of Public Health an advisory committee
30. for family practice residency programs and to provide
31. funding for establishing family practice residency
32. training sites and areas which will impact upon
33. designated physician shortage areas within the

1. State of Illinois. The companion bill, the appropriation
2. bill, amended...passed out of the Appropriations Committee
3. II last night. Both of these programs are critical to
4. the State of Illinois if we are to be able to provide,
5. improve health services to those areas of our State
6. which are presently...physician shortage areas or
7. medically undeserved areas and I would appreciate a
8. favorable vote.

9. PRESIDENT:

10. Is there any discussion? Senator Chew.

11. SENATOR CHEW:

12. I'd like to ask the sponsor a question. Senator, is
13. this the bill that we had some discussion in committee
14. on health, that was a promise made, I believe by Senator
15. Newhouse, that there would be an amendment attached. Is
16. that amendment on there?

17. SENATOR VADALABENE:

18. Yes, that was worked out with Senator Newhouse and
19. we...and we did that when we came back with Senator
20. Smith's chairmanship.

21. SENATOR CHEW:

22. I have no further questions.

23. PRESIDENT:

24. Is there any further discussion? Senator Regner.

25. SENATOR REGNER:

26. Mr. President and members of the Senate. I rise in
27. opposition to this bill that the companion appropriation
28. bill was in committee yesterday. The Board of Higher
29. Education last year in the fiscal year of '77 had an
30. appropriation of seven hundred and fifty thousand dollars
31. for a program that's well-controlled, run and organized
32. in conjunction with the various medical facilities. This
33. year their appropriation for that same program is a
34. million four. I have a very strong feeling that we

1. shouldn't have extra agencies floating around and all over
2. the State doing the same or very similiar things. If it
3. was felt that more monies were needed to conduct the
4. resident medical training people, it should have been added
5. on to the Board of Higher Education appropriation which
6. already was doubled. But I certainly don't think we should
7. start another agency floating around this State doing a
8. similiar thing and not having the proper controls. We
9. already have a very fine program in our educational
10. facilities and we have more than a sufficient appropriation
11. for that particular program and I would urge the defeat of
12. this bill and also 107 when that comes along.

13. PRESIDENT:.

14. Is there any further discussion? Senator Berman.

15. SENATOR BERMAN:

16. Senator Vadalabene, in committee we had discussed
17. an amendment regarding what to do if a doctor doesn't
18. fulfill his commitment to work the three years. I've
19. checked with the Reference Bureau, we have some language,
20. but the amendment isn't ready. Would it be possible to
21. take this out of the record and go back to it tomorrow?

22. PRESIDENT:

23. We can take it out of the record and go back to
24. it in its turn. Senator Vadalabene, are you willing
25. to...take the bill out of the record. House Bill 110,
26. Senator Nimrod. House Bill 112, Senator Lane.

27. SECRETARY:

28. House...House Bill 112.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Lane. Senator Lane.

33. SENATOR LANE:

1. Mr. President and members of the Senate. House Bill
2. 112 amends the Public Junior College Act. It provides
3. a residency of any individual within a community college
4. district or outside a community college district shall
5. have no effect on his employment by the community college
6. provided he was employed prior to July 1st, 1977. That's
7. House Bill 112 as amended. House Bill 112 complies with a...a
8. fairly recent court...order and it...the court order so stated
9. that with the provision of July 1st, 1977, it was a
10. legal provision. I ask for a favorable roll call.

11. PRESIDENT:

12. Is there any discussion? Senator Netsch.

13. SENATOR NETSCH:

14. Just a question. It's...it's a little noisy here,
15. Senator Lane, could you just quickly run over what the
16. bill does now as it is presented to us, because I...I
17. think I understand, but I'm not sure I heard everything
18. that you said.

19. SENATOR LANE:

20. Yes, the bill specifically states that the residency
21. is required, but people living outside the district prior
22. to July 1st, 1977, are allowed to do so. And it will
23. have no effect on their employment or transfers or
24. promotions.

25. SENATOR NETSCH:

26. So...so that the effect of the bill is that it acts
27. only prospectively, that is it acts only on people who
28. will be hired after July 1, 1977 and those who are already
29. in the system will not be affected at all.

30. SENATOR LANE:

31. That's correct. That's correct.

32. SENATOR NETSCH:

33. Thank you.

HB 121
3rd Reading
6-22-77

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. Just for clarification, Senator, I don't seem to have
5. a copy of the amendment. What did the amendment do? Did
6. it materially change the intent of the bill?

7. SENATOR LANE:

8. Senator Berning, it...it didn't...it..the amendment,
9. there was an amendment put on just yesterday. Who...was
10. simply a technical amendment. The House Amendment that
11. was applied puts the July 1st, 1977 date in there. Living
12. prior to...that date.

13. PRESIDENT:

14. Senator Berning. Is there any further discussion?
15. If not, the question is shall House Bill 112 pass.
16. Those in favor will vote Aye. Those opposed will vote
17. Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that
19. question the Ayes are 47, the Nays are none, none Voting
20. Present. House Bill 112 having received a constitutional
21. majority is declared passed. House Bill 121, Senator
22. Philip.

23. SECRETARY:

24. House Bill 121.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Philip.

29. SENATOR PHILIP:

30. Thank you, Mr. President. House Bill 121 as amended,
31. amends the Revenue Act of 1939. Provides for alternate
32. valuation of real estate for the use for open space purposes
33. for at least three years on its value as open space rather
34. than on its value as highest and best use. Applies to
35. tracts of only ten acres and only applies to counties that

1. do not classify. That would be all downstate counties.
2. This is similiar to House Bill 729, which was passed...
3. sponsored by Senator Rock last year, passed both Houses
4. and was vetoed by Governor Walker. His objection was
5. the broad definition of open spaces. The Department of
6. Local Governmental Affairs have had their input on this
7. and it now meets their requirements. I ask a favorable
8. roll call.

9. PRESIDENT:

10. Is there any discussion? Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen of
13. the Senate. I rise in support of House Bill 121 as
14. amended. It does not, as I'm sure everyone is aware,
15. apply to the County of Cook, since we do, in fact,
16. classify real estate by ordinance in Cook. I did,
17. in fact, as Senator Philip indicated, sponsor this
18. legislation last Session only to see it vetoed by
19. the Governor. I think it's worthwhile and worthy of
20. our consideration. I urge a favorable vote.

21. PRESIDENT:

22. Is there any further discussion? If not, the
23. question is shall House Bill 121 pass. Those in
24. favor will vote Aye. Those opposed will vote Nay.
25. The voting is open. Have all voted who wish?. Have
26. all voted who wish? Take the record. On that
27. question the Ayes are 49, the Nays are none, 1
28. Voting Present. House Bill 121 having received a
29. constitutional majority is declared passed. House
30. Bill 122, Senator Bruce. House Bill 127, Senator
31. Daley. House Bill 132, Senator Nimrod. Senator
32. Nimrod. ...I,there's a request for a possible
33. amendment on that bill? Senator Rock.

1. SENATOR ROCK:

2. Well, it seems to me we had a similiar Senate Bill.
3. I don't know whether Senator Berning had it and there
4. was some question as to whether or not we were, by terms
5. of the bill, allowing voting up...up in these offices
6. up to the day of election. And I haven't...

7. PRESIDENT:

8. Senator Nimrod.

9. SENATOR NIMROD:

10. No, this...this bill does not provide for any
11. day limit except for the...the...it's the same days,
12. as the county clerk's. So whatever days we've
13. stipulated on the county clerk's...not...there could
14. be no other day than that which is open. It doesn't
15. provide for any alternative days.

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. This to answer Senator Buzbee's question, applies
20. only to Cook County so you can sit down and relax now.
21. But I...I still have a...a very definite question, okay.
22. Cause Senator Berning did have a similiar bill and the
23. way...the way it's worded, it's just...I'm not satisfied.

24. PRESIDENT:

25. Take it out of the record. Senator Nimrod indicates
26. he'll take it out of the record. Senator Merlo, you
27. wish to pass these...bypass the three bills? Senator
28. Merlo.

29. SENATOR MERLO:

30. Mr. President, what I would like to do is to return
31. to the Order of...of 3rd reading and take off of the
32. Agreed List No. 5 the bills that are listed there, the
33. condominium bills, so that I can keep them together as

1. a...as a package. Is that in order at the present time?
2. Now, wait a minute, there...there's a...it's going to
3. save the members of the Senate a lot of time if we do
4. it this way, Mr. President, I'll assure you.

5. PRESIDENT:

6. All right. Let me suggest, Senator Merlo, that
7. you simply, because there are so many bills, that you
8. put it in writing, give it to the Secretary and then we
9. will take care of it later on in the day and we'll just
10. pass these bills now.

11. SENATOR MERLO:

12. Okay.

13. PRESIDENT:

14. House Bill 155, Senator Grotberg. House Bill 156,
15. Senator Davidson. House Bill 168, Senator Savickas.
16. House Bill 178, Senator Weaver. House Bill 189, Senator
17. Nimrod. House Bill 199, Senator Grotberg. House Bill
18. 206, Senator Knuppel. House Bill 212, Senator Regner.
19. Read the bill.

20. SECRETARY:

21. House Bill 212.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members of the Senate. This bill
28. amends the Public Aid Code by extending the scope of its
29. coverage. The proposal suggests the persons included
30. within any Public Aid Grant who knowingly cause any
31. applicant or recipient without knowledge to make a false
32. statement, willful misrepresentation or by withholding
33. information, causes the applicant or recipient to
34. fail to...notify the proper governmental unit as required,

1. shall be in violation of the Act. Obtaining money in
2. the aforementioned manner shall constitute the...following
3. crime classifications. Less than five hundred dollars
4. would be a Class A misdemeanor, that's up to one year.
5. Five hundred to two thousand dollars, a Class IV felony,
6. one to three years. Two thousand to ten thousand dollars,
7. a Class III felony, one to ten years, and more than ten
8. thousand dollars, a Class II felony, which is up to
9. twenty years. Over the last several years, we've
10. had many instances of...of large frauds being committed
11. on collecting Public Aid monies. We remember the "Welfare
12. Queen" in Chicago that was well over a hundred thousand
13. dollars. I feel it's a much need piece of legislation.
14. Would urge a favorable roll call.

15. PRESIDENT:

16. Senator Kenneth Hall.

17. SENATOR KENNETH HALL:

18. Will the sponsor yield to a question?

19. PRESIDENT:

20. Indicates he will yield.

21. SENATOR KENNETH HALL:

22. Senator Regner, what is at present...what is the...
23. the penalty?

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. I think it's classified as a misdemeanor right now,
28. which would be up to six months. If I'm wrong, Senator
29. Moore possibly could clarify that.

30. PRESIDENT:

31. Senator Don Moore.

32. SENATOR MOORE:

33. The present penalties the Supreme Court has ruled

1. that we can proceed under either the Public Aid Code,
2. which is a Class A misdemeanor, or under the Criminal
3. Code, under the theft and deceptive practices section,
4. where the hundred and fifty dollar amount would prevail.
5. If it was under a hundred and fifty, it would be a
6. Class A, if it was over a hundred and fifty, I believe
7. it's a Class...Class IV.

8. PRESIDENT:

9. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Would you mind again stating what the Class IV would...
12. would do? What does that entitle...that Class IV felony?

13. PRESIDENT:

14. Senator Regner...Senator Don Moore.

15. SENATOR MOORE:

16. I believe it's one year, Senator.

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. We're going to get a lot of these bills. All I
21. can say is that we're going to send a lot more people
22. to prison, I'm going to vote for them, but I think
23. that we'd be keeping welfare people in prison, instead
24. of keeping them in town, maybe that's the way we want
25. it. But this get tough policy we're going to have,
26. I'm for it all the way, but I want people to realize
27. when they're voting for it, that they're voting for
28. more prisons and more jail sentences and...and it's
29. going to cost us to keep them that way.

30. PRESIDENT:

31. Senator Kenneth Hall.

32. SENATOR KENNETH HALL:

33. Well, I...I wasn't finished, Mr. President. Senator

1. Regner, would you happen to know off the top of your
2. head, what is the penalty for State income tax evasion?

3. SENATOR REGNER:

4. Senator Hall, I don't know that answer.

5. SENATOR KENNETH HALL:

6. Well, what you're doing here, you're putting on
7. something that's a greater penalty for this than
8. for State income tax evasion. I mean why...why are
9. you making this...to such a Class IV felony. Why...why
10. would you go so far with this?

11. PRESIDENT:

12. Senator Regner.

13. SENATOR REGNER:

14. Well, Kenneth, Senator Hall, we...we are stealing
15. out of the State treasury, as someone suggested. But
16. if you look at the...the fraud that has been committed
17. over the last several years and of course as I mentioned
18. earlier, the "Welfare Queen," we're talking about hundreds
19. of thousands of dollars. I think the people in the
20. State of Illinois are very interested in the get tough
21. policy and that's the reason for the bill coming over
22. from the House. I still think it's a...an excellent
23. proposal.

24. PRESIDENT:

25. Is there any further discussion? If not, the
26. question is shall House Bill 212 pass. Those in favor
27. will vote Aye. Those opposed will vote Nay. The voting
28. is open. Have all voted who wish? Have all voted who
29. wish? Take the record. On that question the Ayes are
30. 45, the Nays are 3, 2 Voting Present. House Bill 212,
31. having received a constitutional majority is declared
32. passed. House Bill 230, Senator Knuppel. House Bill 231,
33. Senator Vadalabene. Read the bill.

1. SECRETARY:

2. House Bill 231.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, thank you, Mr. President, members of the Senate.
9. House Bill 231 amends the Illinois Horse Racing Act of
10. 1975. It revises the privilege tax rates on horse racing.
11. The graduated tax rate was revised to help the smaller
12. tracks with low daily parimutuel handles by reducing
13. the tax rate on low handles and increasing the tax
14. rate on some of the larger handles. Two downstate
15. race tracks, Cahokia and Fairmount, Belmont in East
16. Moline, are hurting financially. Lowering the tax
17. rate on the lowest daily handle brackets is an attempt
18. to help these smaller tracks with low, low, daily
19. handles. This bill would provide an increase for
20. some of the larger tracks and I would appreciate a
21. favorable vote.

22. PRESIDENT:

23. Is there any discussion? The question is shall
24. House...Senator Graham.

25. SENATOR GRAHAM:

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

27. PRESIDENT:

28. Indicates he will yield.

29. SENATOR GRAHAM:

30. Senator Vadalabene, in view of the fact that Senator
31. Sam is fiddling around down there, do you have a conflict
32. of interest in this bill?

33. SENATOR VADALABENE:

1. No sir, all I have down there at Cahokia is a horse
2. named after me who has never finished any farther than
3. fifth and now, yesterday, day before yesterday, eighth.
4. It's named after me, I do not own any horse.
5. PRESIDENT:

6. Is there any further discussion? Senator Knuppel.
7. SENATOR KNUPPEL:

8. I...Senator Rock and Senator Netsch both sought
9. recognition before me.

10. PRESIDENT:

11. Excuse me, in...in that order? Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President, Ladies and Gentlemen of
14. the Senate. I rise in support of House Bill 231. You
15. will recall, I think, last year, that by virtue, of
16. Senate Bill 37, what's now called the Horse Racing
17. Act of 1975, we did, in fact, make some pretty
18. substantial changes with respect to the Privilege Tax
19. Now, this would allow, frankly, the five downstate
20. tracks a little better cut of the handle and with that
21. I...I am convinced, the Racing Board, frankly, takes no position
22. on this bill, but with that I am convinced that it will, in
23. fact, increase ultimately, the revenue to the State of
24. Illinois. We have seen a dramatic increase by virtue of
25. Senate Bill 37 in the change in the Privilege Tax allocation
26. that went with that bill. An increase frankly of some
27. twenty-five million dollars that would otherwise have been
28. unavailable. And I think by virtue of allowing the five
29. downstate race tracks a little better cut so that they
30. can attract a higher caliber of horse and have a little
31. bigger purses, I think is a...in the long range and over
32. the long haul, will be proved beneficial to the State of
33. Illinois and I would urge favorable...a favorable vote
34. for House Bill 231.

1. PRESIDENT:

2. Senator Netsch.

3. SENATOR NETSCH:

4. Perhaps my question now is directed to Senator Rock
5. since he did comment in part on it while he was making
6. his remarks. I was curious about the position of the Illinois
7. Racing Board. I think I heard Senator Rock say that they
8. had not taken a position. Is there anyone who can explain
9. why, on what I gather is a fairly important piece of
10. legislation that affects them, they took no position?
11. Was it more of a negative than a positive? This is for
12. those of us who are trying to figure out whether it is
13. a good idea or not and would be, I think, influenced by
14. the Racing Board's judgment of whether, in fact, it was
15. a good idea. Can either of the sponsor or Senator Rock,
16. answer that?

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. Yes, I think that their reaction was not at all
21. negative. It...it...they could not, I don't think, come in
22. and...and sign a witness slip in favor of because
23. in the immediate future, there will, in fact, be a decrease
24. of State revenue. We are allowing the tracks and the
25. horsemen a bigger cut of the handle. But I think much the
26. same as with Senate Bill 37. Over the long haul, we will improve
27. the quality of racing in Illinois in particularly under this
28. bill, improve the quality of racing downstate. And that will
29. result as we have seen dramatically over the past two years,
30. in an increased handle and ultimately in increased taxes
31. to the State. So the Racing Board, I think, is more
32. favorable than unfavorable. Let me put it that way.

33. PRESIDENT:

1. Any further discussion? Senator Berning.

2. SENATOR BERNING:

3. Just one question of either the sponsor or Senator
4. Rock. Does this additional advantage for this increase
5. handle a crew to the track or is this to be distributed
6. to the horse owners?

7. PRESIDENT:

8. Senator...is that question addressed to Senator
9. Rock?

10. SENATOR BERNING:

11. Yes.

12. SENATOR ROCK:

13. It will, in fact, ultimately be both. As you know
14. under the Horse Racing Act of '75, the tracks and the
15. horsemen share in the percentage. So that the direct
16. beneficiary will be both the five downstate tracks and those
17. horsemen who participate in those meets.

18. PRESIDENT:

19. Is there any...

20. SENATOR BERNING:

21. Well, correct me if I'm wrong. I thought the difficulty
22. was with the horse breeders and racers and not with the
23. tracks. My understanding of the intent was to make
24. it more attractive, make it more possible for breeders to
25. enter into and stay in a profitable business. But if it goes
26. to the tracks, that's not helping the breeders. Am I wrong?

27. SENATOR ROCK:

28. Yeah. I will yield to Senator Knuppel. Let me just
29. point out that we...we...we have, in fact, again, under the
30. Horse Racing Act of 1975, set up a breeder's program whereby
31. monies are funneled into that program for the direct benefit
32. of the breeding industry in Illinois. That...that remains
33. totally untouched by virtue of House Bill 231. So that what

1. we are saying is that those horsemen who bring their
2. horses to Illinois and participate in those meets, will,
3. in fact, by virtue of 231, be...be in a position to enjoy
4. larger purses and thus, they will, in fact, bring better
5. quality horses to Illinois racing.

6. PRESIDENT:

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, it's this simple, that no matter how you cut
10. the pie, if there isn't some place to race, there's no
11. pie to cut. And these tracks, these small tracks in
12. downstate Illinois, in fact, the one in Rock Island, was broke
13. a few years ago, a...busted out and you have to have
14. second line racing. It's like the minor leagues for
15. baseball. You have to produce...you have to produce
16. players. It's takes them time to get there. If you're
17. going to have Illinois horses on the Chicago tracks, they
18. have to have county fairs and small tracks where they
19. can run. If these tracks go broke, then...then you injure
20. the breeder. The breeder will get a bigger cut even though
21. the track gets a bigger cut because you keep the track alive
22. where they need to run. And this is the theory of the whole...
23. the whole story. This is a good bill. Illinois has been
24. short of second line tracks. They've now got Cahokia
25. handling racing. They have the track at Rock Island. We may
26. have a track at Sherman. The track at Aurora may be open
27. sometime and at Crete. These are the kinds of tracks you
28. need for those horses that just haven't quite made the grade
29. yet at Sportsmen's, Hawthorne, Washington Park and so forth.

30. PRESIDENT:

31. Senator Kenneth Hall.

32. SENATOR HALL:

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

1. Senate. I rise in support of this. It's been correctly
2. stated by Senator Rock and Senator Knuppel. All this does
3. is encourage the owners to come in and to...and to increase
4. participation in these tracks. If these downstate
5. tracks don't get some type of an assistance, they will go
6. broke. So, this ultimately will mean additional money
7. for the State of Illinois. And I would ask your favorable
8. support of this bill.

9. PRESIDENT:

10. Is there any further discussion? If not, the question
11. is shall House Bill 231 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?
14. Take the record. On that question the Ayes are
15. 46, the Nays are none, 2 Voting Present. House Bill 231
16. having received a constitutional majority is declared passed.
17. House Bill 236, Senator Rock. House Bill 241, Senator
18. Wooten. House Bill 245, Senator Roe. House Bill
19. 250, Senator Maragos. House Bill 250, Senator Maragos,
20. do you wish to have that...read the bill.

21. SECRETARY:

22. House Bill 250.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Maragos.

27. SENATOR MARAGOS:

28. Mr. President and members of the Senate. Senate
29. Bill...House Bill 250 as amended is...establishes the
30. ...amends the Federal Disclosure Act of 1973...

31. PRESIDENT:

32. Excuse me, Senator Maragos. For what purpose does
33. Senator Rock arise?

1. SENATOR ROCK:
2. I wonder, with leave of the Body, if we could come back
3. to this one. Now, this was just amended this morning and
4. we're just...you know, we're...we've got troubles enough.
5. We haven't really digested the amendment.
6. PRESIDENT:
7. Senator Maragos agrees to take it from the record.
8. Leave is granted to return to it later. House Bill 252,
9. Senator Grotberg. Read the bill.
10. SECRETARY:
11. House Bill 252.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDENT:
15. Senator Grotberg.
16. SENATOR GROTBURG:
17. Thank you Mr. President and members of the Senate.
18. House Bill 252 removes from the Township Board of Trustees
19. the power to approve the point of...the appointment of
20. a deputy township assessor. It, in effect, let's a
21. assessor select his own help without the advice and consent
22. of the Board of Trustees. They do, however, still have
23. control of his budget and he has to live within it and that's
24. about all this bill does. I ask for a favorable roll call.
25. PRESIDENT:
26. Is there any discussion? If not, the question is shall
27. House Bill 252 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
30. that question the Ayes are 47, the Nays are 4, none
31. Voting Present. House Bill 252 having received a
32. constitutional majority is declared passed. House Bill
33. 258, Senator Coffey. Read the bill.

HB 270
3rd Reading
6-22-77

1. SECRETARY:

2. House Bill 258.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Coffey.

7. SENATOR COFFEY:

8. Yes, on House Bill 258, there is...this bill makes
9. the following changes. It raises the required bonds
10. from six to ten percent on...dollar amounts paid to the
11. grain dealers. It provides that bonds...only within
12. sixty day notice at any time as opposed...during the period
13. of the licensing. And also, the bond amounts of twenty-
14. five thousand may be waived if the grain dealers net
15. worth is three times the amount of the required bond.
16. A grain dealer must have a permit business location also.
17. I ask for your favorable support in behalf of this bill
18. and will be glad to answer any questions.

19. PRESIDENT:

20. Is there any discussion? If not, the question is shall
21. House Bill 258 pass. Those in favor will vote Aye.
22. Those opposed will vote Nay. The voting is open. Have
23. all voted who wish? Have all voted who wish? Take the
24. record. On that question, the Ayes are 48, the Nays
25. are none, none Voting Present. House Bill 258 having
26. received a constitutional majority is declared passed.
27. House Bill 270, Senator Carroll. Read the bill.

28. SECRETARY:

29. House Bill 270.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President. House Bill 270 provides
3. that any male or female who has sexual intercourse
4. or performs acts of sexual deviate sexual conduct with
5. a son or daughter commits aggravated incest. This was
6. an...something unusual in the law, can't get the word
7. out and...anomaly, thank you, and felt by both House and
8. Senate committees that it was necessary to place the son
9. aspects into the Aggravated Incest Act. I would answer any
10. questions and would ask for a favorable roll call.

11. PRESIDENT:

12. Is there any discussion? If not, the question is
13. shall House Bill 270 pass. Those in favor will vote
14. Aye. Those opposed will vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish?
16. Take the record. On that question the Ayes are 50, the
17. Nays are none, none Voting Present. House Bill
18. 270 having received a constitutional majority is declared
19. passed. House Bill 276, Senator Maragos. House Bill
20. 279, Senator Knuppel. Read the bill.

21. SECRETARY:

22. House Bill 279.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Mr. Chairman and members of the Body. This provides
29. that if the driver, when not the owner of a commercial
30. vehicle is involved in an accident in which the owner
31. has failed to maintain financial responsibility, the
32. driver shall not suffer the loss of his driving privileges
33. if, in fact, he did not know that there was no...no liability

1. policy on the vehicle which he was driving. I think this is
2. fair for a person who makes his living as a truck driver.
3. If he has actual knowledge, he's not excused. But if
4. he has no knowledge, he does not own the vehicle,
5. he doesn't have the primary responsibility for insuring
6. the vehicle, that he shouldn't lose his driving privileges
7. by reason of the fact that the owner has failed to maintain
8. financial responsibility. I would appreciate a favorable
9. roll call.

10. PRESIDENT:

11. Senator Hickey.

12. SENATOR HICKEY:

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

14. PRESIDENT:

15. Indicates he will yield.

16. SENATOR HICKEY:

17. What if the driver of the car has stolen it?

18. PRESIDENT:

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. What if the driver's car was stolen?

22. PRESIDENT:

23. No, has stolen it.

24. SENATOR KNUPPEL:

25. I did not...I still don't. If what?

26. PRESIDENT:

27. Senator Hickey, would you...

28. SENATOR HICKEY:

29. Well, as I understand it's because of lack of
30. knowledge about the car not being insured that he would be
31. exempt. Suppose that he lacks that knowledge because he's
32. stolen the automobile?

33. SENATOR KNUPPEL:

1. Well, he wouldn't be an employee. Yeah, this is
2. the driver who is driving a commercial vehicle owned by
3. someone else on which there is no liability insurance
4. policy.

5. PRESIDENT:

6. Senator Berman.

7. SENATOR BERMAN:

8. Thank you, Mr. President. I rise in opposition to this
9. bill. I think that part of the whole concept of financial
10. responsibility is to impose a dual requirement, both on the
11. owner as well as the operator. I think it has worked reasonably
12. well in the past. I see no justification for removing it
13. at this time. I'm going to vote No.

14. PRESIDENT:

15. Senator Bowers.

16. SENATOR BOWERS:

17. Will the sponsor yield to a question?

18. PRESIDENT:

19. Indicates he will yield.

20. SENATOR BOWERS:

21. Senator Knuppel, who makes the determination of
22. knowledge? Is that...is that within the prerogative of the
23. Secretary of State's office or who makes that actual
24. determination?

25. SENATOR KNUPPEL:

26. Well, if there's such a wreck, of course, the driver
27. will be notified. There will be a hearing. This has been
28. brought about by the necessity of giving the driver due process.
29. The Secretary of State's hearing officer will make that
30. determination.

31. PRESIDENT:

32. Is there any further discussion? If not, the question
33. is shall House Bill...excuse me. Senator Knuppel to close

1. the debate.

2. SENATOR KNUPPEL:

3. I'd just like to respond to Senator Berman. I just
4. say this. If I owned a truck and one of my drivers come
5. and asked me if I had insurance I'd say, do you want to drive
6. the truck or get the hell out of here. It's none of your
7. damn business. And...driver deserves this protection.

8. PRESIDENT:

9. The question is shall House Bill 279 pass. Those in
10. favor will vote Aye. Those opposed will vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who wish?
12. Take the record. On that question the Ayes are 35, the Nays
13. are 7, 3 Voting Present. House Bill 279 having
14. received a constitutional majority is declared passed.

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The following typed previously.

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1. PRESIDENT:
2. House Bill 290, Senator Mitchler. Read the bill.
3. SECRETARY:
4. House Bill 290.
5. (Secretary reads the bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator Mitchler.
9. SENATOR MITCHLER:
10. Mr. President, members of the Senate. House Bill 290
11. amends the Revenue Act to grant a township assessor the authority
12. to extend filing dates for submitting personal property schedules
13. for good cause shown. Actually, what the bill does, it makes
14. explicit what the Department of Local Government Affairs
15. interpretation is of the existing law, and it also parallels
16. the existing provision relating to assessment of railroad
17. property. I know of no objection. I would ask for a favor-
18. able roll call.
19. PRESIDENT.
20. Is there any discussion? Senator Wooten.
21. SENATOR WOOTEN:
22. Senator Mitchler, I seem to recall dealing with some bills to
23. prod local assessors into getting their work done on time. Does this
24. not go exactly the other way?
25. PRESIDENT:
26. Senator Mitchler.
27. SENATOR MITCHLER:
28. No, I would not interpret it that way, Senator Wooten. It
29. allows the township assessor, for good cause, when shown, to extend
30. the filing date. This is in the Statutes for railroads. The
31. Department of Local Government Affairs now interprets that the
32. township assessor could do this on his own volition, but this
33. would make clear in the Statutes the authority of the township

1. assessor to do what the Department of Local Government Affairs
2. feels he can do at this time.

3. PRESIDENT:

4. Senator Wooten.

5. SENATOR WOOTEN:

6. You're using terms like good cause and reasonable. There's
7. no specificity here and it seems to me that we are going to have to
8. make a decision, as to whether we want to tighten up the whole
9. process or loosen it. And, it seems to me that the effect of this,
10. I realize that this is now being done and it's not supposed to be
11. done. What you're doing by this law is putting the seal of
12. approval on practices, I believe, we are trying to eliminate.
13. We're trying to speed up the process, and I believe it comes
14. down to whether or not this body wants to do that. We want to
15. tighten up the process, we want to loosen it up and it seems to
16. me that this...what you're doing is permitting them to build in
17. another delay and I don't know that that's an advisable course
18. of action for this Body to take.

19. PRESIDENT:

20. Senator Kenneth Hall.

21. SENATOR KENNETH HALL:

22. Would the sponsor yield to a question?

23. PRESIDENT:

24. Indicates he will yield.

25. SENATOR KENNETH HALL:

26. Senator, what do you mean by good cause?

27. PRESIDENT:

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Senator Hall, this would be where the township assessor
31. felt that the delinquent filing was no fault of the taxpayer.
32. There could probably be numerous reasons, but it wouldn't just
33. be a blanket authority put out by the township assessor for it.

1. You'd have to have a reason.
2. PRESIDENT:
3. Senator Kenneth Hall.
4. SENATOR KENNETH HALL:
5. Well, in other words, you leave it to the discretion of
6. one person now to decide whether it's a good reason or not or..
7. you just going to leave that to one person, just to decide that.
8. PRESIDENT:
9. Senator Mitchler.
10. SENATOR MITCHLER:
11. Yes, Senator Hall. A township assessor is an elected
12. person. He has a great deal of authority in assessing property
13. and I certainly wouldn't see where he would violate anything in...in
14. allowing this.
15. SENATOR KENNETH HALL:
16. Well, Senator, I think Senator Wooten is absolutely correct.
17. We did have some bills and I recall them, if you don't, in the
18. committee that came before that committee and it...it does exactly
19. reverse of what you're asking here.
20. PRESIDENT:
21. Senator Buzbee.
22. SENATOR BUZBEE:
23. Thank you, Mr. President. Mr. President, I noticed that this
24. bill passed the House one hundred fifty three to nothing, which
25. is enough to make it suspect on its face. This...this piece of legis-
26. lation is one of the worst ones I've seen this Session. We have
27. a situation in my county where we can't get the tax assessor to
28. get the bills out until about the first of November. My school
29. districts are in debt. There're operating on anticipation
30. warrants and anticipating the anticipation warrants and I see no
31. reason why we ought to allow the railroads more time to decide,
32. for the tax assessor more time to decide what the railroads
33. personal property is worth. Now, we are, as has been pointed
34. out several times here before, going in just exactly the opposite

1. direction. I can't believe that Director Castle of the Depart-
2. ment of Local Government Affairs, could concur with this bill.
3. I've had extensive conversations with Director Castle. He seems
4. to be a man that, to me, is very knowledgeable, is very
5. interested in his job and he's indicated to me that he wants
6. to tighten up the assessing procedures and get the stuff on the books
7. and... and get the bills out so that our local governments can
8. start getting their money on time. I see no reason for us to
9. legalize an illegal act at this time, just because it's illegal.
10. Just because they 're not getting their work done on time. What
11. we ought to be doing is firing all the incompetents, which we're
12. trying to do in my county and haven't gotten it done yet. But, we
13. ought to be trying to fire all the incompetents and start getting
14. some people in there that know what they 're doing and get these
15. things done on time and get the taxes in so we won't have to be
16. coming up here all the time trying to pass legislation to pull local
17. governments out of the...out of the hole, when they don't have enough
18. money to operate, because the tax bills don't come out. I think
19. it's a horrible bill and ought to be defeated.

20. PRESIDENT:

21. Ladies and Gentlemen, the board is beginning to light up here
22. and the Secretary informs me, that if we continue at this pace, we
23. will certainly be finished by Labor Day. So, Senator, well we have several
24. requests. Senator Berning, Senator Hickey, Senator Bruce and
25. Senator Walsh. Senator Berning.

26. SENATOR BERNING:

27. Thank you, Mr. President and members of the Senate. By...by way
28. of explanation, this in no way has anything to do with the preparation
29. and distribution of tax bills, Senator Buzbee. It's a part of a total
30. assessing process and there is no single aspect of the total process
31. that is responsible for lateness of bills. It is a combination of things
32. that occur. One of them is excessive amounts of objections to
33. assessments and valuations. That starts the process and delays the

1. delivery of the bills...the books to the clerk for the preparation
2. of bills, the treasurer for the mailing of the bills. Consequently,
3. it also delays the receipt of the books by the assessor. What this
4. bill attempts to do, and will do, is allow the assessor to grant
5. additional time to a corporate taxpayer for personal property
6. tax filing, when that corporate personal property taxpayer has not
7. had the proper forms in time to get them ready. How, in all good
8. conscience can we assess a penalty on someone, who, through no
9. fault of his own, cannot file the forms and the statements. That's
10. the simple question. There is no justification for imposing a
11. penalty on someone who cannot comply with the law, when he is not
12. given the necessary forms with which to comply. The assessor
13. ought to have the right, then, to extend reasonably, the filing date.
14. This is going to cause just a minimum, if any, a minimum, in loss
15. in revenue. Will have nothing to do with the preparation and
16. distribution of the tax bills. I rise in support of this bill,
17. Mr. President.

18. PRESIDENT:

19. Senator Hickey.

20. SENATOR HICKEY:

21. Mr. President. I rise in opposition to this bill and in the
22. interest of time, call for the question.

23. PRESIDENT:

24. Senator Hickey has moved the previous question. We had two
25. requests to speak and we will honor those, as we always have, if
26. those members wish. Senator Bruce waives his opportunity to speak.
27. Senator Walsh.

28. SENATOR WALSH:

29. Thank you, Mr. President. I think it comes as no grace for
30. someone to indicate their position on a bill and then ask that
31. everyone else keep still. Mr. President and members of the...of the
32. Senate, this is a..in the legislative process the first time any
33. opposition has been voiced to this bill. It received no negative

1. votes in the House and none in the Senate Committee. If there's any
2. problem in getting tax bills out in your counties, Ladies and
3. Gentlemen, it isn't because of the personal property tax assess-
4. ments, it's because of the activity in real property assessments
5. and the action of the board of review in responding to complaints
6. in real estate assessments. This bill, it seems to me, is a good
7. idea. The township assessor is elected. The Director of the
8. Department of Revenue, through his agents, in that department
9. are authorized to grant extensions for income tax, for example,
10. the filing of income tax returns. I see nothing wrong with
11. permitting a township assessor to do the same thing and I think
12. this bill should pass.

13. PRESIDENT:

14. Senator Mitchler may close the debate.

15. SENATOR MITCHLER:

16. The bill is a very simple bill. You got a Do Pass eighteen
17. to nothing in the House Revenue Committee, passed the House
18. a hundred and fifty three to nothing, a Do Pass by the Senate
19. Revenue Committee of five to nothing. It's not the big moment
20. bill and I would just ask for a favorable roll call.

21. PRESIDENT:

22. The question is, shall House Bill 290 pass. Those in
23. favor will vote Aye, those opposed will vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question the Ayes are 27, the Nays are 19,
26. none Voting Present. The sponsor has moved to postpone
27. consideration. Consideration will be postponed. House Bill
28. 306, Senator Regner. House Bill 310, Senator Egan. House
29. Bill 312, Senator Joyce. Read the bill.

30. SECRETARY:

31. House Bill 312.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Joyce.

3. SENATOR JOYCE:

4. Yes, Mr. President, thank you. This bill exempts materials
5. used for...for tiling on farmland. It's...the sales tax
6. is not a tax on all sales. It's a tax on tangible personal
7. property sold for final use or consumption. And tile or
8. plastic tiling used in agricultural drainage is not sold
9. for the final use in consumption. The crops that come off
10. of the land are the final use.

11. PRESIDENT:

12. Is there any discussion? Senator McMillan.

13. SENATOR McMILLAN:

14. I...I reluctantly rise in opposition to this bill.
15. It's particularly difficult to do representing an agricultural
16. district but it's my feeling that we have had a principle
17. which is the, I guess it's called the physical ingredient
18. principle which allow certain things to be exempted from
19. the sales tax. I really don't think this applies and I'm
20. afraid that if we extend it this far next year, we'll be
21. wanting something in addition and the year after that, we'll
22. be wanting combines to be exempt and I'm fearful we may
23. lose all of our exemptions for agriculture so I...I do rise
24. in opposition to the bill.

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President and Ladies and Gentlemen of the
29. Senate. As Senator Buzbee knows, this probably doesn't apply
30. to my district. However, I rise in support of House Bill
31. 312 and would point out that we now exempt farm chemicals
32. and it seems to me eminently reasonable and logical that we
33. would also exempt for this purpose of materials used for

1. drainage. I think the bill is a good one and deserves
2. our support and I would hope everybody from our side would
3. support and vote Aye.

4. PRESIDENT:

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Senator McMillan is so right, but I have a conflict
8. of interest and I'm going to vote for it. I've got
9. some tile to put in. Sorry I can't go with you, but
10. he's absolutely correct.

11. PRESIDENT:

12. Senator Coffey.

13. SENATOR COFFEY:

14. Mr. President and members of the Senate. I rise
15. in favor of this bill. I think it is a good concept.
16. I think it's...the tile should be exempt...the field tile
17. and other...as other agriculture materials have been in the
18. past and I would ask the Republican side of the aisle to
19. support this bill.

20. PRESIDENT:

21. Senator Maragos.

22. SENATOR MARAGOS:

23. Mr. President and members of the Senate. This will
24. bring additional taxes because of this drainage tile to make
25. that land more productive and the income will be greater for the one
26. who's using it and therefore, in the long run would be more money for
27. the State of Illinois and I support the bill.

28. PRESIDENT:

29. Senator Grotberg.

30. SENATOR GROTEBERG:

31. Yes, will the sponsor yield for a question?

32. PRESIDENT:

33. Indicates he will yield.

1. SENATOR GROTEBERG:

2. Senator, you're familiar with the Livingston County
3. area, one of the biggest tile manufacturers in
4. Chatsworth. Do you have any figures on what are the sales
5. tax loss to the local units of government will mean when
6. it's the only game in town in a rural county as far as
7. industry is concerned. Do you have any figures on that
8. at all?

9. PRESIDENT:

10. Senator Joyce.

11. SENATOR JOYCE:

12. Well, I don't know what it would cost the particular
13. town. The Agriculture Department suggested it might cost
14. two hundred and fifty thousand dollars in revenue to the
15. State. But in that same town, it does create more jobs
16. and I think that would more than make up for the
17. ...for the loss.

18. SENATOR GROTEBERG:

19. Well, thank you. I'm afraid I'm going to have to
20. oppose this based on one of the biggest tile manufacturers
21. is furnishing most of the local revenue for the Village
22. of Chatsworth, Illinois in Livingston County and I don't
23. know, there aren't that many tile manufacturers. I respect
24. the wishes of all the farmers to come home a little...for a
25. little less money, but this one I've got to oppose. Thank you.

26. PRESIDENT:

27. Senator Bowers.

28. SENATOR BOWERS:

29. Would the sponsor yield to a question?

30. PRESIDENT:

31. Indicates he will yield.

32. SENATOR BOWERS:

33. Suppose we move this over to the aspect of industry
34. and I had a...I had a machine that I bought to produce

1. something in my factory. Now, I'm the ultimate user of that
2. machine but it's being used to produce a...a better product
3. and a more expensive product. I don't understand the
4. difference in principle between exempting the tile than you
5. would exempt that machinery that I was using in my factory.
6. And I assume that machinery, since I am the ultimate user,
7. would be subject to sales tax. Is that correct...or use tax?

8. PRESIDENT:

9. Senator Joyce.

10. SENATOR JOYCE:

11. Well, the argument for this is that when the tile
12. is put into the ground, and then it increases the value
13. of the land, and it becomes a part of the land and then
14. it's subjects...it's subject to double taxing.

15. SENATOR GROTEBERG:

16. Well, wouldn't the same principle apply if I bought
17. a...brought a piece of equipment to operate in my
18. factory? Obviously, it's going to increase the value of
19. the factory and obviously it seems to me that we're
20. going to...we're going to have the same proposition insofar
21. as that's concerned. I just kind of agree with Senator
22. McMillan. I think we're opening a door here that...that
23. has no end, if we're going to be consistent. And I'm
24. not all in favor of the use tax, I'm not sure it's a
25. good tax, but if we're going to apply it, I don't
26. understand why we don't apply it uniformly. And
27. frankly, I would even question the constitutionality
28. of this type of legislation.

29. PRESIDENT:

30. Senator Rhoads.

31. SENATOR RHOADS:

32. Sorry, Senator Joyce. I didn't understand your answer
33.

1. to Senator Bowers' question. Are you saying that the
2. tile then is...is real or personal property at the point
3. that it's...

4. PRESIDENT:

5. Senator Joyce.

6. SENATOR JOYCE:

7. Well, it becomes a part of the land and is...it
8. increases the value of the land so it would...and then it
9. becomes taxed...the land would be put in a higher tax bracket
10. because of the tile. Yeah, it's real property.

11. PRESIDENT:

12. Senator Harber Hall.

13. SENATOR HALL:

14. Well, I oppose the bill on two grounds. One, it's
15. a special exemption from the sales tax that I don't think is
16. logical. Maybe just as importantly, the farmers that
17. put in this tile, oftentimes and quite often, in fact,
18. may be at least fifty percent of all the construction done
19. in tiling is paid for partially by the Agriculture Conservation
20. Act, the government. So, I just don't think this is needed.

21. PRESIDENT:

22. Senator Joyce may close the debate.

23. SENATOR JOYCE:

24. Well, in response to Senator Hall, I don't believe
25. that the government pays any of the tiling, not that
26. I'm aware of. Anyway, it's my feeling that it will increase
27. the value of agricultural land and produce more crops
28. and it will help the State of Illinois. So, I would ask
29. for a favorable roll call.

30. PRESIDENT:

31. The question is shall House Bill 312 pass. Those
32. in favor will vote Aye. Those opposed will vote Nay. The
33. voting is open. Have all voted who wish? Have all voted

1. who wish? Take the record. On that question the Ayes
2. are 34, the Nays are 15, none Voting Present. House Bill
3. 312 having received a constitutional majority is declared
4. passed. House Bill 314, Senator D'Arco. Read the bill.
5. SECRETARY:
6. House Bill 314.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator D'Arco.
11. SENATOR D'ARCO:
12. What House Bill 314 does is to provide when a defendant
13. has been omitted to bail and he utilizes the services of
14. a public defender, the trial judge shall assess reasonable
15. attorney's fees against the defendant. The amount assessed
16. shall be levied against the bail bond posted by the defendant
17. and I ask for a favorable vote.
18. PRESIDENT:
19. Senator Washington.
20. SENATOR WASHINGTON:
21. Mr. President and members of the Senate. This is not
22. a good bill. It...it assumes that any time a person who has
23. gotten the services of a public defender who is also
24. fortunate enough to have friends to put up bail money
25. for him, it assumes that that money belongs to him. That's
26. a false assumption. In many, many cases, a person
27. who is truly indigent and who validly signs a
28. pauper affidavit or a an indigency affidavit to the
29. effect that he cannot afford a lawyer, oft times his
30. friends will muster the bail to get him off. He may well
31. have a job and have a family. He can still be indigent.
32. In many cases, he is. There is a bill on the Consent Calendar
33. which I think solves this problem, it simply provides that if a

1. person makes a false swearing or false affidavit to the effect
2. of his indigency, then the State can go...then the county can
3. go against him for cost and I think that's fair enough.
4. Also, there is another bill on 3rd reading which provides
5. that this county may go against any indigent and if he cannot
6. pay when...at the time he requires the services of a public
7. defender, he can, if he is ever cured of his indigency
8. be forced to pay. I think that's far enough in the law.
9. But what will happen if we pass this bill will be very
10. simple. There will be fewer people out on bail, many of
11. them innocent, many of them employed on a borderline cases
12. and will simply clog the jails further. I can see
13. no useful purpose in this. Obviously the State and county
14. is concerned about fraud upon its facilities and quite
15. obviously and quite clearly, we should not be providing
16. counsel for people who can afford it. Having said that I
17. think we can safeguard ourselves through fraud and through
18. the civil procedure providing that if a person ever cures
19. his indigency, that he can be forced to pay. But to take
20. the blunderbus approach and say that any time a person
21. has the services of a public defender and also has bond
22. money put up for him, that he should...that that money
23. should be taken to pay off the public defender, I think is
24. going too far and will serve no useful purpose in the
25. administration of criminal justice. I'm opposed to the bill.

26. PRESIDENT:

27. Senator Glass.

28. SENATOR GLASS:

29. Thank you, Mr. President. I have the same concern
30. as Senator Washington from a personal experience and I'd like
31. to ask Senator D'Arco, I had, in fact, some years ago,
32. an individual call me and say I posted bond money, I loaned
33. money to a long time friend who is being charged in the Federal

1. court. And after the individual was ultimately released,
2. the...in that case, the Federal defender made a claim on the
3. bond and we went in and had it adjudicated and it was held
4. that ultimately this individual that I knew should get
5. the money back. But I see the problem. In other words, just
6. because somebody is an indigent, doesn't mean that don't
7. have friends that will loan them money to post bond and I
8. ...I wonder if you have a response to that.

9. PRESIDENT:

10. . Senator D'Arco.

11. SENATOR D'ARCO:

12. The problem is that many of these people that claim
13. to be indigent aren't, in fact, indigent and they
14. find a way and means to post the bond and, in fact, some of
15. these bonds are far in excess of a thousand dollars or more.
16. And they attempt to avoid hiring an attorney by having the
17. public defender defend them and yet at the same instance,
18. through their family or friends or through themselves, they
19. do, in fact, wind up paying over thousands of dollars to
20. post bonds in many cases so really, it's...it's an instance
21. where the private attorney is suffering as a result of it,
22. I think.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Glass.

25. SENATOR GLASS:

26. Well, I...I want to make it clear that I certainly
27. agree that we have to do everything we can to avoid
28. people who purport to be indigent receiving the services of
29. a public defender free. I think that's reprehensible and
30. has got to be addressed and is being addressed in other
31. legislation. But I, frankly, cannot support a bill that
32. automatically takes bail money...bond money.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further debate? Senator Hall...Kenneth Hall.

2. SENATOR KENNETH HALL:

3. Would the sponsor yield to a question?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates that he will yield. Senator Kenneth Hall.

6. SENATOR KENNETH HALL:

7. Senator, I'd like to ask you this question.

8. Suppose that I needed a bail and I had convinced some

9. friend or some relative of mine to sign my bond. Do you

10. mean to say that this bill would allow that to be taxed

11. for attorney fees?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. The bill is permissive so that a judge, if he felt

16. in the particular case that the defendant did, in fact, need

17. his bond money to be returned to him or the family or to

18. whomever put up the money, he could, in fact, not rule

19. that the assessment be made against the bond.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Kenneth Hall.

22. SENATOR KENNETH HALL:

23. But it is discretionary. In other words, that he could

24. tax it if he so felt, though.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. That is correct.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Netsch.

31. SENATOR NETSCH:

32. Well, specifically on that point, it seems to me that the

33. problem is that given the number of bails at least in some

34. of the jurisdictions in the State that are set, that the...the

1. administrative problem is going to overcome the
2. discretion that might otherwise be exercised and that it
3. is going to become basically, an automatic decision.
4. that even though it is true that the word may be used to
5. reimburse the county, is the language of the Act. I don't
6. think it is likely really to work that way and I think now
7. the other points have been made, but it...but the real
8. problem is that...that the person who is abusing
9. the public defender system can be reached in other
10. ways and the point that was raised in committee
11. that it simply does not take care of the matter that
12. Senator Washington raised or the matter that Senator Glass
13. raised has never really be addressed by the bill in its
14. present form. The...the fraudulent bail or the misrepresented
15. ...I'm sorry, use of the public defender, can be addressed by
16. ...by other means and, in fact, is and it seems to me this
17. is just an unduly harsh and unreasonable way of going about it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? Senator Bowers.

20. SENATOR BOWERS:

21. Well, perhaps a point was made, Mr. President, but
22. I do arise in support of this bill and I think we have to
23. address ourselves to the fact that there's a lot of fraud
24. going on insofar as the use of the public defender is
25. concerned. A man comes in and he doesn't have any money
26. for a public defender but he's got five thousand or two
27. thousand or one thousand to make bond. Now, it...it...it
28. raises a suspicion to say the least. And it seems to me
29. to give the judge the power to inquire and find out whether,
30. in fact, that was his money, is perfectly legitimate and
31. ought to be done and I think it's needed insofar as the
32. counties are concerned and I would hope that we would give
33. it a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is shall House
3. Bill 314 pass. Those in favor vote Aye. Those opposed
4. 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 33, the Nays are 14, 1 Voting Present.
7. House Bill 314 having received a constitutional majority
8. is declared passed. House Bill 315, Senator Johns.
9. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, as you and I have discussed, this bill
12. is just not in a proper shape and I'm just not going to be
13. able to present it to you at the time. Thank you, Mr.
14. President.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. House Bill 317, Senators Glass and
17. Maragos. Senator Glass. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 317.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President and Ladies and Gentlemen.
26. House Bill 317 provides that an individual when of sound
27. mind, can designate a conservator by an instrument in
28. writing and then if he is later judged incompetent, the
29. court will be bound by that designation. It also
30. in effect, codifies the existing case law
31. that a power of attorney given when an individual is
32. competent remains valid until an adjudication of incompetency.
33. Appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? Senator Donnewald.
3. SENATOR DONNEWALD)
4. Well, Senator, was this just amended this morning?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Glass.
7. SENATOR GLASS:
8. No, Senator.
9. SENATOR DONNEWALD:
10. Was there an amendment on 2nd reading?
11. SENATOR GLASS:
12. Yes, there were amendments put on, I believe, I don't
13. ...it was yesterday or the day before, but it was amended
14. on 2nd reading.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Donnewald.
17. SENATOR DONNEWALD:
18. What specifically were the amendments?
19. SENATOR GLASS:
20. One amendment was at a request of one of the committee
21. members to provide that the individual must be of sound
22. mind when he designated the conservator. I think it said
23. before that, the language of the bill read, capable of
24. making a preference and somebody in the committee said to make
25. it clear and make sure it said that he was of sound mind.
26. That...that was the nature of the amendment.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Donnewald.
29. SENATOR DONNEWALD:
30. That...that was all...the only amendment?
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Glass.
33. SENATOR GLASS:

1. The other...there was another amendment giving an
2. immediate effective date to the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Donnewald. Is there further debate? Senator Bowers.
5. SENATOR BOWERS:

6. Sponsor yield to a question?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates that he will yield. Senator Bowers.

9. SENATOR BOWERS:

10. Senator Glass, I...it sounded like a good proposition
11. to me until you said the court was bound by the
12. designation. Does that mean, for instance, if by the...
13. you know, I presume this designation will be made some
14. distance in the past. Now, if during the interim, for
15. instance, thinking of something ridiculous, suppose the
16. man was in prison, the man that he had designated. Is the
17. court still bound? I get nervous when you say he's...the
18. court's bound by it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Glass.

21. SENATOR GLASS:

22. The...there was an amendment, Senator, that provides
23. that if the person is qualified and accepts the office, so
24. in effect, the court is not bound unless the individual
25. designated is qualified and accepts office. I think it would
26. be similar to the designation of an executor by will. You
27. would have to have a person willing to serve and qualified
28. for office.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Bowers.

31. SENATOR BOWERS:

32. Well, now, I don't want to quarrel with you, but
33. I think it is different than a person who is designated
34. executor in a will. That's a nomination and it's still up to the

1. court to make the determination. Now,...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Gentlemen, could we have some order, please?

4. Senator Bowers.

5. SENATOR BOWERS:

6. Now, I haven't had an opportunity to read the amendment,
7. but I'm inclined to think this goes a lot further than that
8. and I wouldn't quarrel at all if you say he has a right
9. to nominate. But when you say he has a right to designate
10. and at that point the court is bound, it seems to me that
11. that limits the court in its inquiry as to whether or not
12. this person is...is truly competent, the person who is
13. designated is truly competent. I don't mean in the sense
14. of mental competency, but is truly competent to...to administer
15. and I seriously question when you use the word designate.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Gentlemen, could we break up the caucus behind
18. Senator Mitchler? We're getting noisy. Senator Glass.

19. SENATOR GLASS:

20. Senator Bowers, I will show you a copy of Amendment No. 1
21. but I think it does go to the point you raised. It states
22. the designation may be proved by any competent evidence.
23. It goes on to say if the court finds that the appointment
24. of the one designated will serve the best interests and welfare
25. of the incompetent, shall make the appointment in
26. accordance with the designation. The selection of the
27. conservator shall be in the discretion of the court
28. whether or not a designation is made.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Does any other Senator seek recognition for the first
31. time? Senator Maragos.

32. SENATOR MARAGOS:

33. I'm...Mr. President and members of the Senate. I'm

1. the chief sponsor of this bill and I think Senator Glass
2. has explained it thoroughly at...however likes to point out
3. there's any questions, the court still have...reserves the
4. right to review the competency of the person so designated.
5. Now, if there's factor that the one who does designate
6. the original competent...when he was competent...any question
7. about his competency, that should also be brought by evidence.
8. But, it still...the court still retains the jurisdiction
9. and I think it's something that we should...it enhances
10. the purpose of...of allowing a person, just like you do in a...in
11. a case of death, so...also say there will be no stranger
12. come in handling your property but someone who you can
13. designate ahead of time.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further debate. Senator Donnewald.

16. SENATOR DONNEWALD:

17. Well, I'm not so sure that I like this concept. I...I
18. think a person can certainly designate a...an executor
19. in his last will and testament, that's fine. We know that.
20. Now, a competent person and...in Amendment No. 3 says they
21. shall be competent. What really...I just don't like that
22. concept. He's competent so why should he worry about
23. being an incompetent?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. There's a great need for this type of legislation.
28. I've been practicing for some twenty-five years and probably
29. handled forty or fifty probate matters of one kind or another
30. a year and many, many times, the person doesn't have
31. a very large estate and it will be eaten away if he has to
32. ...if he does have to go into court. This allows him
33. ...and he should have this right, to appoint while he's still

1. competent, who will be the conservator or has the power of
2. attorney to act for him? These people come to me and they
3. say, my father is in the hospital, he's had a stroke.
4. I say, I'm sorry. Even if he granted you a power of attorney
5. you couldn't act. The only alternative open to you is the
6. conservatorship and many times the person who is grabby,
7. greedy and wants to get ahold of his money, is a person
8. who goes in and seeks the conservatorship. People are reluctant
9. to do this, where if someone had been designated, one of the
10. children, or...or a friend, they would not hesitate
11. to give this man the assistance he so badly needs. This
12. is good legislation. It's well thought out, it should be
13. adopted.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further debate? The question is...Senator Walsh.

16. SENATOR WALSH:

17. Will the Gentleman yield for a question?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates that he will yield. Senator Walsh.

20. SENATOR WALSH:

21. Senator, what is the effect of marriage or divorce
22. on the designation?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Glass.

25. SENATOR GLASS:

26. I don't believe the bill speaks to that, Senator
27. Walsh. It just states that a person, while of sound mind,
28. to form a preference may...may designate a person
29. qualified not for profit corporation, et cetera, to...so
30. it doesn't go to the point of...of marriage.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Walsh.

33. SENATOR WALSH:

1. It seems to me that...and I'm not clear on this,
2. probably Senator Knuppel could answer it, but doesn't
3. marriage or divorce have some effect on the...on the means
4. by which property devised on a will would...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Glass.

7. SENATOR GLASS:

8. I'll yield to Senator Knuppel. I don't think that
9. is an issue in the bill or to Senator Maragos.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Senator Maragos is a cosponsor. Perhaps he
12. can clarify that.

13. SENATOR MARAGOS:

14. This...in the case of a will, the...the designation
15. of the executor doesn't change even if you had designated
16. who was...subsequently a divorced spouse. If you
17. had not changed that executory, that divorced spouse
18. would still be your executor. So, this would not in any
19. way change that in the same...incompetency. What...what
20. the marriage...what a divorce does in a will is allows
21. the secondary spouse...the second spouse to renounce if she
22. is not named...or he is not named in the will of the...of the
23. deceased spouse. But that itself does not affect those
24. rights under this particular Statute.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Walsh.

27. SENATOR WALSH:

28. Well, that wasn't my question, Mr. President. Doesn't
29. marriage or divorce, as the case may be, change the manner
30. in which property devised or bequeathed in a will, pass?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Maragos.

33. SENATOR MARAGOS:

1. Yes, it does in a will, but this...we're not talking
2. about a will.. We're talking about while a person is still alive
3. while he's incompetent. So, all the marital rights and
4. the property rights remain the same only excepting
5. for the administration of his particular interest of such
6. incompetent.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Walsh.

9. SENATOR WALSH:

10. That isn't my question, but I guess I'm not going to
11. get answered.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. All right. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I think Senator Maragos answered the question.
16. You may not have understood it. The...the fact is
17. that marriage or divorce does change the disposition in
18. a will. When it does not change who you name to act as
19. an executor. The same thing is true here. This will not
20. change how the depositive...the ultimate...disposition
21. of your estate, but it...it will change your...designate
22. who is going to act to handle that estate.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further debate? The question is shall House
25. Bill 317 pass. Those in favor vote Aye. Those opposed
26. vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Take the record. On that
28. question the Ayes are 36, the Nays are 7, none Voting
29. Present. House Bill 317 having received a constitutional
30. majority is declared passed. House Bill 320, Senator
31. Clewis. House Bill 322, Senator D'Arco. Read the bill,
32. Mr. Secretary. Senator D'Arco, I'm told by the Secretary
33. we're not calling bills that were amended...just were amended.

1. on the Floor this morning. House Bill 324, Senator Ozinga.

2. Read the bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 324.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Ozinga.

9. SENATOR OZINGA:

10. Mr. President and members of the Senate. I imagine
11. a lot of you have been waiting for this bill to get passed.
12. This is the bill that authorized the Legislative Council
13. ...Legislative Service Unit to provide you with printing
14. services to members of the General Assembly by amending
15. the Council Statute. Such services would be subject to rules
16. and regulations which would be issued by the Legislative
17. Council to...cover items such as quantities and styles which
18. could be printed for stationery and envelopes, et cetera,
19. and the method for reimbursement for example, probably
20. requiring legislators to furnish the necessary paper.
21. The amendment of the Council Statute is required to accommodate
22. the Attorney General's opinion which you remember back in
23. 1975 we asked to have him issue which was with...with
24. regard to newsletters. After that, why then, it was noted
25. that the Statute did not allow printing for individual
26. legislators but did, as far as committees and commissions
27. are concerned. We have been trying to rectify this
28. situation and I know that there are more than a majority of
29. the members here that are waiting for this thing to get over.
30. It will take effect immediately on passage and I would accept
31. a very favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? The question is shall House Bill

1. 324 pass. Those in favor vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish?
3. Take the record. On that question the Ayes are 34,
4. the Nays are 10, 3 Voting Present. House Bill 324
5. having received a constitutional majority is declared
6. passed. House Bill 328, Senator Kosinski. Senator
7. Kosinski, do you wish to have the bill read?
8. SENATOR KOSINSKI:
9. Mr....yes, read the bill, please.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Read the bill, Mr. Secretary.
12. SECRETARY:
13. House Bill 328.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Kosinski. Senator Kosinski, your...
18. SENATOR KOSINSKI:
19. We're all set. Mr. President and members of the
20. Senate. House Bill 328 amends the Notary Public Act
21. and it would...what it does is it changes the residency
22. requirement from one year to ninety days. This is all
23. it does and I'm sure that it will help a number of people
24. be able to become notariesand...our problems within
25. industry as well as some of the law firms who seek...who
26. hire personnel and who need notary publics, must wait a year
27. before they can get a notary seal. I think ninety days is
28. sufficient enough and I move for its adoption.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there further debate? The question is shall House
31. Bill 328 pass. Those in favor vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish?
33. Take the record. On that question the Ayes are 48, the
34. Nays are none, 1 Voting Present. House Bill 328 having

1. received a constitutional majority is declared passed.
2. House Bill 330, Senator Nimrod. Read the bill, Mr.
3. Secretary.
4. SECRETARY:
5. House Bill 330.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Nimrod.
10. SENATOR NIMROD:
11. Yes, Mr. President and fellow Senators. This bill would
12. increase the fees and the amounts for mileage paid to
13. witnesses in all civil cases and litigation and criminal
14. cases where the witnesses are from other counties.
15. It would raise this fee from ten dollars to twenty dollars
16. per day which is presently in the mileage from eight cents
17. a mile to twenty cents a mile. I know of no opposition to
18. this bill and I would ask for a favorable roll call.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Is there further discussion? Senator Berning.
21. SENATOR BERNING:
22. Thank you, Mr. President. Is it correct that this is
23. an obligation of the counties to pay this?
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Nimrod.
26. SENATOR NIMROD:
27. The case here is that most counties read the Statute
28. to require reimbursement from their own public treasury
29. only to those witnesses from the the other counties
30. not the home county, so raising the fee here will not cause
31. that much in the way of any additional county expense for
32. the witnesses in the criminal cases.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berning.

2. SENATOR BERNING:

3. I merely raise the issue to emphasize once again
4. that small as it may be and perhaps justified, we are again
5. asking the counties to assume an additional burden and yet
6. we are always hesitant to increase the availability of
7. revenue to the county.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion? The question is shall
10. House Bill 330 pass. Those in favor vote Aye. Those
11. opposed vote Nay. The voting is open. Have all voted
12. who wish? Have all voted who wish? Take the record. On
13. that question the Ayes are 30, the Nays are 9, 1 Voting
14. Present. House Bill 330 having received a constitutional
15. majority is declared passed. House Bill 331, Senator
16. Kenneth Hall. Hold. House Bill 333, Senator Lemke.
17. House Bill 334, Senator Lemke. House Bill 341, Senator
18. Savickas. House Bill 360, Senator Wooten. Read the bill,
19. Mr. Secretary.

20.

21.

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23.

End of reel.

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1. SECRETARY:
2. House Bill 360.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Wooten.
7. SENATOR WOOTEN:
8. This bill provides the Department of Conservation
9. may not dispose of any portion of park land unless there
10. is a bill specifically passed by the Legislature. Currently,
11. you can have a transfer from Conservation to another
12. agency without legislative approval. This would close
13. that last loophole. This bill was occasions by some ,
14. suggestions from Conservation that part of our park in
15. our area be turned over to the city and then the city
16. subsequently was talking about housing...developments
17. of the land. This would serve to close a loophole
18. in the law and also to put all that agitation to rest.
19. I request a favorable roll call.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Is there further discussion? The question is shall
22. House Bill 360 pass. Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record.
25. On that question the Ayes are 38, the Nays are 5, 2
26. Voting Present. House Bill 360 having received the
27. constitutional majority is declared passed. House Bill
28. 363, Senator Roe. House Bill 364, Senator Regner. Read
29. the bill, Mr. Secretary.
30. SECRETARY:
31. House Bill 364.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Regner.

3. SENATOR REGNER:

4. Yes, Mr. President and members of the Senate. This
5. bill allows the usage of only three election judges in
6. various elections. It does exclude municipalities under
7. a jurisdiction of a Board of Election Commissioners
8. because as it was pointed out in the committee hearing, this
9. was an amendment that was put on by the way, that these
10. elections are usually very heavy votes and that they
11. should still be mandated to have five judges, but it
12. would allow primarily municipal elections if they so
13. choose to have only three judges rather than the five.
14. And if they would make that choice it would save the
15. taxpayers some money on these low turn out elections.
16. I'd ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. I have a question of the sponsor. Is...is this...is
21. this permissive?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Regner.

24. SENATOR REGNER:

25. It's permissive.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. You're not going to be...in...in a primary election,
30. let's say, and...you know, the regular primary, I'm not
31. talking about a city primary, but the regular primary where
32. sometimes we have our paper ballot voters in my area where
33. they have seven or eight hundred voters in one precinct

1. and three judges can't handle it, that you're not requiring
2. that though.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Regner.

5. SENATOR REGNER:

6. No, it does not include a regularly scheduled election,
7. Senator Buzbee. It's primary aimed at municipal elections.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Kosinski.

10. SENATOR KOSINSKI:

11. Mr. President and members of the Senate. I was
12. just going to say there's a real good bill and I'm
13. sure that the Senator Regner has brought in good
14. evidence before the committee for us to pass it out
15. full...full force, so I endorse it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Joyce.

18. SENATOR JOYCE:

19. Yes, Mr. President. Thank you. I have some reservations
20. about this. In the county which I live we have some precincts
21. that have over two thousand people in them. I realize they're
22. supposed to split them up, but they seem to be having a
23. problem in doing that.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Netsch.

26. SENATOR NETSCH:

27. A question of the sponsor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield. Senator Netsch.

30. SENATOR NETSCH:

31. Does this have a home rule amendment on it?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Regner

1. SENATOR REGNER:
2. No.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Netsch.
5. SENATOR NETSCH:
6. Does that mean that it does apply to the...to Cook
7. County and the Chicago Board of Election Commissioners
8. also?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Regner.
11. SENATOR REGNER:
12. No, Senator Netsch. What it specifically does, and
13. that was the amendment that was put on in committee, it
14. exempts municipal elections in cities that are under the
15. jurisdiction of the Board of Election Commissioners.
16. This would affect about ten or twelve cities in the
17. State that have very high turn outs.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Netsch.
20. SENATOR NETSCH:
21. I'm sorry, when you said this would affect, you mean
22. the bill as it is now written, would affect only ten or
23. twelve cities?
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Regner.
26. SENATOR REGNER:
27. No, those ten or twelve are under the jurisdiction
28. of a Board of Election Commissioners and they are excluded
29. from the bill and it is permissive legislation allowing
30. the local election authorities to decide whether or not
31. they do want to operate with only three judges.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Netsch.

1. SENATOR NETSCH:

2. The...you're using some words in...in maybe different ways,
3. I think, and I...I want to be clear now. As I understood your
4. original answer to the question, the bill does permit the
5. Chicago Board of Elections to go to three judges, that is
6. not the case.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Regner.

9. SENATOR REGNER:

10. That was the amendment that was put on in the...in
11. the Elections Committee to exclude them.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Netsch.

14. SENATOR NETSCH:

15. All right, then they cannot go to three judges in
16. Chicago precincts. Okay. Thank you very much.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Kenneth Hall.

19. SENATOR KENNETH HALL:

20. Would the sponsor yield to a question? Senator Regner,
21. did I understand you to say that this does not apply to...to
22. areas that have Boards of Election Commissioners?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Regner.

25. SENATOR REGNER:

26. That's correct. East St. Louis is not included in the
27. bill, Senator Hall.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further debate. Senator Bowers.

30. SENATOR BOWERS:

31. Well, Mr. President, I've had trouble getting the
32. attention of my seatmate so I have to do it this way.
33. Is a primary election a general election? Would this

1. apply, in other words, to a...to a primary election. It
2. seems to me a general election, by definition is...is...is the
3. actual election in the fall.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Regner.

6. SENATOR REGNER:

7. It would not apply to elections where members of
8. the General Assembly are being elected or nominated.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further debate? The question is shall
11. House Bill 364 pass. Those in favor vote Aye. Those
12. opposed vote Nay. The voting is open. Have all voted
13. who wish? Senator Carroll, vote me No. Have all voted
14. who wish? Take the record. On that question the Ayes
15. are 46, the Nays are 2, 1 Voting Present. House Bill
16. 364 having received a constitutional majority is
17. declared passed. House Bill 365, Senator Walsh.
18. House Bill 374, Senator Philip. Read the bill, Mr.
19. Secretary.

20. SECRETARY:

21. House Bill 374.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Philip.

26. SENATOR PHILIP:

27. Thank you, Mr. President and Ladies and Gentlemen of
28. the Senate. House Bill 374 amends the Election Code.
29. Under the present Statute, a county clerk, who also
30. serves on a Board of Election Commissioners for that
31. same county, is not allowed compensation for the second
32. office. All this bill simply does is allow him with...
33. with the consent of the County Board receive compensation.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further debate. Senator Demuzio.

2. SENATOR DEMUZIO:

3. The sponsor will yield. How many counties does this
4. apply to?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Philip.

7. SENATOR PHILIP:

8. DuPage. I...I...I might say this Senator, to my
9. knowledge, I don't...I could be mistaken, but I think
10. we're the only County Election Commission who has
11. the chairman of that commission be also the elected
12. county clerk, but I could be mistaken, but I'm pretty
13. sure we're the only one.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. I...I have no further questions.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion on the bill? The question is
20. shall House Bill 374 pass. Those in favor vote Aye.
21. Those opposed vote Nay. The voting is open. Have
22. all voted who wish? Take the record. On that question
23. the Ayes are 43, the Nays are 1, none Voting Present.
24. House Bill 374 having received a constitutional majority
25. is declared passed. House Bill 382, Senator Lemke.
26. House Bill 384, Senator Guidice. House Bill 385, Senator
27. Guidice. House Bill 391, Senator D"Arco. Read the
28. bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 391.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. This bill requires the Department of Mental Health
4. and Developmental Disabilities to provide mental health
5. care for all persons in such need who are confined in
6. county jails or on county...Department of Corrections.

7. This is really an old bill. It passed last Session.

8. The department gives the County Jail of Cook County
9. a grant of a hundred and fifty thousand every year to

10. provide mental health care for prisoners who are
11. awaiting trial and I think it's a good bill and I
12. would move for its adoption.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? Senator Harber Hall.

15. SENATOR HARBER HALL:

16. Yield.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates he will yield. Senator Harber Hall.

19. SENATOR HARBER HALL:

20. Well, I...I'd kind of like to know...who would
21. determine the need of an inmate of a county jail,
22. his need for psychiatric treatment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator D'Arco.

25. SENATOR D'ARCO:

26. They have people employed by the jail who specifically
27. review prisoners who are awaiting trial that indicate...
28. might be in need of such treatment. How they make that
29. determination as to whom is in need and who is not, I
30. really don't know.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Harber Hall.

33. SENATOR HARBER HALL:

1. What has me a little concerned is the right with
2. this bill of counsel for any prisoner to ask for...for
3. psychiatric treatment, even where it might not be really
4. indicated. Who...who asked for the bill, do you know
5. anything about the...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Apparently the department is giving the county
10. jail a grant, presently, to provide workers to treat
11. prisoners awaiting trial for mental health problems.
12. The bill simply is a indication of the legislative
13. intent to continue the grant.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco...Senator Harber Hall. Senator
16. Nimrod.

17. SENATOR NIMROD:

18. A question of the sponsor, Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates he will yield. Senator Nimrod.

21. SENATOR NIMROD:

22. Have...have...has this been discussed with the
23. Department of Mental Health? What is their position
24. on this?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Their position is that it's the same old thing over
29. and over again and they really don't voice any strong
30. opposition to it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Sentor Nimrod.

33. SENATOR NIMROD:

34. Are there any funds in the budget to take care of it?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator D'Arco.

3. SENATOR D'ARCO:

4. I talked to John Ryan and he indicated there are.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Well I...I my understanding on this is this is
9. not an item that's budgeted and that the department
10. certainly is in no position to pay for this present
11. function, this function is being provided by the
12. counties, what we're trying to do is shift it over
13. to the State, is that right?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. ...No, the prisoners who...who are declared unfit
18. to stand trial or are not guilty by reason of insanity
19. are already housed in various State facilities and
20. Cermack is one of those facilities now where the county
21. jail prisoners are housed. The problem is with prisoners
22. who are awaiting trial and are in need of mental health
23. care.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. I might...I might think that there might be some
28. possibility for this bill to go, but at the present time
29. we're doing the study of the revision of the Mental
30. Health Code and those bills are presently in process
31. and there's going to be hearings and ...and rather than to
32. pass something that's going to either contradict that
33. policy or to cause some problems. I would think, Senator

1. D'Arco, that maybe this bill ought to be held up until those
2. hearings are over this summer and we go heavy. All this
3. does is I think goes in conflict of what we're trying to do
4. with the others and I...I just would be very hesitant in
5. trying to go ahead with it at this time.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Demuzio.

8. SENATOR DEMUZIO:

9. Yes, I have a couple of questions. First of all,
10. Senator D'Arco, does this, does this bill apply state-wide
11. or is this just for Cook County?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. It applies state-wide, but it's not funded state-
16. wide. It really is...it...although the bill reads that
17. it applies state-wide, it really, in fact, only applies to
18. Cook County.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. All right. The...the department is...mental health
23. is currently granted to Cook County, obviously, a grant
24. of a hundred thousand dollars to provide these services.
25. These employees under this grant are not employees of
26. the State, they are employees of the county. Is that
27. correct? So this bill really wouldn't have any affect
28. on...on that grant?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. ...D'Arco.

31. SENATOR D'ARCO:

32. No, it wouldn't. That's...you know, that's my point.
33. That the effect is nil and we're really arguing really

1. about almost nothing, because the grant is in effect.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Well, that's my point. I...you know, we're...we're currently
6. already providing this service and I, you know, I just
7. don't see the rationale behind this bill. My other
8. question is, according to the bill, does it provide
9. that patients that are going to be treated under this...
10. under this Act, can be, in fact, transported to
11. mental institutions for...for treatment, psychiatric,
12. diagnostic, what have you?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator D'Arco.

15. SENATOR D'ARCO:

16. That's correct. If he's unfit to stand trial,
17. then he will not be treated at the county jail, he
18. would be treated at Cermack or another State facility.

19. SENATOR DEMUZIO:

20. If...

21. SENATOR D'ARCO:

22. Go ahead, Vince.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. If he's unfit to stand trial, why isn't he just
27. reprimanded or why isn't he just in...in the mental
28. health institution, rather than in the...in the...the jail?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. Because the bill doesn't apply to a person who's
33. unfit to stand trial. It's just legislative authorization

1. for a grant that the Cook County...that...that...that the
2. Cook County Jail already has the authorization from the
3. department. That's all it does. It's a simple bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. ...You're not to approve legislation on the Floor
6. other than by vote. Senator Buzbee.

7. SENATOR BUZBEE:

8. Question of the sponsor. First of all, a little
9. statement. I'm not opposed to a grant to the Cook
10. County Jail for purposes of treatment of...of people
11. there for mental diseases, however, my concern is that
12. given the fact that you say it is applicable state...
13. given the fact that you say it is applicable state-wide,
14. I'm concerned that we might have some sheriff in some
15. downstate county that every time he gets some prisoner
16. he doesn't like...he's going to be calling in the Depart-
17. ment of Mental Health people to start giving him treat-
18. ment and we're going to be spending money like crazy
19. all over. If...if you get the grant money now, which
20. I favor, what is the reason for having this bill?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. The reason for the bill, no...the...the, as I under-
25. stand it and as the way the bill was explained to me,
26. the bill...now, take the bill out of the record.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Is there leave to take the bill from the record?
29. Leave is granted. House Bill 392, Senator Donnewald.
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 392.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. Yes, Mr. President and members of the Senate. The
6. impact of this bill, number one, it provides for notice
7. by publication of proposed sales of real estate to be
8. made by a river conservancy district and requires the
9. property to go to the highest bidder, subject to a
10. bid by one from whom the property was originally
11. acquired unless the board deems the bids to be inadequate.
12. There was an amendment to this bill and it stipulated
13. that the sale of liquor, it has to do with the same
14. subject matter, in facilities under control of a
15. river conservancy district, is also subject to reasonable
16. local regulations provided that no regulation may prohibit
17. or substantially impair the sale of alcoholic liquor
18. on Sunday or holidays. I would move for a favorable roll
19. call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? The question is shall
22. House Bill 392 pass. Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted
24. who wish? Take the record. On that question the Ayes
25. are 47, the Nays none, 1 Voting Present. House Bill
26. 392 having received a constitutional majority is
27. declared passed. House Bill 399, Senator Schaffer.
28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 399.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. House Bill 399 clarifies whether or not auxiliary
4. policemen or...who have been killed in the line of
5. duty are covered by the benefits from the Law Enforce-
6. ment Officer's Compensation Fund. This puts them clearly
7. in the Act along with the law enforcement officers,
8. civil defense workers, civil air patrol members, paramedics
9. and firemen. I know of no opposition to the bill.
10. Be happy to answer any questions.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further debate? Senator Philip.

13. SENATOR PHILIP:

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

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield. Senator Philip.

17. SENATOR PHILIP:

18. And I will try to give you a hypothetical circumstance.
19. You know, we have those auxiliary policemen directing
20. traffic during church on Sundays in my community and
21. very honestly, they're kind of clumsy. And I'm just
22. wondering what happens, if, in the line of duty, he
23. gets run over and killed by a car when he's directing
24. traffic. Would he be included?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. Yes. By the way, the auxiliary policemen in my
29. town tend not to be clumsy. I'm a little surprised
30. about your town.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further debate? The question is shall
33. House Bill 399 pass. Those in favor vote Aye. Those
34. opposed vote Nay. The voting is open. Have all voted

1. who wish? Have all voted who wish? Take...take the record.
2. On that question the Ayes are 43, the Nays are none, none
3. Voting Present. House Bill 399 having received the consti-
4. tutional majority is declared passed. House Bill 406,
5. Senator Kenneth Hall. Read the bill, Mr. Secretary.
6. SECRETARY:
7. House Bill 406.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Kenneth Hall.
12. SENATOR KENNETH HALL:
13. Thank you, Mr. President, Ladies and Gentlemen of
14. the Senate. This bill would permit clerks issuing
15. summons for jurors to use first class mail instead
16. of certified mail as the initial means of service
17. as long as an acknowledgement form providing sufficient
18. proof of service was included. And this is for petit
19. jurors. There was an amendment put on the bill to
20. insure that if a person summoned to be a juror does
21. not return the acknowledgement of the summons in
22. the time period requested, such prospective juror
23. shall not be deemed guilty of contempt of court.
24. In other words...if...with the mail delivery like
25. it is today. But the real impact of this is that
26. the cost of using double post cards with twenty
27. three cents as opposed to the present cost of
28. ninety-eight cents, so there's a savings of seventy-
29. five cents. And they have better response from the...
30. from the first class mail. And I'd ask your most
31. favorable support of this bill.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Further discussion? The question is shall House
34. Bill 406 pass. Those in favor vote Aye. Those opposed
35. vote Nay. The voting is open. Have all voted who wish?

1. Take the record. On that question the Ayes are 52, the
2. Nays are none, none Voting Present. House Bill 406
3. having received a constitutional majority is declared
4. passed. House Bill 420, Senator Merlo. House Bill 421,
5. Senator Lemke. House Bill 426, Senator D'Arco. Read
6. the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 426.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. Thank you, Mr. President. This bill amends the
15. Chicago Policemen's Annuity and Benefit Fund Article
16. of the Pension Code. By deleting the requirement that
17. one of two police...policemen board members be a
18. lieutenant or of a superior to a lieutenant and specifies
19. that one of the police board members shall be a sergeant
20. and one shall be of the rank of investigator or below.
21. What it does, it adds two new members to the Police
22. Pension Board. One member to be appointed by the mayor.
23. The other member to be elected by the policemen. That
24. would increase the number from seven to nine providing
25. that the three policemen that are active policemen, one
26. will be...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Can we have some order, please. Senator D'Arco.

29. SENATOR D'ARCO:

30. One will be of the rank of lieutenant or higher,
31. on will be of the rank of sergeant and one would be of
32. the rank of investigator. And I would move for its
33. adoption.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. You've heard the...is there debate? Senator Egan.

2. SENATOR EGAN:

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

4. The...I rise in opposition to the bill. The...the Pension

5. Laws Commission has taken its time to deliberate on this,

6. unsatisfactorily. We find that there is no need to raise

7. the number of the members of the board, either it's being

8. stacked or somebody is going to be put on to lower the

9. unemployment rate or to raise the unemployment rate.

10. But there is no, there is no valid reason to increase

11. the size of the board and so we stand in opposition

12. to the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Demuzio.

15. SENATOR DEMUZIO:

16. Well, thank you, Mr. President and Ladies and Gentlemen

17. of the Senate. I don't see any thing wrong with a...a

18. policeman who, I think this is what Senator D'Arco is

19. attempting to do here, to be on the Pension Board, if the

20. lieutenants and the generals and the captains and everybody

21. else can be there certainly the policemen can and I want

22. Senator to know that I'm, in fact, going to vote for

23. his bill. He explained it very properly this time.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, Mr. President, I served under lieutenants in

28. the service and I saw a lot of sergeants and other

29. people that were a hell of a lot smarter than the

30. lieutenants and so I'm for the working man, I'm for

31. the man on the beat and the best recommendation that's

32. been made for this bill is that the Pension Laws

33. Commission is against it.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. I'd just like to point
5. out to the members of the Senate that the Retirement
6. Board of the Policeman's Annuity and Benefit Fund
7. of the City of Chicago opposes this bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Thank you, Mr. President, Ladies and Gentlemen of
12. the Senate. I rise in support of this bill. I think
13. that it's vitally needed and I'd ask for a favorable
14. vote over on this side.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Egan.

17. SENATOR EGAN:

18. Yes, I agree with practically everything that's
19. been said, with some exception about...some little
20. thing about the Pension Laws Commission, but the...the
21. fact is that the board does now have a placement on it and
22. the...the bill is not necessary. You're trying to
23. stack the board. I don't know who it is you want to
24. get on, but they don't want them on.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further debate? The question is shall
27. House Bill 426 pass. Those in favor vote Aye. Those
28. opposed vote Nay. The voting is open. Have all voted
29. who wish? Take the record. On that question the
30. Ayes are 43, the Nays are 7, none Voting Present.
31. And House Bill 426 having received a constitutional
32. majority is declared passed. For what purpose does
33. Senator Graham arise?

1. SENATOR GRAHAM:

2. On a point of personal privilege.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. State your point, Senator.

5. SENATOR GRAHAM:

6. I have sitting beside me, a gentleman now who is a
7. resident of Tucson, Arizona and was formerly a Senator
8. in this august Body representating the area of Galesburg,
9. the Honorable Richard Larson, Dick Larson, will you stand
10. and be acknowledged.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Richard Larson, please stand, be recognized. House
13. Bill 428, Senator Walsh. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 428.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Can we have some order, Gentlemen. Senator Walsh.

20. SENATOR WALSH:

21. Mr. President and members of the Senate. The...Calendar
22. accurately describes this bill. It would change the effective
23. date of laws, unless there's some provision in the bill
24. itself to the contrary, from October 1st to January 1st.
25. It has been requested by the Municipal League because of
26. the October 1st effective date and the fact that the
27. General Assembly does not finish much of its labors
28. until late September. Many bills were enacted into law
29. without communication of knowledge of that fact to the...
30. to people concerned. So, the General Assembly can provide
31. otherwise in a bill and I would urge your support.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Rock.

1. SENATOR ROCK:

2. Question of the sponsor if he'll yield, Mr. President.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. He indicates he will yield, Senator Rock.

5. SENATOR ROCK:

6. Senator, I'm just concerned. If...if the bill simply
7. stated that instead of October 1, it's January 1. I
8. can understand the rationale and the reasoning for that.
9. That would certainly avoid a lot of confusion and
10. obviously give the West Publishing and the Reference
11. Bureau time to get the Statutes to everybody and there
12. would be a uniform date. What I'm concerned about is...is
13. Amendment No. 1. Can you explain that to me, I just don't
14. mechanically understand how that works.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Walsh.

17. SENATOR WALSH:

18. In the Executive Committee there some question was
19. raised about the language in the bill as it passed the
20. House in lines 23, 24, and 25. Because the intent of the
21. bill is as I stated, an amendment was proposed which
22. deleted that language and in the bill just states that
23. it will become effective on October...oh, excuse me,
24. on January 1st of the following year or upon its becoming
25. a law, whichever is later. Theoretically, although I
26. think the chances are probably too slim to none, that a
27. bill could be passed by the General Assembly and become
28. law on January 2nd or January 3rd in which case they
29. wouldn't have to wait until the...or the Governor could
30. sign, excuse me. It could pass the General Assembly
31. before July 1st, but the Governor not sign it until
32. January 3rd.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rock.

2. SENATOR ROCK:

3. That...that mechanically is my problem. Constitutionally,
4. we have given the Chief Executive but ninety days from the
5. July 1st and it just seemed to...I...I don't understand what...
6. why that provision is necessary.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Walsh.

9. SENATOR WALSH:

10. No...Senator Bowers suggested that was done to get
11. it out of committee. No...we...we did labor over this
12. at some length. I think you might envision the possibility
13. of a Veto Session because the legislature did not go
14. back into Session, a Veto Session going into late December.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rock.

17. SENATOR ROCK:

18. The problem with that though, Senator, is that the
19. whole bill is premised on the passage prior to July 1.
20. That's...that's the premise upon which we're working.
21. So the Veto Session really is...is not within the
22. ambit of this bill at all.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Walsh.

25. SENATOR WALSH:

26. If the...the, first of all we're only talking about
27. bills passed before July 1st as you've stated, but the...
28. if there's an amendatory veto and the Legislature is not
29. in Session, say we don't come back until...we...we've been
30. coming back in September, but if for some reason we didn't
31. come back until the middle of December, I...or late December
32. and the final action was not taken until January 2nd or
33. January 3rd, then that bill would become law on January 2nd

1. or January 3rd. It is conceivable that the Legislature
2. would not be in Session in September to act on vetoes
3. that the Legislature would not be back until December.
4. And that's the reason that that language was...was
5. included. Now, I might add, Senator Rock, that I...I
6. won't say that Dave Epstein has, you know, supports
7. this bill, but he...he was involved in the discussion
8. of the amendment and...and it was adopted of course
9. with the approval of the Reference Bureau.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rock.

12. SENATOR ROCK:

13. Well, I...I don't mean to belabor this I...I just
14. don't understand the necessity for that amendment. If
15. we had a bill that said instead of October 1, it's
16. January 1, period, that would be fine, but that...that
17. other catch phrase, I...I'm just frankly, I don't
18. understand it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Wooten.

21. SENATOR WOOTEN:

22. Yes, Mr. President. I simply wanted to point out
23. that the amendment was drawn because we did not
24. understand the language in the original bill in
25. Section C and requested that Senator Walsh phrase
26. it somewhat more clearly. He did, and upon the
27. amendment being adopted the bill was quickly passed
28. out. I personally thought we ought to have talked
29. a little bit more about whether or not we wanted to
30. do this, but the principal purpose of the amendment
31. was just to make clear language which, upon reading,
32. I could not understand. The intent of the bill, as
33. I understand it now, is simply that the municipal

1. League feels that it needs as much time as possible and
2. they want to look to a situation which I'm not sure
3. that we should worry about, where a bill goes into...has
4. an amendatory veto, we address it in the fall and then
5. it becomes a law. They are thinking about the possibility,
6. I assume, that the amendatory process and our overriding
7. process throws it, could throw it quite late into late
8. November and I don't exactly know why they need a date
9. later than January 1st. I quite frankly don't...don't under-
10. stand that, but apparently they're envisioning some set
11. of circumstances in which that could occur. I can't.
12. But the amendment is...was simply to clarify that point,
13. but I don't know if the point is something we want to
14. pass on.

15. PRESIDING OFFICER: (SENATOR BRUCE)

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

18. SENATOR WALSH:

19. Well, yes, Mr. President and members of the Senate.
20. That language, or it's becoming a law, whichever is
21. later, did not come from the Municipal League. It
22. was felt that...that it was...there is in the present
23. law that period between October 1st or when the...when
24. the bill becomes a law, whichever's later. So it was
25. thought that that same or similiar language should be
26. placed in this...in the...in the bill where we have
27. January 1st or upon its becoming a law, whichever is
28. later and although I can't...I can't think of when
29. it would happen and it certainly hasn't happened in
30. past years. It certainly doesn't do any harm to have
31. that in there. And I...I think it could help to have
32. it in there in the event final action was taken after
33. January 1st. Now, just also in closing, this bill

1. was suggested by the Municipal League, but it has received
2. widespread' support 'because, let's face it, when final
3. action is taken in late September people just don't
4. know what the law is until we have publication and communi-
5. cation. So that it seems to me July or January 1st is
6. a better date and if the General Assembly wants to
7. provide otherwise it can. So I would ask for your
8. support.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further...the question is shall House
11. Bill 428 pass. Those in favor vote Aye. Those
12. oppose vote Nay. The voting is open. Have all
13. voted who wish? Have all voted who wish? Take the
14. record. On that question the Ayes are 27, the Nays
15. are 2, 13 Voting Present. Sponsor requests further
16. consideration of this bill be postponed. The
17. bill will be placed on Postponed Consideration.
18. House Bill 429, Senator Rupp. Read the bill, Mr. Secretary.

19. ACTING SECRETARY: (MR. FERNANDES)

20. House Bill 429.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rupp.

25. SENATOR RUPP:

26. Thank you, Mr. President. What this bill does is
27. exclude the time spent by an appointee in training schools
28. and seminars and outside the employing municipality, from
29. the employee's probation period. What was found was that
30. the period when this instruction and education is being
31. given does not really give a chance to evaluate the
32. man's performance and what they wanted was to give
33. both the employee and the employer a full time in order

1. to judge the performance of the individual. I ask
2. favorable consideration of this bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? The question is
5. shall House Bill 429 pass. Those in favor vote
6. Aye. Those opposed 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
9. 48, the Nays are none, none Voting Present. House
10. Bill 429 having received a constitutional majority
11. is declared passed. House Bill 432, Senator Rhoads.
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 432.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Rhoads.

19. SENATOR RHOADS:

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

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. This bill has three basic provisions. Number one,
25. it says that when the Department of Public Health is
26. negotiating with the providers of medical services
27. that they shall consider the fees of those not on
28. Public Aid and allow for geographic differences and
29. price differences in negotiating with those medical
30. providers. It also provides that the claim shall
31. be paid within ninety days unless the claims are
32. contested and if the department wishes to contest
33. the claim then it should notify the provider within

1. ninety days, give them written notice. I do not know
2. of any opposition. The department requested one amend-
3. ment which was put on in committee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Rock.

6. SENATOR ROCK:

7. Senator Rhoads, the bill it's...question of the
8. sponsor if he'll yield, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield. Senator Rock.

11. SENATOR ROCK:

12. As I understand it, the bill now has been amended
13. that...so it says that the Department of Public Aid
14. will consider, but is not mandated to pay. Is that
15. correct?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. That is correct.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rock. Further...further discussion? The
22. question is shall House...Senator Grotberg.

23. SENATOR GROTBORG:

24. Will the sponsor yield?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Indicates he will yield, Senator Grotberg.

27. SENATOR GROTBORG:

28. Is the fiscal note still applicable, that hundred
29. million dollar cost to this bill, potentially?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rhoads.

32. SENATOR GROTBORG:

33. Doesn't sound something you would sponsor, Senator Rhoads,

1. and I just thought...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Senator, I've...I'm not aware of the fiscal note you're
6. referring to.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Grotberg.

9. SENATOR GROTBERG:

10. Open your digest, Senator Rhoads, you'll find that
11. if the bill is interpreted literally, the cost would
12. run one hundred million dollars just for the practioners
13. involved, in order to pay one hundred percent of
14. usual and customary fees at current prices. And...
15. you know I...I don't argue with all that, I'm just
16. wondering if you and your sponsorship knew it, because
17. you're such a distinguished proponent of hundred...
18. hundred million dollar extras.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Well, as Senator Rock just pointed out, the amendment
23. says, shall consider, but is not mandated to pay, Senator
24. Grotberg.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Grotberg.

27. SENATOR GROTBERG:

28. Just calling it to your attention.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? The question is shall House
31. Bill 432 pass. Those in favor vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that

HB 449
2nd Reading
6-22-77

1. question the Ayes are 38, the Nays are 1, 4 Voting Present.
2. House Bill 432 having received a constitutional majority
3. is declared passed. House Bill 444, Senator Lemke. House
4. Bill 449, Senator Rhoads. Read the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 449.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Mr. President and members of the Senate. This bill
13. would put municipalities with fewer than twenty-five
14. thousand inhabitants on the same footing with those
15. which have adopted a municipal budget law. In that it would
16. require them to hold a public hearing on their annual
17. appropriation, usually one week prior to the time
18. that the appropriation is voted on. I feel it's a
19. good bill because it will aid local residents in
20. knowing what their local municipal budget is going
21. to be or their appropriation is going to be and give them
22. some time to react to it before the final vote is
23. taken. I would ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion? The question is
26. shall House Bill 449 pass. Those in favor vote Aye.
27. Those opposed vote Nay. The voting is open. Have
28. all voted who wish? Take the record. On that question
29. the Ayes are 36, the Nays are 3, 1 Voting Present.

30. House Bill 449 having received a constitutional
31. majority is declared passed. House Bill 451, Senator
32. Maragos. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 451.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate. This bill
8. is, the purpose of it is to recognize the fact that corpora-
9. tions which are owned and managed by small groups of
10. owner employees should be allowed to manage themselves
11. with greater latitude than publicly held corporations
12. which has must diverse ownership. This bill was
13. thoroughly discussed both in the House and the Senate
14. committees and passed the House overwhelmingly and I
15. would like to have favorable consideration. If there
16. are any questions I will try to answer them.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Demuzio.

19. SENATOR DEMUZIO:

20. Senator, I haven't had a chance to really read this
21. bill. What do you mean by a closed corporation?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. It's a corporation formed by limited amount of
26. stockholders which can elect to conduct a business
27. by waiving certain rights and not having to go
28. through the formal procedures of having minutes and
29. various resolutions passed and it also puts a prohibi-
30. tion on the transfer of shares. For instance if it's
31. a family-owned corporation so...less than certain...
32. ten...ten specifically and doesn't state the amount of
33. the...corporation, as I recall, the amount of the
34. capital, but it means that it's a small group. And

1. I think in most cases would comply to what the Subchapter
2. S requirements are in the...the Federal Statute.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Donnewald.

5. SENATOR DONNEWALD:

6. Senator, as to division of the profits not related
7. to the shareholdings, could you elaborate a bit.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Maragos. Senator Maragos.

10. SENATOR MARAGOS:

11. Yes, the...in certain cases the various shareholders
12. who are doing more work may get the bigger share of
13. the profit by waiver of the other shareholders, by
14. minority shareholders who feel that...or they may even
15. be majority shareholders, but for one...the managing
16. shareholder, he does most of the work in the corporation,
17. say if it's a family corporation, the father, the brother
18. do most of the work. The other members of the family
19. may not get as much as the profits.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. Well, of course the corporation is a...is a separate
24. entity and...and that person is an employee of that
25. entity, it would be done that way would it not?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Sometimes they'd rather not do it under the Sub-
28. chapter S provisions, they'd rather have it this
29. way so they can have the tax benefit. If they did on
30. the...out of the...by being paid salaries then they
31. have a double taxation, which we always try to...to avoid
32. under the Subchapter S provisions.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further debate? The question is shall House
2. Bill 451 pass. Those in favor vote Aye. Those opposed
3. vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that
5. question the Ayes are 36, the Nays are none, 5 Voting
6. Present. House Bill 451 having received the constitutional
7. majority is declared passed. House Bill 468, Senator
8. Buzbee. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 468.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. This amends the State
17. University Retirement Article of the Illinois Pension
18. Code. It changes the automatic annual increase in
19. retirement annuity from two percent to three percent,
20. and makes clarifying changes. This bill has the
21. endorsement, as amended, with the Pension Laws Commission.
22. I would ask for a favorable roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion? Senator Egan.

25. SENATOR EGAN:

26. Yes, I don't see Senator Knuppel here, but I just
27. wanted to say that the next five bills have the approval
28. of the Pension Laws Commission. For those who think
29. that it's a very negative Body, we do, in fact, pass
30. on...on good legislation.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? The question is shall House
33. Bill 468 pass. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that
3. question the Ayes are 45, the Nays are 1, 1 Voting
4. Present. House Bill 468 having received the constitutional
5. majority is declared passed. House Bill 469. Read
6. the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 469.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. House Bill 469 amends
15. the Pension Laws, Illinois Pension Code rather. It
16. would change the minimum monthly survivors annuity
17. from fifty percent of the initial monthly retirement
18. annuity payable at retirement to fifty percent of
19. the monthly retirement annuity which is payable
20. at the time the retiree passes away. For example,
21. if you assume an employee who has retired in 1973 with
22. a lump...monthly pension of five hundred dollars,
23. passes away in 1978, at which time his monthly pension,
24. including the automatic annual adjustments, would
25. amount to five hundred and fifty dollars. Under current
26. law the monthly survivors annuity payable to the
27. spouse of the retiree would be two hundred and fifty
28. dollars. Under the proposed amendment, the monthly
29. survivors annuity would be two hundred and seventy-
30. five dollars. The amendment has been approved by
31. the Pension Laws Commission. I would ask for a
32. favorable vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? The question is shall House
2. Bill 469 pass. Those in favor vote Aye. Those opposed
3. vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that question
5. the Ayes are 45, the Nays are 1, none Voting Present. House
6. Bill 469 having received a constitutional majority is
7. declared passed. House Bill 471, Senator...read the
8. bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 471.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. This is one that Senator
17. Rock can truthfully vote for. The bill which amends
18. Section 15-136 of the Illinois Pension Code would revise
19. the maximum retirement annuity to seventy-five percent
20. of average earnings during the high four consecutive fiscal
21. years. The present maximum is seventy percent on or
22. before age sixty, seventy-two percent at age sixty-one,
23. seventy-four percent at age sixty-two and seventy-six
24. percent at age sixty-three, seventy-eight percent at
25. age sixty-four and eighty percent at age sixty-five.
26. The bill would safeguard the rights of present employees
27. who may qualify for higher benefit under current law.
28. I would ask for a favorable vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Grotberg.

31. SENATOR GROTBORG:

32. Will the sponsor yield?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates that he will yield, Senator Grotberg.

2. SENATOR GROTBORG:

3. Knowing the thorough home work of the Pensions
4. Laws Commission, I'm sure you have in each of those
5. folders, for this one and maybe the next two, Senator
6. Buzbee. What is the fiscal impact according to the
7. actuaries on the Pension funds? The State's share?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Well, I'm sorry, Senator Grotberg. I cannot give
12. you that answer. Unfortunately, my seatmate, who is
13. the Chairman of the Pension Laws Commission is away
14. from his desk at this time and he has that...that
15. folder. But let me again emphasize what we're saying
16. is that you will use seventy-five percent across the
17. board instead of these step rate type percentages
18. which are presently being used at various ages. And
19. those step rate percentages start at seventy percent
20. and go as high as eighty. What we're saying here is
21. seventy-five percent across the board. Perhaps, here
22. is Senator Egan, he can give us the answer to that
23. question as to what the fiscal impact of a...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. For what purpose does Senator Rock arise?

26. SENATOR ROCK:

27. Well, just, Senator Buzbee was quite correct. I do,
28. in fact, intend to vote affirmatively on this one and
29. to answer Senator Grotberg, it's been certified by the
30. actuary that this change, proposed in 471 will not
31. result in any cost to the system. In fact, they feel that
32. in the long run, there will be a cost saving. Because the
33. maximum will, in fact, be...decreased from eighty percent

1. to seventy-five percent.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. Then as you'd go...I...I don't want to take any
6. more of your time, Senator, but as you explain the next
7. two, see if you can find out from your seatmate the
8. fiscal impact of the two that have already passed.
9. I think it's fair that we should talk about that
10. impact as we go along with these bills. Thank you.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further debate? The question is shall
13. House Bill 471 pass. Those in favor vote Aye. Those
14. opposed vote Nay. The voting is open. Have all voted
15. who wish? Take the record. On that question the
16. Ayes are 47, the Nays are none, none Voting Present.
17. House Bill 471 having received the constitutional
18. majority is declared passed. House Bill 472, Senator
19. Buzbee. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 472.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you. This one has no fiscal impact as all
28. that it does is revise the structure of the University
29. Retirement Board. It adds an additional participant and
30. an additional retiree. It removes the Director of
31. Registration, Education and it removes one University
32. of Illinois board member and I would ask for a favorable
33. roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further debate? The question is shall House Bill
3. 472 pass. Those in favor vote Aye. Those opposed vote
4. Nay. The voting is open. Have all voted who wish?
5. Take the record. On that question the Ayes are 43,
6. the Nays are 3, 1 Voting Present. House Bill 472 having
7. received the constitutional majority is declared passed.
8. House Bill 473. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 473.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. This clarifies the
17. employer contribution provisions of the Article
18. governing the State University's Retirement System.
19. Provides that the employer...that the employer contribution shall
20. be at least equal to an amount which is necessary to
21. obtain qualified status under Section 401-A of
22. the United States Internal Revenue Code. The bill
23. also provides that the employee contributions of
24. participants shall not be used to pay the State's
25. share of the obligations for retirees and other
26. of the benefit roles. This change is designed to
27. safeguard the investment of the employees in the
28. retirement system. The bill has been endorsed by
29. the Pension Laws Commission. Senator Grothberg, as
30. to the fiscal impact on this one, the changes were
31. recommended by the systems actuary. The employer
32. contributions under House Bill 473 would be identical
33. to the employer contributions under the current

1. provisions of the Illinois Pension Code because the
2. Federal Internal Revenue Code has not extended the
3. Employee Retirement Income Retirement Security Act
4. of 1974 to government plans. Thus government plans
5. are not required to amortize the unfunded accrued
6. liabilities over a period of thirty years as is required
7. for private pension plans. No additional appropriation
8. shall be requested in connection with House Bill
9. 473 for FY-78 or future years, unless Congress extends
10. the future, the funding requirements to government
11. plans, which we all know that's a big fight that's
12. going to go on for years and years. This is unlikely
13. in the foreseeable future, they say here. I would
14. ask for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there debate or discussion? Senator Rock.

17. SENATOR ROCK:

18. Yes, a question of the sponsor if he'll yield.
19. He has the folder...which...which I usually...I
20. think that's why he took the folder. Right.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates that he will yield, but not return
23. the folder. Senator Rock.

24. SENATOR ROCK:

25. If, in fact, the government is not going to extend
26. it, what's the purpose of this bill?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Well, let me tell you, I...I believe that the
31. purpose of the bill is that the Pension Laws System,
32. Pension Laws Commission rather, has indicated that
33. they favor this kind of...of language in all of the
34. pension systems. I believe I'm correct on that, that

1. they are striving to...to...to get this kind of language
2. in in all the pension systems. I think that's the...the
3. genesis of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. Well, the commission obviously also favors fully
8. funding all these pension systems. Fact of the matter
9. is we don't. Fact of the matter is we can't afford
10. to. And I think this kind of language is...is
11. extremely dangerous, especially since it's only with
12. respect to one system.

13. PRESIDING OFFICER: (SENATOR BRUCE).

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, I would disagree with you that the Pension
17. Laws Commission favors full funding of...I'm not
18. a member of that commission, but it's my understanding
19. they've...they've gone on record of something like
20. sixty-five percent funding of the various pension
21. systems. Again, the only answer I can give you is that
22. it's my understanding that the Pension Laws Commission
23. has favored this kind of language on all the pension
24. systems. They've been striving to get there and the
25. University Pension System has introduced this bill to
26. get to the point where the commission is as advocated.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President. I think it's worth
31. repeating for the membership that the Pension Laws
32. Commission did support the last five bills. It
33. supports this one because it is a reiteration of the

1. ongoing position of the Pension Laws Commission, namely,
2. that the State of Illinois must undertake a program to
3. overcome the unfunded liability of our pension systems.
4. Obviously, if the money is not appropriated, it's not
5. going to be in the systems and yes, it'll be like our
6. obligation to the full funding of schools. If we don't
7. carry it out, who puts us in jail. I don't know. But
8. the intent of the Pension Laws Commission is to encourage
9. the General Assembly and Executive to embark on a
10. program which will ultimately get all of our pension
11. systems into that magic area of sixty-five percent,
12. which is termed full funding. I rise in support of
13. House Bill 473.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further debate? Senator Egan. The
16. question is shall House Bill 473 pass. Those in
17. favor vote Aye. Those opposed vote Nay. The voting is
18. open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question the
20. Ayes are 39, the Nays are 7, none Voting Present.
21. House Bill 473 having received the constitutional
22. majority is declared passed. For what purpose does
23. Senator Graham arise?

24. SENATOR GRAHAM:

25. Mr. President, I'd like to...move that the
26. Senate do now stand in recess till 2:30 for the
27. purpose of a Republican caucus.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. You heard the motion that we stand in recess
30. until 2:30. All in favor say Aye. Opposed Nay.
31. The Senate stands in recess until 2:30.

32. (RECESS)

33. (AFTER RECESS)

HB 480
3rd Reading
4/22/77

1. PRESIDENT:

2. The hour of two-thirty has arrived. Senator Johns
3. moves that the Senate stand at recess until the hour
4. of three o'clock. Republican caucus is just terminating.
5. All those in favor of Senator John's motion signify by
6. saying Aye. Opposed. The Ayes have it. The Senate stands
7. in recess till 3:00 p.m.

8. RECESS

9. AFTER RECESS

10. PRESIDENT:

11. The hour of three o'clock having arrived, the Senate
12. will please come to order. On the Order of House Bills,
13. 3rd reading, House Bill 480, Senator Knuppel. Read
14. the bill.

15. ACTING SECRETARY: (MR. FERNANDES)

16. House Bill 480.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, Mr. President and members of the Body. I'm
23. a little bit reluctant to call this bill a bill which may
24. prove to be as controversial as this bill as the first bill
25. up after a recess. However, we have a long call and I
26. don't know when we'll get back to it. Senate...House Bill
27. 480 is a bill that amends the Illinois Abortion Law to
28. provide that a woman under eighteen years of age must
29. obtain the consent of her parents in order to have an
30. abortion performed on her. If the parents refuse consent
31. and she does not agree with this refusal, she has the right
32. to file a petition in court and have a judge pass upon
33. whether or not she should be entitled to have an abortion.

1. A judge then, upon finding that the abortion is in the best
2. interest of the mother, after a hearing, may grant her
3. that consent. This, however, requires a notice of the hearing
4. be sent to the parents. Neither the consent of the parents
5. nor a court order is required in a case of abortions performed
6. in an emergency. Now, for those people who are opposed to
7. abortions, the way the law stands now, is objectionable.
8. There was a doctor who testified before the House committee
9. with respect to this legislation who told of an experience
10. he had had where a...where he had gone to the morgue
11. and examined a young lady and found it necessary to call
12. her mother with respect to her condition. She had died
13. as a result of a bungled abortion and he called her mother
14. and her mother says, oh that can't be true. My daughter
15. is in school. And he told her, ma'am, I'm sorry, but it
16. is your daughter and we'd like to have you come down here
17. to make the identification. I, as a parent, have had the
18. experience of raising two daughters now married and with
19. children and I'm presently raising a son who is fifteen
20. and a half years old. Never during the time that you're
21. raising children is the degree of communication with those
22. youngsters lower than it is in those years between
23. fourteen and nineteen. Yet, if you had a daughter and she
24. could go off some place and unbeknowst to you, contract
25. for an abortion, I wonder who it would be that would pick
26. up the pieces of that child's life afterwards. Who it would
27. be that loves her that takes her back into her home and
28. provides her solace, comfort and support during the traumatic
29. period following this. Who is there that's really
30. interested in her future that would talk to her and weigh
31. the alternatives available to a young lady who has found
32. herself in this condition? I submit to you whether she
33. realizes it or not, that in ninety percent of the cases, the

1. people who are most interested in her are those who
2. took her, carried her in their womb, carried her in their
3. arms, fed her, clothed her, dressed her, cleaned her during
4. those formative years. Surely, they should know. Surely,
5. they should have the opportunity to counsel with her
6. about the risk that's involved, about the fact that she's
7. about to bear a child. About what...what this means in...in
8. the overall order of life, to conceive, carry and bear a child.
9. She is an affected person. She cannot reason objectively
10. at this particular moment. She has to be subjective
11. in her rationale. And I can appreciate that fact. I'm
12. not even sure that her parents can be completely
13. objective but certainly after they've done all of this,
14. they brought her into the world, they've worked all their
15. life to leave whatever they have to her and her brothers
16. and sisters, if she may have them, that they're
17. entitled to know...they're entitled to know what she's
18. confronted with and if they are the kind of parents and most
19. parents are that kind of parents, that believe in this
20. child and will support her, surely, surely they, above all
21. others, are entitled to know what her condition is and to
22. help her. For those people, for those people who would
23. allow a child of twelve, thirteen, fourteen, to go off
24. by herself or with strangers with people who don't know
25. her background or her condition, to make this decision when
26. she is not even able to negotiate a...a contract for the
27. purchase of a dozen eggs, and make it legal. I am a pro-
28. life, yes, I'm not Catholic, I'm a pro-life Lutheran
29. and if there's anything in this world more beautiful
30. than the birth of a child and to hold it in your arms and
31. realize that you're a parent and to feel the blood course
32. through its body and the life that you hold in your
33. hands and the dedication that you will feel for that child and

1. the love, all of the rest of your life, surely entitles
2. you to the opportunity of a consultation with that child
3. and the right to talk to her and if you believe she is in
4. error, to withhold your consent. I submit there's not one
5. person in this room, not one person, who can't reach out
6. to their grandparents, their children, their aunts, uncles
7. or their brothers or sisters and among them find one person
8. who was conceived out of wedlock or who was conceived as
9. an unplanned child and believe me, those people are as
10. beautiful as those who were conceived in wedlock. As my
11. wife says, it generally takes nine months but the first
12. one can come anytime. And I submit to you...I submit to you
13. that those children who are born into those circumstances
14. are just as good, just as much the children of God, just
15. as entitled to have some mature person sit down and counsel
16. with this girl as anyone. It's been my pleasure of my
17. lifetime to know a family where the father and mother had
18. to get married. That woman bore nine sons and one daughter
19. and I know one of those boys is a millionaire today.
20. I know of no single one of those youngsters that has gone
21. to prison or committed a crime. I cannot think of a more
22. beautiful family living anywhere in central Illinois
23. than that family was, where there was more warmth and
24. feeling. Surely when that young woman experienced that life
25. starting to grow in her body, the person most respected
26. and the person most entitled to consult with her, the person
27. who carried her in their womb, the person who carried her
28. in their arms, and believe me, you may be confronted. You
29. know, you can be the best parent in the world and five minutes
30. damn foolishness in the back seat of a car can make you
31. look like a dupe, But that doesn't mean...that doesn't mean that
32. you're not entitled to consult with that young lady
33. about her condition. I would want my daughter to come to

1. me. I would feel that I had been stoned for life
2. if she didn't think that much of me. I...I would appreciate
3. a favorable roll call on this bill. Thank you, very much.

4. PRESIDENT:

5. Senator Bloom.

6. SENATOR BLOOM:

7. Thank you. John, I agree with the sentiments you've
8. expressed about motherhood and childhood, but I've
9. got one question. Is this bill constitutional?

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Senator Bloom, I...I feel that I'm a responsible
14. lawyer and I cannot tell you that it is positively
15. constitutional in this instance or not constitutional.
16. The brief which I have in my file indicates that...that
17. it very well might be constitutional. I think there was
18. a five to four...five to four decision in another case
19. that gave indication that this type of a law would be
20. held constitutional. A recent decision by the Supreme
21. Court with respect to money spent on welfare abortions
22. would seem to indicate that the Supreme Court is leaning
23. in this direction. I think it's a very close question.
24. Given that it is a close question, I think the doubt should be
25. resolved in favor of the parental consent.

26. PRESIDENT:

27. Senator Bloom. Senator Glass.

28. SENATOR GLASS:

29. Well, thank you, Mr. President and Ladies and Gentlemen.
30. I rise in opposition to House Bill 480 and specifically
31. on the question of constitutionality among others, I would say
32. this, the bill would give the right to do with a person's
33. body what that person wishes to somebody or to the court.

1. That is what I consider to be unconstitutional. I think
2. we will have a ruling out of a case now under consideration
3. in Massachusetts. The recent Supreme Court decision in no
4. way went to that issue. I bring this up also, I don't
5. approve of abortions. I would hope that if ever given
6. the opportunity to counsel anyone, I would counsel against
7. them. But on the other hand, I don't believe that it's
8. up to the State Legislature to tell persons under
9. circumstances that are acute and important to them,
10. that they can't have an abortion. And to force a
11. girl to go into court to seek an abortion in the event
12. she did not have parents, I think is simply an onerous
13. burden that ought to be rejected. The point of
14. constitutionality this bill, in my judgment, is
15. constitutional and should be defeated.

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. A question of the sponsor.

20. PRESIDENT:

21. Indicates he will yield.

22. SENATOR WOOTEN:

23. Senator Knuppel, how does this affect the
24. emancipated minor?

25. PRESIDENT:

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Very frankly, I'd have to look at the bill for a
29. moment, but I...I don't think that it affects...I...I don't
30. think...in other words, I think the law normally says, when
31. a minor is emancipated, that they're no longer subject to this
32. and that they've...as a matter of court decision, would be
33. free to the obligations. I don't think the bill...I think

1. the bill is silent on that.

2. PRESIDENT:

3. Senator Wooten.

4. SENATOR WOOTEN:

5. Well, part of my problem is that I don't have a
6. copy of the bill and I was just curious about that.

7. Okay. Then, the second question is in the event that
8. a minor is denied parental consent, you leave a remedy
9. open to them through the courts. Is that correct?

10. SENATOR KNUPPEL:

11. Very frankly, I have to apologize. I'm reaching
12. that age where I have some problems hearing. Maybe it's
13. the Chamber.

14. PRESIDENT:

15. Senator Knuppel, Senator Graham, you're correct.
16. Will the members please be in their seats. Will the
17. members please be in their seats. This is a very important
18. issue and I think all of the members will benefit from
19. the debate. Senator Wooten.

20. SENATOR WOOTEN:

21. The question is if a minor's parents do not consent
22. to an abortion, I believe you leave some kind of remedy
23. open to the minor to go to the courts to receive permission.
24. Is that not correct? Then...

25. SENATOR KNUPPEL:

26. Sir, that is correct.

27. SENATOR WOOTEN:

28. Then, as a practical matter, Senator, how long
29. a process is that? The reason I ask is because both from
30. a medical point of view and from several others, the first
31. trimester, if you're going to have an abortion, that's the
32. time. After that, it gets very difficult on a variety
33. of grounds and I'm wondering, you know, as a practicing lawyer,

1. can you give me some idea of what time span we'd be talking
2. about?

3. SENATOR KNUPPEL:

4. Well, I don't know that the bill provides the number
5. of days of the notice and so forth. I assume that it would
6. work in the same method as other equitable matters and could
7. be done on short notice as long as the parents had received
8. the notice that they were to receive.

9. PRESIDENT:

10. Senator Wooten.

11. SENATOR WOOTEN:

12. I was not specifically addressing the bill, Senator,
13. just from your own knowledge, about what are we talking about
14. in terms of days or weeks or what?

15. SENATOR KNUPPEL:

16. I think it would be similar to an injunction, ten
17. days notice would be the outside.

18. PRESIDENT:

19. Senator Wooten.

20. SENATOR WOOTEN:

21. In the event the parents chose to contest that, what
22. might happen in that situation?

23. PRESIDENT:

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. I assume...I assume that that would be subject
27. to an appeal, summarily the same as a...same as any other
28. decision.

29. PRESIDENT:

30. Senator Wooten.

31. SENATOR WOOTEN:

32. And then...

33. PRESIDENT:

1. For what purpose does...excuse me, Senator.

2. For what purpose does Senator Graham arise?

3. SENATOR GRAHAM:

4. Mr. President, why don't we admonish our members
5. and the staff people if they're going to have caucuses
6. on the Floor, to hold it down below a yell so that some
7. of us can hear the debate.

8. PRESIDENT:

9. You're correct, Senator Graham, again.
10. Will the members please be in their seats. Will the
11. Sergeant-at-Arms please clear the Floor of unauthorized
12. persons. Senator Knuppel. Senator Wooten.

13. SENATOR WOOTEN:

14. Well, then, in the event that there is an appeal
15. I'm concerned about the problem of time. If the
16. minor applies to the courts and is granted permission to
17. have an abortion, the parents object, could that get tied
18. up over a long period of time?

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, I would say...I would say that it would not have
23. to. The bill says that this procedure shall be handled
24. expeditiously. I...I know that matters where people are
25. waiting on death row, as you know, in the Gilmore case and
26. other cases. If the court cares to, even on an appellate
27. matter, move very quickly. I think Senator Demuzio, for
28. example, experienced this in the dissolution of the injunction
29. on the Earth Line case. So, there is no reason why this could
30. not be done expeditiously, that the whole matter could be
31. appealed and disposed of rapidly.

32. SENATOR WOOTEN:

33. The only comment I would make on that is that...that

1. aspect of it is disturbing beyond the question of whether
2. or not the youngster should have an abortion, that if the
3. youngster wants an abortion, parents object, and there's
4. some legal redress possible, a lot...it seems to me a lot
5. of things could happen to delay the situation and if the
6. fact of the abortion is to occur and it is because of a
7. legal tieup, maybe the judge is not particularly sympathetic
8. to this. It could go into the second trimester and
9. I could see where that would be a problem. It...it is not
10. central to the issue you raised, I grant, but nonetheless,
11. it is a consideration I think that we have to bear in mind.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. In answer to that, I would say that starting at line
16. 22 on page 2, it says nothing in this section shall be con-
17. strued as abolishing or eliminating any Statutory or
18. common law rights of any other person relative to consent
19. to the performance of an abortion for purposes of a civil
20. action or injunctive relief. And it does not apply to any
21. abortion which is necessary for the preservation of the life
22. of the mother.

23. PRESIDENT:

24. Senator Berman.

25. SENATOR BERMAN:

26. Thank you, Mr. President. I think the points raised
27. by Senator Wooten are very valid. First of all, this hearing
28. before the judge will require notice to both parents. How
29. many...how many children have a father that they may not be
30. able to locate for the hearing. Secondly, if the parent
31. is going to have the right to, in fact, have their say in
32. court, in all probability, this case can take much more than
33. three months...

1. PRESIDENT:

2. Excuse me, Senator Berman. The noise level is rising
3. again. Will the members please be in their seats.

4. And will the Sergeant-at-Arms remove any unauthorized
5. persons from the Floor of the Senate. Senator Berman.

6. SENATOR BERMAN:

7. The point I'm trying to make is that if the parents
8. are going to have their day in court which is one of the
9. intents of this bill, in order for them to prepare for
10. their day in court, it very well may be in most cases,
11. that keep in mind, they have not given their consent
12. to this abortion, that's why the child...that's why the...the
13. pregnant girl has to go to court, therefore, you may
14. find that just by normal legal procedures, the parents
15. can cause this hearing to be delayed so that the first
16. trimester is gone and passed before the hearing can even
17. take place. Otherwise, you're going to have a denial of the
18. rights of the parents that are...that they they're given under
19. this bill. If you're going to give the parents the kind
20. of rights that are anticipated, you are, in fact, going to be
21. cutting off the rights of the child. I think the intent
22. of the bill is a...is an understandable one, but, in fact,
23. what we are doing here is legislating parent - child relationships.
24. I don't think that works anywhere. I don't think it will work
25. here. I think there are too many faults in this bill to
26. really accomplish what the sponsor is trying to do.

27. PRESIDENT:

28. Senator Collins.

29. SENATOR COLLINS:

30. Will the sponsor yield to a question?

31. PRESIDENT:

32. Indicates he'll yield.

33. SENATOR COLLINS:

1. Senator Knuppel, I'm concerned about the teenager,
2. sixteen, seventeen years old who doesn't live with the
3. parent, the emancipated teenager, self-supporting. Probably
4. don't even know where the parents are in some cases.

5. What happens to that...that particular individual?

6. SENATOR KNUPPEL:

7. Well, I think...I think in that instance, it's the
8. same as in any other case of emancipation. We've got many,
9. many laws on the book, but if the...if the child is
10. truly emancipated, it's free to make the decision.

11. If it's supporting itself, living alone and truly
12. emancipated or if they're married and under the age of
13. eighteen and someone else is supporting them, then this
14. law would not apply.

15. PRESIDENT:

16. Senator Collins.

17. SENATOR COLLINS:

18. What happens when the girl finds that she's
19. pregnant and...and afraid to tell the mother and decides
20. to leave home...run away from home at that point in time?
21. Maybe get a job and start supporting herself.

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, I don't...I don't feel that this constitutes
26. what we're referring to as legal emancipation. So, there
27. are two different propositions. I think a girl who runs
28. away from home because she's embarrassed, because she's
29. frightened, ought to be required to return to those parents
30. who have supported her until that time. I...I became
31. emancipated before I was eighteen, I was supporting myself
32. and I felt like I had the right to do some things. Now, there's
33. a difference between the child who runs away from home and the

1. child who is truly legally emancipated. So, let's
2. don't confuse them, Senator.

3. PRESIDENT:

4. Senator Collins.

5. SENATOR COLLINS:

6. But, I don't think...I think the bill itself is
7. confusing, Senator Knuppel. I don't think I'm confused
8. over the emancipated child, but the bill itself doesn't
9. address that issue. And I think that's what confusing
10. to me.

11. SENATOR KNUPPEL:

12. Well, Senator, let's assume this bill was drawn
13. perfectly. Let's don't be a Bartulis here. If this bill
14. was drawn perfectly, if you could amend it into the shape
15. you wanted to, you would still vote against it. You're
16. ...you're unalterably in favor of abortion and anti-pro-life.
17. So, let's don't kid each other, honey.

18. PRESIDENT:

19. Is there any further discussion? If not, Senator
20. Knuppel may close the debate, unless you've already
21. closed it, Senator.

22. SENATOR KNUPPEL:

23. No, I really haven't closed it. There is no one
24. in this Body who has, in my opinion, probably, worked
25. harder for young people who are not related in any way
26. to them, who have tried to look out for them and to counsel
27. them, to talk to other people's children, to provide
28. a catalyst for these young men and women to find maturity.
29. That's all they're trying to find. And I tell you, sure.
30. Sure. A young girl becomes pregnant, she's going...she's
31. going to be embarrassed. The last person she's going to
32. want to talk to probably, is her parents and yet, those are
33. the people...those are the people who can give her the kind of

1. advice that she needs. There's where she should go for the
2. consent. That's where she should go for help. I submit
3. to you that in my practice of law, it's been my experience
4. to have young women on occasion come to me and tell me
5. that they are pregnant, that they're afraid to tell this
6. to their parents and after we talk a while, I say to them,
7. you must tell your parents. You must not be afraid of your
8. parents. They're the people that are going to have to
9. stand beside you after this is over. And those people
10. who have spoke against this bill here today, are pro...
11. are anti-pro-life people. They would tell you that a twelve
12. year old girl is able to make a decision as to whether
13. she ought to abort or to carry a child. I submit no twelve
14. year old girl is capable of making this. Senator Guidice
15. examined those people in committee, he said what
16. about a twelve year old? They're able to conceive but
17. I don't know how able they are to realize what the future
18. of their life may hold or the dangers that are implicit
19. with that. And I submit to you that when those parents
20. in every instance that I've had this happen, come...come
21. in, that the child's distrust of their parents, their
22. shame, their fear, has been consoled, that they have
23. been in error about the constraints, the love, and the support
24. that they will receive from those parents. I just...I just
25. can't believe...I just can't believe that you believe that
26. some girl should be able to run into the emergency room of
27. a hospital and ask a doctor to perform an abortion on her
28. without consulting with someone and there's no one that she
29. has to consult with under the present law and then she
30. walks out of there, that either the nurse that cared for
31. her, or the doctor who performed the abortion or anyone
32. else, or anyone else, except her parents, her brothers, sisters
33. and loved ones, are going to help her put the pieces of her

1. life back together. Now, I submit to you as a parent,
2. as a parent, that this is one right, one need, one thing
3. that ought to exist in the law for those twelve, thirteen,
4. fourteen, fifteen, sixteen and seventeen year old girls.
5. Surely, as they grow older, they become more capable of
6. making this decision. And we had before this Body, an
7. amendment that would have lowered this age to sixteen.
8. Now, if those of you who are opposed to this bill
9. and there weren't very many, I think there were only eight
10. voted for that, really and truly believe this, you would
11. have emancipated those between sixteen and eighteen. There
12. isn't one soul in this Body that spoke against this bill that
13. would vote for it in any form it's amended into. It's a
14. question, do you believe or don't you believe? I believe.
15. PRESIDENT:

16. The question is shall House Bill 480 pass. Those
17. in favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? Have all
19. voted who wish? Take the record. On that question
20. the Ayes are 40, the Nays are 11, 1 Voting Present. House
21. Bill 480 having received a constitutional majority
22. is declared passed. House Bill 481, Senator Nimrod.
23. House Bill 485, Senator Berman. Senator Nimrod, 481.
24. Read the bill. House Bill 481.

25. SECRETARY:

26. House Bill 481.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President, House Bill 481 amends the Act for
33. the powers and duties to the Department of Mental Health

- 61
3
1. by extending the date for the Department to provide
 2. advanced grant need payments to clinics. This
 3. has been in existence before and all this bill does is
 4. extend the date by two years...four years.
 5. PRESIDENT:

6. Is there any discussion? If not, the question is
7. shall House Bill 481 pass. Those in favor will vote
8. Aye. 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 55, the Nays
11. are none, none Voting Present. House Bill 481 having
12. received a constitutional majority is declared passed.
13. House Bill 485, Senator Berman. Read the bill.

14. SECRETARY:

15. House Bill 485.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President and Ladies and Gentlemen of
22. the Senate. House Bill 485 is a bill that has been adopted
23. in forty-eight other states. It relates to the indemnification
24. of officers, directors, employees and agents of corporations
25. who are subject to litigation as a result of their activities
26. with the corporation. The bill allows...permits...does not
27. mandate but permits reimbursement for judgments and fines
28. involved when the action of the defendant has been in good
29. faith and reasonably believed to be in the best interest
30. of the corporation. It also provides for reimbursement
31. of attorney's fees. All of these actions will require
32. a majority vote of the board of directors. If a
33. disinterested majority is not obtainable, it would be

1. subject to the approval of the shareholders. I'd be
2. glad to respond to any questions and solicit a favorable
3. vote.

4. PRESIDENT:

5. Is there any discussion? If not, the question is
6. shall House Bill...Senator Bowers. Excuse me.

7. SENATOR BOWERS:

8. Would the sponsor yield for a question?

9. PRESIDENT:

10. Indicates he will yield.

11. SENATOR BOWERS:

12. I'm sorry. I didn't get a chance to look at the bill,
13. but the...the synopsis, at least, on the Calendar
14. indicates that it prohibits loans, is that incorrect?

15. SENATOR BERMAN:

16. That's a miswording of the synopsis. There is a
17. prohibition against loans, as you know in the existing
18. Statute. This, is an exception to that prohibition so
19. that...money can be advanced to the officer or the director
20. in the defense of these suits.

21. PRESIDENT:

22. Senator Bowers. No further discussion? The question
23. is shall House Bill 485 pass. Those in favor will vote
24. Aye. Those opposed will vote Nay. The voting is open.
25. Have all those voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 44, the Nays
27. are none, 8...3 Voting Present. House Bill 485 having
28. received a constitutional majority is declared passed.
29. House Bill 490, Senator Schaffer. Read the bill.

30. SECRETARY:

31. House Bill 490.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. House Bill 490 accomplishes two things, one it would
5. allow a county to vote to disconnect from a regional
6. education service area and then vote to reconnect with a...
7. another thing...another county. We have a situation
8. up in my area where Boone went with Winnebago and now
9. desires to go with, I believe, either DeKalb...I think it's
10. DeKalb because it's not McHenry. Everybody is in favor
11. of that. In addition to that, the bill was amended in the
12. Senate by Senator Davidson and Senator Sommers to lower
13. the size of the unit from thirty-three thousand to twenty-
14. eight. This effectively solves the problem in Senator
15. Sommer's district and in...Senator Davidson's district.
16. The committee rejected an amendment which would have,
17. in effect, done away with the consolidation program
18. that we've accomplished over the last several years.
19. Be happy to answer any questions. Appreciate a favorable
20. roll call.

21. PRESIDENT:

22. Is there any discussion? Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President. Question to the sponsor
25. if he'll yield.

26. PRESIDENT:

27. Indicates he will yield. Senator Schaffer.

28. SENATOR ROCK:

29. By virtue of Amendment No. 2, what...what are the
30. fiscal implications? We are, as I understand it, with
31. lowering the population requirement, we are providing
32. therefore, for...it appears at least, more regional
33. superintendents whose salaries are paid by the State of
34. Illinois. What...what are the fiscal ramifications, if any?

1. PRESIDENT:

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. It...it doesn't change the present expense. In
5. effect, will allow two existing superintendents to continue
6. who are already in existence. If they were...if the bill
7. were not to be enacted, presumably those districts would be
8. done away with and in my opinion, the current superintendents
9. or another individual will be put on as an assistant
10. at probably the same salary, so I don't believe there
11. are any fiscal implications in the bill or if they are,
12. they are very limited and they affect two...two individuals.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Well, let me...let me just run this by you. It
17. says, based on the 1975 population estimates from the
18. Census Bureau, five counties will not, by virtue of
19. Amendment No. 2, be required to be consolidated and the
20. salaries for these superintendents and their assistants,
21. will amount to over two hundred and twenty-five thousand
22. dollars. Is that accurate?

23. SENATOR SCHAFFER:

24. Well, I'm informed by Senator Sommers that the
25. '70 census prevails. As I would indicate, I'm aware of two.
26. I suspect the three other counties involved here already
27. consolidated and they...they would not be. They have, in effect,
28. done away with the position, in all candor probably then
29. putting on an assistant at the same salary and I...I don't think
30. that this has those ramifications. I...I can see, too, I think the
31. other three are...are a probable nonhappening.

32. PRESIDENT:

33. Is there any further discussion? Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, Senator Schaffer, I...I rise to, I believe,
3. correct you because if they are at that population level,
4. that have not already consolidated. They are, in fact,
5. in the process of consolidating this year. There was
6. a county in my district which was just put in the position
7. of not being able to agree which counties they were going
8. to go with and so the State superintendent did, in fact,
9. assign them. Now, I have talked to you about this bill
10. before. I was in agreement with your idea. I'm in violent
11. disagreement with the amendment that was apparently put on
12. by Senator Davidson and Senator Sommer. There's no reason
13. to let those little counties opt out at this point.
14. Well, now, you say no, but there's five counties that
15. are now going to have regional superintendents that would
16. not have had them with that amendment. They would have been
17. forced to consolidate. You know, they're interested
18. in their special interest. They're interested in
19. continuing their jobs. That's all they're interested
20. in and we know...we set this program years ago. It's
21. been the consolidation phase...Phase I started about
22. four years ago and it went very well...or six years, whichever
23. ...four or eight, I've forgotten which. Now, the second
24. phase is now coming about, the final phase. There is no
25. reason to let those folks off the hook. There's not enough
26. for them to do when they've got a county of twenty-eight
27. thousand people and I'm sorry that amendment went on because
28. I was going to support your bill. I agree with the concept
29. but I sure don't agree with letting these guys opt out and
30. I think we ought to kill this bill.

31. PRESIDENT:

32. Is there any further discussion? If not, Senator
33. Schaffer may close the debate.

1. SENATOR SCHAFFER:

2. Senator Buzbee, I am...I am shocked and chagrined
3. at your statement. It's your very own bill before us in
4. a matter of hours or days, will have the superintendents
5. of regional education interpreting the will of God
6. and yet you...you...you say they don't have anything to do.
7. I would suggest to you that it does affect two counties.
8. The population that I know of, there are three counties
9. who I believe are consolidated. The counties you're concerned
10. about are well below the twenty-eight thousand figure.
11. I...the bill I'm interested in does not involve this concept,
12. it involves the disconnect and the reconnect. I've allowed
13. these two Senators over here to put it in to solve two
14. specific problems. I'm unaware of any other counties that
15. would...would...they may have the option but I'm led to
16. believe by the sponsors of the amendments that they are
17. consolidated and would probably remain so. In fact, I'm
18. not sure there's a mechanism for them to unconsolidate.
19. I think it's not an unreasonable proposal. I think that
20. that size county can justify the office. I have some of the
21. reservations Senator Buzbee has on the entire concept
22. of the regional superintendent, but if we are not prepared
23. to do away with the office at this time, I think the bill
24. is a reasonable proposal.

25. PRESIDENT:

26. The question is...state your point, Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, my point is that I believe there has been
29. a...a...an incorrect statement made in debate. It's just
30. come to my attention and I think it's very important and that
31. is that the amendment that Senator Sommer put on will allow
32. counties under twenty-eight thousand to opt out and remain
33. a separate educational service region until 1981 which means

1. that every county in this State can now opt out. And
2. we will...

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. ...the fiscal implication is...well, I'm saying this
7. on a point of order because it was misleading, the statement
8. that was made before, which means now, the fiscal implication
9. is multi-million dollars, not two hundred thousand, but
10. multi-million dollars because every one of them are going
11. to opt out because they all want to be elected to State office.

12. PRESIDENT:

13. Senator Buzbee. Senator Kenneth Hall, we have
14. closed the debate. I'm sorry. The Chair did not...
15. for what purpose does Senator Schaffer arise?

16. SENATOR SCHAFFER

17. Well, I...in all deference to my colleague from
18. southern Illinois, I cannot reach the same conclusion
19. and I would not like to see those records remain...remarks
20. remain unchallenged. I...I think the bill makes sense
21. and I don't think that...I think it affects two counties,
22. I think it potentially could affect five. I...I think it
23. merits a favorable roll call.

24. PRESIDENT:

25. The question is shall House Bill 490 pass? Those
26. in favor will vote Aye. Those opposed will vote Nay. The
27. voting is open. Have all voted who wish? Have all voted
28. who wish? Take the record. On that question the Ayes are
29. 22, the Nays are 20, none Voting Present. The sponsor has moved
30. to postpone consideration. Consideration will be postponed.
31. House Bill...House Bill 491, Senator Coffey. Read the bill.

32. SECRETARY:

33. House Bill 491.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Coffey.

5. SENATOR COFFEY:

6. Mr. President and members of the Senate. This bill
7. that's before us now, House Bill 491, provides that if
8. the State superintendent declares that an energy shortage
9. exists, a school district may operate...operate with
10. four days. Further provides in such cases the State will
11. aid...State aid will not be reduced if they go to a four
12. day school week. And the employees will not suffer
13. any reductions in salaries or benefits. It provides
14. that each of the four days of school that the school district
15. will add one hour to each day to pick up...to make up for
16. the one day of shortage and I would ask a favorable
17. roll call and be glad to answer any questions in this.

18. PRESIDENT:

19. Is there any discussion? If not, the question is shall
20. House Bill 491 pass. Those in favor will vote
21. Aye. Those opposed will vote Nay. The voting is open.
22. ...voted who wish? Have all voted who wish? Take the
23. record. On that question the Ayes are 52, the Nays are
24. none, none Voting Present. House Bill 491 having received
25. a constitutional majority is declared passed. House Bill
26. 493, Senator Lemke. House Bill 504, Senator Johns. House
27. Bill 508, Senator Rupp. Read the bill.

28. SECRETARY:

29. House Bill 508.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Rupp.

1. SENATOR RUPP:

2. Thank you, Mr. President. House Bill 508 requires
3. that the Department of Law Enforcement issue a notice
4. of expiration of a fire arm owner's identification card
5. and renewal application to each person within thirty
6. days prior to the notice. The Department of Conservation
7. supports this. There is an estimate from the Department
8. of Law Enforcement that would cost thirteen thousand
9. dollars. I ask a favorable vote.

10. PRESIDENT:

11. Senator Grotberg.

12. SENATOR GROTBORG:

13. Will the sponsor yield?

14. PRESIDENT:

15. Indicates he will yield.

16. SENATOR GROTBORG:

17. Senator, I...I question the thirteen thousand dollars thing.
18. How many...can you tell me how many fire arm registrations there
19. are in effect now?

20. PRESIDENT:

21. Senator Rupp.

22. SENATOR RUPP:

23. Thank you. I cannot give you that number. This
24. figure was secured from the analysis, I think that possibly
25. you have too. That's the figure that the Department of
26. Conservation gave in response to the request.

27. SENATOR GROTBORG:

28. What's the Department of Conservation got to do with this?

29. SENATOR RUPP:

30. I mean the Department of Law Enforcement was the one that
31. gave that. Right.

32. SENATOR GROTBORG:

33. You keep mentioning the Department of Conservation is in
34. favor of it. Are they the ones that check out with the game

1. wardens and stuff that you've got a permit? Is that the
2. idea?

3. SENATOR RUPP:

4. Yes, they are involved and they have an...

5. SENATOR GROTEBERG:

6. Cause I...

7. SENATOR RUPP:

8. ...interest in it.

9. SENATOR GROTEBERG:

10. The reason I'm asking the question, I've got one
11. in my pocket that's been expired for at least a decade.
12. I don't have a gun anymore either, but I often wondered
13. if anybody ever checked into the thing and I would
14. support your bill just to be reminded as I think so many
15. of us are, that we should at least have a new photograph
16. every twenty-five years on our card. Thank you.

17. SENATOR RUPP:

18. Thank you.

19. PRESIDENT:

20. Senator Joyce.

21. SENATOR JOYCE:

22. Would the sponsor yield for a question?

23. PRESIDENT:

24. Indicates he'll yield.

25. SENATOR JOYCE:

26. Senator Rupp, I...I must admit, it's been some time
27. since I've talked to any game wardens, but it...when this
28. first came about, they were not in favor of this. Now, I...
29. I don't know if they've changed their opinions or what.

30. PRESIDENT:

31. Senator Rupp.

32. SENATOR RUPP:

33. Evidently, they have because the note that we've

1. received was that the conservation people did favor it.
2. That's...
3. PRESIDENT:
4. Is there any further discussion? If not, the question
5. is shall House Bill...Senator Rock.
6. SENATOR ROCK:
7. Thank you, Mr. President. I don't mean to prolong
8. this but Senator Rupp...if the sponsor will yield,
9. Mr. President.
10. PRESIDENT:
11. Indicates he will.
12. SENATOR ROCK:
13. If I took out...I do not have one of these, I do not
14. own a firearm, but if I took one out today, when does...when does
15. it, in fact, expire?
16. PRESIDENT:
17. Senator Rupp.
18. SENATOR RUPP:
19. There is a five year term on these.
20. SENATOR ROCK:
21. Is...is it the same date every year, much like a
22. license plate or is it the date I take it out?
23. SENATOR RUPP:
24. No, it's...
25. PRESIDENT:
26. Senator Rupp.
27. SENATOR RUPP:
28. I think it follows the same as the driver's license.
29. It's a birth date expiration. And that's when the notice...
30. the same thing that...on the driver's license.
31. PRESIDENT:
32. Senator Kosinski.
33. SENATOR KOSINSKI:

1. Very brief. Mr. President and members of the Senate,
2. I had a problem with...I have a gun at home and...about the
3. permit, my permit expired and I was not notified as to the
4. expiration. It lasted two years before I got it in order.
5. I think this is a good bill, a very good bill. I move
6. for its do passage.

7. PRESIDENT:

8. The question is shall House Bill 508 pass. Those
9. in favor will vote Aye. Those opposed will vote Nay.
10. The voting is open. Have all voted who wish? Have all
11. voted who wish? Take the record. On that question the
12. Ayes are 46, the Nays are 1, 1 Voting Present. House
13. Bill 508 having received a constitutional majority
14. is declared passed. House Bill 509, Senator Glass.
15. Read the bill.

16. SECRETARY:

17. House Bill 509.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President and Ladies and Gentlemen.
24. This addresses the situation involving the public libraries.
25. It would allow where an entire municipality is split
26. between library districts and a portion of the district
27. is a member of a township district, it will allow a
28. referendum for those people to join the city or the
29. municipality library district upon a vote of the entire
30. district favorably as well as the new portion to be annexed.
31. An amendment was added to the bill that provides in cases
32. of annexation the residents of that portion of any township
33. so annexed, shall remain liable for their proportionate

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6/22/77
2nd reading

1. share of bonded indebtedness. And I would be happy to
2. answer any questions. Would appreciate a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall
5. House Bill 509 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 50, the Nays
9. are none, none Voting Present. House Bill 509 having
10. received a constitutional majority is declared passed.
11. House Bill 511, Senator Don Moore. Senator Don Moore,
12. for what purpose do you arise?

13. SENATOR MOORE:

14. Thank you, Mr. President. This bill was amended
15. yesterday on 2nd reading, advanced to 3rd. There is a
16. technical amendment that was found by the Reference
17. Bureau and I know the President does not want to bring bills
18. back to 2nd reading for the purpose of amendment. But
19. I would request at the appropriate time that when we do go
20. to that order of business, that this bill could be called
21. out of order when we get into it, probably tomorrow.

22. PRESIDENT:

23. Heard the request. Is leave granted? Leave is
24. granted. House Bill 517, Senator Berman. House Bill
25. 520, Senator Netsch. Senator Berman, do you wish to have...
26. 517. Read the bill.

27. SECRETARY:

28. House Bill 517.
29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Berman.

33. SENATOR BERMAN:

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6/30/77
3rd Reading

1. Thank you, Mr. President, Ladies and Gentlemen of the
2. Senate. House Bill 517 merely extends the right of a
3. ...of a notice that is presently given to teachers
4. regarding disciplinary actions to extend to the same type
5. of notice to principals. Teachers are right now before
6. they can proceed with disciplinary procedures such as
7. firing, are given a notice indicating the reason for their
8. unsatisfactory work. This bill would extend that
9. same notice to a principal. I solicit your Aye vote.

10. PRESIDENT:

11. Is there any discussion? If not, the question is shall
12. House Bill 517 pass. Those in favor will vote Aye. Those
13. opposed will vote Nay. The voting is open. Have all
14. voted who wish? Have all voted who wish? Take the
15. record. On that question the Ayes are 44, the Nays are none,
16. 2 Voting Present. House Bill 517 having received a
17. constitutional majority is declared passed. House Bill
18. 520, Senator Netsch. Read the bill.

19. SECRETARY:

20. House Bill 520.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. This bill grew out of the...
27. particularly out of the concerns of some areas in the
28. City of Chicago and perhaps most prominently the Lakeview
29. area about what is a practice which has come to be known
30. as insurance red-lining. The bill, as it was originally
31. introduced has been considerably changed and now, in its
32. present form, it is a fairly modest proposal which is
33. substantially similar to a proposal which Senator Merlo

1. had earlier presented to this Body in which this Body
2. approved. It provides simply that a policy of fire
3. and extended coverage insurance may not be nonrenewed
4. for any of the following reasons. The age of the property,
5. the location of the property and certain traditional
6. discriminatory grounds such as sex, color and so forth.
7. The...the point of it is that...that where a neighborhood
8. is getting somewhat older, but is still hanging on
9. and all of a sudden encounters a policy and a pattern of
10. nonrenewal of insurance, that, in itself, becomes
11. almost a self-fulfilling prophecy. It...it has a
12. devastating effect on the neighborhood when those who
13. own homes or own apartment units, cannot cover themselves
14. with insurance and it makes no sense at all when the
15. grounds relate only to the age or location. Now, if there
16. is a bad history, if there are problems in the building,
17. that's something entirely different and those factors
18. are not affected at all by this bill. This one is intended
19. to deal only with what is essentially an arbitrary
20. nonrenewal of policy directed specifically and only to
21. questions of location in particular communities.
22. It's extremely important to many areas in our city and I
23. suspect in some other cities in the country...in the State
24. of Illinois. I would be happy to answer questions and if
25. not, we would be very appreciative of a favorable roll call.

26. PRESIDENT:

27. Is there any discussion? If not, the question is shall
28. House Bill 520 pass. Those in favor will vote Aye.
29. Those opposed will vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish?
31. Take the record. On that question, the Ayes are 37, the Nays
32. are 11, 1 Voting Present. House Bill 520 having
33. received a constitutional majority is declared passed.
34. House Bill 528, Senator Ozinga. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President, it has just come to my attention
3. that somebody is offering an amendment and I think it's
4. up there. Now, I don't mind the amendment if it's
5. consented to by the Department of Conservation. I
6. understand that it has. I would ask to bring the bill
7. back for putting on the amendment. I know what you're
8. going to say, but I'd like to preserve my position
9. when the next time that this bill comes up. It's come
10. to my attention just within the last half hour.

11. PRESIDENT:

12. For what purpose does Senator Glass arise?

13. SENATOR GLASS:

14. Well, Mr. President, I'm the sponsor of the amendment
15. and it is a simple amendment as to which Senator Ozinga
16. does not object nor the Department simply earmarking the
17. funds from the increase in the license fees for
18. conservation uses in fishing and hunting.

19. PRESIDENT:

20. Senator, we will have an opportunity to bring bills
21. back, perhaps later today, if not, tomorrow. And the
22. Secretary informs me that there are many amendments on
23. the Secretary's Desk and once we get into this situation,
24. then we're going to have to do it with every bill and...

25. SENATOR OZINGA:

26. ...that, but the answer to it is that I would like
27. to be able not to have to wait till the end of the call
28. to come back to it.

29. PRESIDENT:

30. For what purpose does Senator Rock arise?

31. SENATOR ROCK:

32. Well, there's some very serious questions with this
33. bill. One, as I understand the amendment, at least the copy

1. that was distributed to my desk, we heard, frankly
2. for about two and a half hours yesterday afternoon, the
3. Department of Conservation's plan for this additional
4. money. And this amendment would seem to thwart
5. that plan no end. I am not prepared to give Senator
6. Ozinga leave to call this until we get all these questions
7. resolved.

8. PRESIDENT:

9. Senator Ozinga, are you taking the bill out of the
10. record?

11. SENATOR OZINGA:

12. No, let's call it.

13. PRESIDENT:

14. All right. On the Order of House Bills, 3rd reading,
15. House Bill 511. Excuse me. House Bill 528, Senator
16. Ozinga. Read the bill.

17. SECRETARY:

18. House Bill 528.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Ozinga.

23. SENATOR OZINGA:

24. Mr. President and members of the Senate. This bill
25. amends the Fish Code, raises the State resident license
26. for fees for sport fishing, et cetera, et cetera, and there
27. are various, various fees in here that have been raised.
28. All of these fees will be going into the game and
29. fish fund. Now, the amendment that was just proposed
30. was nothing more than to guarantee that at least one half
31. of the yearly receipts in the game and fish fund shall be
32. appropriated for any and all of the following. It is
33. my firm opinion and the statement of the Director that these

1. funds will be used. However, all that this did was to
2. put it into the law that it positively was no doubt in
3. anybody's mind and in case of a change of administration,
4. that it would follow also. Now, I know that there's...and
5. I agree with Senator Rock entirely that this was thoroughly
6. discussed in committee with regard to what they were
7. going to do with the amounts of money that was coming
8. in. I also am informed that some of these...there was
9. an amendment that cut down the sportsmen's license from
10. seventeen fifty to fourteen dollars. There were also...
11. in addition, the bill provides that the license fee of
12. seventeen fifty, which I just said, was cut down...such
13. license will be for a noncommercial sport fishing license,
14. a hunting license. I should be noted that the game and
15. fish fund which is where the increased revenue would go,
16. can be used for the Department including the purchase of land
17. for fish hatcheries, for game refugees, preserves for
18. public shooting and fishing grounds, for the purchase and
19. distribution of wild birds, the eggs and the distribution
20. of fish. There are a lot of other possible situations here
21. and I think that the...

22. PRESIDENT:

23. Excuse me, Senator Ozinga. Will the members please
24. be in their seats. The noise level is on the rise again.
25. Will the members please be in their seats and will the
26. Sergeant-at-Arms please clear the Floor of unauthorized
27. persons. Senator Ozinga, pardon me, will you please
28. continue.

29. SENATOR OZINGA:

30. Members of the Senate, I would state to you that with
31. or without the amendment, I believe that this is a good
32. bill. It will put us in conformity with other states
33. around us and I would urge you and...that you vote a

1. favorable roll.

2. PRESIDENT:

3. Senator Joyce.

4. SENATOR JOYCE:

5. Yes, Mr. President. Thank you. Would the sponsor

6. yield?

7. PRESIDENT:

8. Indicates he'll yield.

9. SENATOR JOYCE:

10. Yes, I...I noticed that the combination license

11. is seventeen fifty and the hunting license...the fishing

12. license would be five dollars and the hunting license

13. ten dollars. Why would a person buy a combination license

14. when you could buy them both separately cheaper?

15. SENATOR OZINGA:

16. That has been amended to read fourteen dollars.

17. SENATOR JOYCE:

18. We had a reciprocatory agreement with other states.

19. Now, why has this been taken out of the...the bill, Senator?

20. PRESIDENT:

21. Senator Ozinga.

22. SENATOR OZINGA:

23. I...I don't think it has. It hasn't.

24. PRESIDENT:

25. Senator Joyce.

26. SENATOR JOYCE:

27. I thought that we passed a bill here a couple of years

28. ago that we would have reciprocatory agreements with other...

29. other states?

30. SENATOR OZINGA:

31. Do have...we still do have.

32. PRESIDENT:

33. Senator Joyce.

1. SENATOR JOYCE:

2. I would just say that it is a drastic increase and
3. I think that it is just too much money to...to jump this
4. up to in one particular year.

5. PRESIDENT:

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Yes, Mr. President. Will the sponsor yield for
9. a question?

10. PRESIDENT:

11. Indicates he will yield.

12. SENATOR DEMUZIO:

13. The increase in revenue from this bill, has the
14. Department indicated to you how much it will bring in?

15. PRESIDENT:

16. Senator Ozinga.

17. SENATOR OZINGA:

18. ...stated approximately six million dollars.

19. PRESIDENT:

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Can you tell me how they derived at that figure?

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. No, I can't. This was a computation that the computer
27. probably worked for them, but I don't have the computer.

28. PRESIDENT:

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. Well, as I said in committee, in all due respects to
32. the sponsor, this bill, in the Agriculture Committee, came
33. out 5 to 4 and I think I made these similar remarks in

1. committee that I take my son fishing and I take him hunting
2. but I've got to buy him a three dollar and twenty-five
3. cent license for hunting and for fishing and I get him a
4. five dollar duck stamp and a five dollar goose stamp
5. and I have to buy those things myself and you get him six
6. dollars and twenty-five cents for a box of shells and what
7. have you. Ladies and Gentlemen of this Senate, you are making
8. it so a poor person cannot afford to enjoy this sport.
9. I realize that there are individuals in this Body that
10. are just adamantly in favor of this as I am adamantly
11. opposed. And frankly, I think that the increases are
12. unwarranted and I think that the bill ought to be defeated.

13. PRESIDENT:

14. Senator Kenneth Hall.

15. SENATOR HALL:

16. Thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. I rise in opposition to this bill. Now,
18. we have a number of elderly people, senior citizens
19. who are...their lifetime has been well spent in trying to
20. provide a living for themselves and many of them are on
21. limited incomes today and now we're going to come along
22. here and increase the fishing and hunting license on these
23. people. As it has been stated here, I think Senator...
24. Senator Vadalabene handled that bill and we passed it out
25. to give these people some form of relaxation. To come
26. along to say that you want to create a sportsmen combination
27. or something like this, these are people that cannot afford
28. any increase at this time. This bill should be defeated.

29. PRESIDENT:

30. Senator Mitchler. Senator Ozinga may close the debate.

31. Oh, excuse me, Senator Ozinga...

32. SENATOR OZINGA:

33. Just to answer the statement of Senator Hall. These

1. senior citizens get it for free, you can't get it much
2. cheaper than that.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:.

6. Well, Mr. President and members of the Body, I don't
7. know who you expect to buy the hunting license and the
8. shells for your son unless it's you and I don't know what's
9. going to be there to hunt one of these days. If you don't
10. send a ship out don't expect your ship to come in.
11. One of the big increases in sport in this State in the last
12. two or three years, has been the coho fishing that all of you
13. have enjoyed Lake Michigan but we don't have...and if you
14. watch the films and the program that was presented there
15. by Representative Griesheimer, you realize we don't have the
16. kind of facilities we need in the way of hatcheries, that
17. Michigan and some of the other states...salmon have a
18. way going back whence they came, just like some of us
19. return to the same old stomping grounds sometime. A lot of this
20. money is going to go to...to create a fresh water coho
21. hatchery and for you fellows in Chicago that like to coho
22. fish, this is going to make it one hell of a lot better.
23. Sure, that's going to be in my district, but that happened
24. to be an accident because they wanted to put it in Senator
25. Sommer's district and his was water wasn't pure enough.
26. We want to draw his water on this one and all I can say to
27. you is is that in my district, in the...in Mason County,
28. they have the riverbed of the old Mahomet River that was
29. the pre-Ice Age river that was covered up when the glaciers
30. traveled over Illinois and there they have an inexhaustible
31. supply of cold, fresh pure water where we can hatch those
32. salmon and turn them loose on the beaches of Chicago and
33. Waukegan and they'll go out and grow up into big fish

1. and come back for you to catch. Now, don't expect those...
2. your ship to come in unless you send one out and don't expect
3. the salmon to come back either unless you send one out
4. because that's just the way they happen to operate.
5. I want to say this, what will a dollar buy today that you
6. had several years ago? I think since 1920...1972,
7. a dollar shrunk from a dollar to fifty-eight cents.
8. You've raised the salaries, boats cost more, shells
9. cost more, fishing gear costs more, but we expect to
10. have the same kind of recreation without doing that.
11. Gentlemen, if you don't put something in, you won't get
12. something out and it's been a long time since these fees
13. have been raised, our older people are excused, youngsters
14. under certain ages are excused and this will provide
15. in a state that is a derelict as far as recreational
16. areas and recreational opportunities concerned, it will
17. provide better opportunities for you. Look forward to
18. that son you have and hope that when he goes into the
19. woods, he'll find deer, that he'll find squirrel, that
20. he'll find salmon, rabbit, quail and pheasant and the
21. way that's done is to...is to increase and make this money
22. available. Let's send the little salmon out so they can
23. come back.

24. PRESIDENT:

25. Senator Clewis.

26. SENATOR CLEWIS:

27. Mr. President, I'd like to move the previous
28. question.

29. PRESIDENT:

30. Senator, we have one additional request to speak.
31. Senator Hickey. In accordance with our procedures, she
32. may speak and then Senator Ozinga may close the debate.
33. All right. Senator Schaffer also had requested before the

1. motion. Senator Hickey.

2. SENATOR HICKEY:

3. Thank you, Mr. President.. I'll make it very short.

4. The only constituent that I heard from on this bill urged

5. me to vote against it because he said that all the money

6. would go to southern Illinois, that in the northern

7. part of the State, fishermen get no benefits because

8. we do not have enough stock ponds and streams.

9. Senator Ozinga, can you tell me that if I vote for this

10. bill that my constituent will have any additional

11. stock streams in northern Illinois?

12. PRESIDENT:

13. Senator Ozinga.

14. SENATOR OZINGA:

15. The answer to that one would be hopefully yes.

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. There ain't no damn place in southern Illinois

20. we can raise the salmon. We've only got one place we can

21. hatch them and that's in Mason County and they're all

22. going to northern Illinois.

23. PRESIDENT:

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. I...I have to admit my initial reaction was

27. extremely negative, but in the process of tabulating

28. a poll, and a question I asked was, would you support

29. higher fishing and hunting licenses if the money were to be

30. used for upgrading fishing and hunting facilities in

31. Illinois. Frankly, we're getting a big response and it's

32. coming back two and a half...two and a half times in favor

33. which amazes me. I'm going to support the bill.

1. PRESIDENT:

2. Senator Ozinga may close the debate.

3. SENATOR OZINGA:

4. There was somebody that asked the question, where
5. did the computation of six million dollars come from.
6. I am told that it comes from the increase by way of a
7. current issuance of licenses. Now, in closing, I would
8. say when you look to see just what this will do, and I'm
9. just summarizing and I have full faith and confidence in
10. the director that he will carry out what he says he will
11. do and that is exactly and even more than what the amendment
12. would have asked and this...the proceeds would purchase
13. land for fish hatcheries, game refuge preserves, public
14. shooting and fishing grounds for the purchase and
15. distribution of wild birds, the eggs of wild birds,
16. the wild animals, for rescuing, restoring and distributing
17. fish for the maintenance of game refuges, preserves,
18. public shooting grounds, fish hatcheries and for the feeding
19. and care of wild birds, wild animals and fish. Therefore,
20. Mr. President and members of the Senate, I urge you to
21. give an affirmative vote for this bill.

22. PRESIDENT:

23. The question is shall House Bill 528...for what
24. purpose does Senator Rock arise?

25. SENATOR ROCK:

26. Parliamentary inquiry, Mr. President.

27. PRESIDENT:

28. State your inquiry.

29. SENATOR ROCK:

30. Is it possible under the buttons under your control
31. up there to have that side of the aisle vote first?

32. PRESIDENT:

33. We don't have that kind of mechanism installed as yet,

1. although, there is some discussion about trying to get it in.
2. even before the end of the Session.

3. SENATOR ROCK:

4. Thank you, very much. I think we ought to watch
5. that, at least.

6. PRESIDENT:

7. Question is shall House Bill 528 pass. Those in
8. favor will vote Aye. Those opposed will vote Nay. The
9. voting is open. Have all voted who wish? Have all
10. voted who wish? Take the record. On that question the Ayes
11. are 24, the Nays are 16, none Voting President...Present.
12. The sponsor moves to postpone consideration. Consideration
13. will be postponed. House Bill 534, Senator Grotberg.
14. Read the bill.

15. SECRETARY:

16. House Bill 534.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Grotberg.

21. SENATOR GROTEBERG:

22. Thank you, Mr. President. House Bill 534 amends
23. an Act to revise the law in relationship to township
24. organization and it changes the financial basis used to
25. determine the frequency of township audits from a hundred
26. thousand dollars to now two hundred thousand dollars
27. as amended. Presently, all the townships which have a total
28. annual receipt of under a hundred thousand are required
29. to be audited every four years and over one hundred
30. annually. House Bill 534 would require that all the townships
31. with a total annual receipt of under two hundred thousand
32. be audited every four years and over one hundred and fifty
33. thousand and audited as annually required. This...this is
34. due to the Revenue Sharing money has impacted townships considerably

1. and raised the level at which they should be audited
2. annually. I'd ask for a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall
5. House Bill 534 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
9. 37, the Nays are 6, none Voting Present. House Bill
10. 534 having received a constitutional majority is
11. declared passed. ...541, Senator Bruce. House Bill
12. 544, Senator Mitchler. Senator Bruce. 541.
13. Read the bill.

14. SECRETARY:

15. House Bill 541.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Bruce.

20. SENATOR BRUCE:

21. Thank you, Mr. President and members of the Senate.
22. The bill amends the Municipal Retirement Fund, the Sanitary
23. District Employees Trustees Annuity, the State Employees
24. Retirement Fund, the State University Retirement Fund and
25. the Downstate Teachers Retirement Fund relative to effective
26. date on...on annuities filed more than one year
27. before the date, the fund receives the application for the
28. allowance. At the present time, there is a sixty day
29. requirement and some people do not file within the sixty
30. days. If they do not, then they are not allowed their
31. annuity until such time as they are properly filed and they
32. lose the days between the sixty day filing limit and when
33. the...when the claim was actually filed. On other systems,

1. the General Assembly and judges, the date annuities
2. are to begin are thirty days before the receipt of the
3. application. It would make it in all systems that I have
4. mentioned, a uniform one year. We have had the situation
5. where people have had to sue the boards for a lack of filing
6. a prompt application and all this would say is, we make it
7. uniform within all that it be one year. Additionally,
8. with regard to the Downstate Teachers Retirement Fund,
9. disability benefits will be based upon the most recent
10. full time salary if, A, the most recent service prior
11. to disability of one half time or greater and B, the
12. salary of the most full time...most recent full time
13. salary was greater than the part time salary. This will allow
14. those teachers who have gone on a...on pension, to return
15. and then work on a part time basis if they were unable to
16. work full time due to an injury or an illness. I would
17. move, Mr. President, that this bill receive a favorable
18. vote.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is shall House
21. Bill 541 pass. Those in favor vote Aye. Those opposed
22. Nay. The voting is open. Have all those voted who wish?
23. Take the record. On that question the Ayes are 51, the
24. Nays are none, 1 Voting Present. House Bill 541, having
25. received a constitutional majority is declared passed.
26. House Bill 544, Senator Mitchler. Read the bill, Mr.
27. Secretary.

28. SECRETARY:

29. House Bill 544.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Mr. President and members of the Senate. House
3. Bill 544 is a bill that got a 9 to 0 recommendation out
4. of Judiciary I Committee. It amends the Medical Practice
5. Act, provides the licensees under the Medical Practice
6. Act immunity with respect to civil damages for acts
7. or omissions except willful and wanton misconduct
8. while providing medical treatment in established free
9. medical clinics. This relates to the Balthizar Clinic
10. in the City of Aurora. I would ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall
13. House Bill 544 pass. Those in favor vote Aye. Those
14. opposed Nay. The voting is open. Have all those voted
15. who wish? Have all those voted who wish? Take the
16. record. On that question the Ayes are 51, the Nays
17. are none. House Bill 544 having received a constitutional
18. majority is declared passed. House Bill 548, Senator
19. Knuppel. House Bill 550, read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 550.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. This is a bill designed to allow a bank to open
28. a temporary currency exchange or booth at...at trade fairs...
29. international trade fairs so that people who come from
30. overseas can exchange their currency. In a recent letter
31. from a booking organization, addressed to Representative
32. McClain, let me read to you. They said, some time ago we
33. also tentatively scheduled the 1978 World Fair for...
34. technology exchange at the O'Hare Exhibition Center

1. contingent upon the quality of the services and facilities
2. for exhibitions and registration at the 1977 World Fair.
3. Thus, this currency exchange factor alone is tremendously
4. important to visitors from overseas. If the matter cannot
5. be satisfactorily resolved, we may have to seek a more
6. hospitable state for 1978 and future years. Apparently,
7. the main problem is the Illinois Banking Act prevents
8. any Illinois bank operating another facility in another
9. location no matter what. Gentlemen, this is a temporary
10. currency exchange for overseas visitors. It's the
11. kind of banking service the State of Illinois should
12. furnish if it wants to attract this type of international
13. fair. I submit it's good legislation. And I would
14. appreciate a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Will the sponsor yield to a question?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Indicates he will.

21. SENATOR SHAPIRO:

22. Senator Knuppel, I'm not rising in opposition to the
23. bill. I intend to support it. However, it was pointed
24. out to me that there is a technical error in that it
25. refers to the United States Chamber of Commerce instead
26. of the United States Department of Commerce.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. You are correct and I missed that. I promised that I would
31. correct it in committee. I'll take it out of the record, please.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Take it out of the record. House Bill 557, Senator
34. Harber Hall. Read the bill, Mr. Secretary.

1. House Bill 560. Senator Hall, that was amended today
2. and we have the practice is not to call that today.
3. House Bill 560, Senator Kenneth Hall. House Bill 563,
4. Senator Merlo. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 563.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Merlo.
11. SENATOR MERLO:
12. Mr. President and members of the Senate, under our
13. present laws, aid to the medically indigent program
14. is administered by township supervisors under
15. regulations promulgated by the Illinois Department of
16. Public Aid. The townships are requested to provide
17. all costs of necessary medical care for the migrant worker.
18. This program has placed township supervisors under the
19. undue burden of paying these medical costs from their
20. general assistance funds almost to a point of bankruptcy.
21. Unfortunately, a number of the townships where migrant
22. workers are residing at the present time, the tax base
23. simply is not adequate to pay these medical expenses.
24. The present system of providing medical aid to the migrant
25. is inadequate, unjust and unfair. What House Bill 563
26. would do, it would provide that migrant workers may qualify
27. for medical assistance under the Article V of the Public
28. Aid Code. And I move for the passage of this bill.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Is there further discussion? Senator Coffey.
31. SENATOR COFFEY:
32. Mr. President and members of the Senate.
33. I rise in support of this bill. I, for one, have two different

1. townships that migrate workers come to each year. These
2. two townships and especially one of them have a large amount
3. of migrant workers come there and it does cause an undue
4. hardship on that township and it is matter-of-fact that it
5. could create a bankruptcy for that township and I would
6. ask the members of this Senate to vote in support of this
7. bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there...Senator Berning.

10. SENATOR BERNING:

11. Question of the sponsor, please...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Indicates he will yield.

14. SENATOR BERNING:

15. Senator, I'm in total agreement with the objective here.
16. I know full well that many of our townships have been
17. overburdened with expense for migrant workers. My question
18. has to do with the mechanics of this. Perhaps it would be
19. well to call to the attention of the members of the Senate
20. and to you that the township and the township supervisor
21. is the only place where anyone can go for emergency
22. assistance. The township frequently is required to carry
23. someone for thirty, sixty or ninety days before the Illinois
24. Department of Public Aid is in a position to take over. It
25. takes the State that long to move. My question, then, is
26. can this...this bill, 563, be interpreted to mandate
27. the Department of Public Aid to immediately provide
28. emergency care and emergency care covers everything from
29. a toothache to a broken arm to an appendectomy to a
30. child delivery. When that emergency arises, the patient
31. needs the service now. I am just afraid that we, perhaps,
32. are going about this in reverse. I submit that from all that
33. I am able to determine, the township will still have to provide

1. emergency care. What we should be doing is mandating
2. that the State reimburse the township for out of
3. pocket expense for migrant people. That's the only way
4. I see that it's practical. I doubt...I sincerely doubt
5. that you're going to be able to provide service to people
6. through the State agency and I guess that's my question,
7. how does this guarantee that the State is going to fulfill
8. this obligation?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. That's a three minute question. Senator Merlo.

11. SENATOR MERLO:

12. Don Moore.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Don Moore.

15. SENATOR MOORE:

16. Thank you, Mr. President. I think to answer your
17. question, Senator, instead of the township general
18. assistance office reimbursing these people would go
19. directly to the Department of Public Aid, be given their
20. green card there and it would be picked up by the State
21. and matched fifty - fifty with the...with the...under
22. our medicaid program. There would not be any reimbursement
23. in other words, general assistance unit would not pay the
24. bill and then have the Department reimburse them. They would
25. go directly to the Public Aid office and be processed there
26. with the...with the green card on the medicaid system...
27. medicare system. Medicaid.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Berning.

30. SENATOR BERNING:

31. Well, theoretically, that's very good. I just
32. don't see how it's going to work. The Public Aid office
33. is only open from nine till five. It's never open in the

1. evening, it's never open on weekends and when an individual
2. man, woman, or child is in need of immediate attention,
3. whether it's hospital, doctor, dentist, anyone else, the
4. money is not available, the authorization is not available
5. if the Department of Public Aid is not open and even if it
6. is open, emergency assistance is not granted that way by
7. the Department of Public Aid and unless you totally change
8. the whole operating procedure for the Department of Public
9. Aid and make that department responsible for emergency
10. assistance, this is just going to leave people without
11. any available source of help as I see it. And I'm not
12. opposed to the idea. I'd like to see this State pick
13. up the cost for the migrant workers. It's totally
14. unconscionable that there are taxpayers in the
15. should provide through their general assistance dollars
16. for migrant people. But it still remains that the
17. township is the...and the township super...
18. supervisor is the only person who can provide that.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Moore.

21. SENATOR MOORE:

22. Well, Senator, I don't think the general assistance
23. offices are open twenty-four hours a day either.
24. In the...in the emergency assistance program, there is a
25. number that can be called to Springfield that is maintained
26. twenty-four hours a day, seven days a week that does handle
27. emergency assistance matters. And I assume that in an
28. emergency, that number would be used to get the
29. authorization directly from the office down here in
30. Springfield. There...the department does have the authority
31. to promulgate rules and regulations which they have done in
32. implementing this so called hot line for emergency
33. assistance that can be granted right over the phone immediately

1. upon a request being...you know, coming in to the office.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Mr. President and fellow Senators, Senator Berning,
6. I think that I had the same problem you did when I saw
7. this bill. However, this bill is supported by the Township
8. Officials of Illinois and I want to say this takes nothing
9. away from the responsibility from the responsibility of the
10. township for general assistance. We still...we'll still
11. have to be responsible for general assistance and to go
12. through the same process. What this does do is the AMI
13. program, Aid to the Medically Indigent, what it does is it
14. removes that obligation from the township. Otherwise, the
15. township is still responsible for all general assistance
16. but the aid to the medically indigent, that medical aid, it
17. takes care of that so we don't have to worry about
18. emergencies. When they go to the hospital, as long as
19. they...these...or any medical aid that they need will be taken
20. care of through the Public Aid program. But general
21. assistance will still be provided and won't cause any
22. disturbance. In fact, this will help with the townships.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Yes, Mr. President, members of the Senate. I rise
27. in support of this bill. As we've gone around on township
28. and local problems hearings for the last four or five
29. years that I've been involved, one of the biggest
30. conflicting points that they have back at the point of local government,
31. is this issue of high hospital bills and emergency bills
32. invading the available funds of the general assistance fund
33. with no alternative. What really happens is many times,

1. inadequate care and no provision is made for health care
2. for the migrant workers. And I certainly think that
3. this is the proper place and the proper authority
4. for such funding and I rise in support of this good bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Merlo, you may
7. close the debate or have a roll call. Senator Merlo.

8. SENATOR MERLO:

9. I...I merely want to state, Mr. President, that the
10. bill is supported by the Township Officials of Illinois,
11. the Township Officials of Cook County, the Illinois canners,
12. the Illinois farmers, the Illinois migrant workers
13. and the Illinois Department of Public Aid has taken no
14. position since the bill has been amended and I ask for
15. a favorable roll call.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Question is shall House Bill 563 pass. Those in
18. favor vote Aye. Those opposed Nay. The voting is open.
19. Have all those voted who wish? Have all those voted who
20. wish? Take the record. On that question the Ayes
21. are 47, the Nays are 4, 3 Voting Present. House Bill
22. 563 having received a constitutional majority is declared
23. passed. House Bill 571, Senator Berman. Read the
24. bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 571.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. House Bill 571 requires the Department of Public

1. Aid to work with the Department on Aging to provide for
2. programs to eliminate the required institutionalization
3. of senior citizens. The Governor, in his State of the
4. Budget Message, talked about the priority of in home care
5. for the elderly. This bill is in line with that
6. recognition that many times, if the proper programs
7. are put into force, people are...senior citizens
8. and mentally disabled will be better off for much
9. cheaper costs by staying at home with the proper
10. programs than being put into an institution. I solicit
11. your Aye vote.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Question is shall House
14. Bill 571 pass. Those in favor vote Aye. Those opposed
15. Nay. The voting is open. Have all those voted who
16. wish? Take the record. On that question the Ayes
17. are 48, the Nays are none, 1 Voting Present. House
18. Bill 571 having received a constitutional majority is
19. declared passed. House Bill 584, Senator Guidice.
20. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 584.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Guidice.

27. SENATOR GUIDICE:

28. Thank you...thank you, Mr. President and members of the
29. Senate. This bill simply takes out the position of superintendent
30. of meat, poultry and livestock along with the salaried
31. position therein.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? The question is shall

1. House Bill 584 pass. Those in favor vote Aye. Those
2. opposed Nay. The voting is open. Have all those voted
3. who wish? Take the record. On that question the Ayes
4. are 48, the Nays are none. House Bill 584 having
5. received a constitutional majority is declared passed.
6. House Bill 590, Senator Lemke. House Bill 594, Senator
7. Glass. Just...Senator, that was amended this morning.
8. House Bill 595, Senator Vadalabene. Senator
9. Vadalabene, do you wish to call 594? House Bill 59...
10. I'm sorry. 595, I beg your pardon. House Bill
11. ...House Bill 601, Senator Berma. Read the bill,
12. Mr. Secretary.

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End of reel.

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1. SECRETARY:

2. House Bill 601.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berman.

7. SENATOR BERMAN:

8. Thank you, Mr. President, Ladies and Gentlemen
9. of the Senate. House Bill 601 sets up the Library
10. Media Services Act. It provides for an advisory
11. committee to work with the Superintendent of Education...with the
12. Superintendent of Education and the State Board of Education, develop
13. programs for our library media services. One of
14. the areas which is most important to development
15. of a well rounded intelligent pupil is the proper
16. use and full...to the full capacities to the
17. library services in this State. I urge your affirma-
18. tive vote of House Bill 601.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Could we have order,
21. Gentlemen. Is there discussion? The question is shall
22. House Bill 601 pass. Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record.
25. On that question the Ayes are 46, the Nays are 6, none
26. Voting Present. House Bill 601 having received a
27. constitutional majority is declared passed.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

30. SENATOR VADALABENE:

31. Yes, thank you, Mr. President and members of the Senate.
32. I would like to have leave to have Senator Don Moore
33. present Senate Bills 602, 603, 604 and 605. I have
34. to leave and I would appreciate if I could have leave

1. for this.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Do we have leave? Leave is granted. House...Senator

4. Glass we going back, we did skip it and we thought that

5. there was an amendment, there is not. House Bill 594.

6. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 594.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Glass.

13. SENATOR GLASS:

14. Well, thank you, Mr. President, Ladies and Gentlemen.

15. House Bill 594 deals with a section of the School Code

16. which provides now that no student shall be solely

17. because of that person's sex, denied equal access

18. to physical education and their interscholastic

19. athletic programs. Representative Schlickman had a

20. problem in, I think in his district, where there

21. was discrimination with regard to scheduling and

22. staffing. So we've added to that section the language

23. that the discrimination shall not include sponsored

24. sports program with regard to scheduling, staffing,

25. or use of equipment and facilities. Appreciate a

26. favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Berning.

29. SENATOR BERNING:

30. Just a question. In light of the Illinois

31. Constitutional Prohibition against discrimination

32. on account of sex, is this necessary?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Glass.

2. SENATOR GLASS:

3. Senator Berning, I had the same questions and
4. Representative Schlickman, because I guess of a...of
5. a problem locally, was desirous that the...the law
6. be clarified and that's the purpose of the bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Berning.

9. SENATOR BERNING:

10. In...in other words, a Constitutional provision,
11. State or National, is obviously not going to be
12. self-enforcing, whether it's anti-sex discrimination
13. in the Illinois State Constitution or a so-called
14. ERA in the Federal Constitution. Is that essentially
15. correct?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Glass.

18. SENATOR GLASS:

19. I don't know that I can agree with you entirely,
20. Senator.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Rhoads.

23. SENATOR RHOADS:

24. Well, Senator Glass, does this...do you interpret
25. this bill to mean that there will have to be identical
26. amounts of money spent on a program for male and
27. female students? Is that the thrust of the bill?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Glass.

30. SENATOR GLASS:

31. Well, Senator Rhoads, ...that is, I would say,
32. the direction of the bill, but I...I would not feel
33. that it requires an identical amount. Because there
34. is in the law now, there will not be a denial of

1. equal access to physical education and interscholastic
2. athletic programs or comparable programs supported from
3. school district funds. So certainly, it doesn't refer
4. specifically to the...the same amount of money, but
5. the thrust is that there be no discrimination with
6. regard to any phase of the program in...in either
7. interscholastic or...or other sports programs and
8. that there be equal access and that there not be discrim-
9. ination based on scheduling, staffing, or use of
10. equipment and facilities.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. Okay. What I'm concerned about here is a...is
15. a mechanical unity. Let me state the same question
16. another way. If there is any great disparity in the
17. dollars spent on male and female students, does that
18. then constitute a prima facie case of discrimination?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. Well, there is, I do have something in the file
23. that indicates that that certainly is the position
24. that HEW takes with a...a...the Illinois High School
25. Association. I have a letter indicating that there
26. is supposed to be...not supposed to be discrimination
27. in terms of the dollars spent. Although, certainly
28. I think that would have to be taken into account
29. with the...the equipment required. I mean the
30. cost of football equipment might well exceed that
31. of field hockey and...so I don't personally think
32. that you're going to have to spend the identical
33. amount when you're dealing with different sports.

1. I think for a sport where you...for both boys and girls
2. compete, for instance tennis, in that example, I think
3. you'd have to spend approximately the same amount.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. All right. One...one final question, Senator
8. Glass. Does anything in this bill prohibit an
9. additional amount of money coming in, nonpublic
10. money, from say a booster's club or something like
11. that?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Glass.

14. SENATOR GLASS:

15. The bill does not prohibit that.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further debate? The question is...Senator
18. Rock. Just a moment, Senator Rock, I notice that one
19. of our Constitutional officers is here, the Attorney
20. General, he was with us last night and I see he's
21. with us again today. Senator Rock. I'm sorry...I'm
22. sorry I started that. Senator Grotberg.

23. SENATOR GROTBURG:

24. Well, thank you, Mr. President. I appreciate...I
25. appreciate him meeting General Scott, but then right
26. behind you in the balcony is a lot prettier sight,
27. Mrs. Senator Grotberg and our niece, Miss Donna Grotberg,
28. right over your head and I'm glad they're here.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Very Pretty. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President. Question of the sponsor,
33. if he'll yield.

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.

2. SENATOR ROCK:

3. What, Senator, is the sanction? Let's assume that
4. somebody says and can adequately prove that they were,
5. in fact, discriminated against because they couldn't get
6. in a boxing ring. What's the sanction?

7. SENATOR GLASS:

8. I don't know that I can answer that, Senator Rock.
9. The...the law now...the only thing we're adding is a
10. couple of lines and...and the School Code right now
11. says, no student shall solely by reason of that person's
12. sex be denied equal access to physical education and
13. so forth, programs from school district funds. Equal
14. access to programs supported from school district
15. funds and comparable programs will be defined and
16. guidelines promulgated by the State Board of Education,
17. consultation with the Illinois High School Association.
18. So...I...I suppose it would take some kind of court
19. action to enforce it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. Well, this...this may be stretching it somewhat, but
24. it seems to me that we're...we're taking a...a shotgun
25. approach here. Are we now saying by virtue of this
26. Amendment No. 1 to House Bill 594 that for instance,
27. if, in fact, a group of young ladies get together and
28. decide that they want a State basketball tournament
29. in Champaign, for which we all get solicited for
30. tickets once a year, that they are somehow denied equal
31. access to that kind of sports program because the
32. State-run basketball tournament, that was formerly
33. know as the "Sweet Sixteen," just isn't available to

1. young ladies?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Glass.

4. SENATOR GLASS:

5. Well, there is of course a girls' basketball tournament,
6. as I'm sure you know. I...I don't know what would happen
7. under the...under the hypothetical you pose though.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Well, the hypothetical I'm posing, I think is a
12. very real one. That we are once a year utilizing the
13. University of Illinois and all its glory and splendor
14. and we bring people from all over the State and why
15. shouldn't the girls have the same opportunity. Or
16. at the same time of the year.

17. SENATOR GLASS:

18. Well I think...I think they do. There was a
19. girls' basketball tournament this year and champions
20. selected. It was the first one.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further debate? Senator Glass may close
23. or roll call. The question is shall House Bill...oh,
24. just a moment, Senator Wooten, I'm sorry.

25. SENATOR WOOTEN:

26. Mr. President, I simply was...finally got a chance
27. to look at the bill to insure there's no discrimination
28. on the basis of sex in a district sponsored sports program
29. with regard to scheduling, staffing, or use of equipment
30. and facilities. I think that would obviate the kind of
31. problem that Senator Rock cited, because it is specific.
32. No discrimination on the basis of sex with regard to
33. scheduling, staffing, use of equipment facilities. And
34. it doesn't seem, on the face of it, an unreasonable

1. injunction.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall
4. House Bill 594 pass. Those in favor vote Aye. Those
5. opposed Nay. The voting is open. ...voted who wish?
6. Take the record. On that question the Ayes are 22,
7. the Nays are 3, 15 Voting Present. House Bill 594
8. ...Senator Glass wishes to postpone consideration on
9. the bill. Consideration is postponed. House Bill
10. 602, Senator Don Moore. Just a moment. The Senate
11. will be in order. Will the Sergeant-at-Arms...read
12. the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 602.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Moore.

19. SENATOR MOORE:

20. Thank you, Mr. President. Senator Chew, if we could
21. have a little order, I'm handling these bills for
22. Senator Vadalabene.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. We need quite a bit order. Will the Sergeant-
25. at-Arms clear the aisle. All unauthorized people please
26. be...removed and the Senators will be in their seats.

27. SENATOR MOORE:

28. No...no...Charlie, please stay, I need your vote.
29. Thank you, Mr. President and members of the Senate.
30. House Bill 602 allows cities of less than five hundred
31. thousand population as far as libraries are
32. concerned to levy an additional tax of .02 percent
33. of the value of the taxable property for purchasing,

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1. constructing, repairing and renting of buildings for
2. library purposes. In cities of over five hundred
3. thousand, this .02 percent can be used or applied
4. for the maintenance of libraries. There is a
5. backdoor referendum, I'd be happy with a favorable
6. roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is
9. shall House Bill 602 pass. Those in favor vote
10. Aye. Those opposed Nay. The voting is open.
11. ...voted who wish? Have all those voted who wish?
12. Take the record. On that question the Ayes are
13. 35, the Nays are 13, 1 Voting Present. House Bill 602
14. having received a constitutional majority is declared
15. passed. House Bill 603, Senator Moore.

16. SECRETARY:

17. House Bill 603.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Moore.

22. SENATOR MOORE:

23. Thank you, Mr. President and members of the Senate.
24. This is another of the local library bills. It amends
25. the Illinois Local Library Act. It allows the local
26. libraries to create a working cash fund of .05 percent
27. of the value of the taxable property within the
28. corporate limits. I would move for a favorable roll
29. call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Demuzio.

32. SENATOR DEMUZIO:

33. Will the sponsor yield for a question?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Indicates he will try.
3. SENATOR DEMUZIO:
4. House Bill 602, that we just passed, was a tax
5. increase without referendum. What does House Bill
6. 603 in terms of the working cash fund? Does that
7. also have anything to do with increasing the levy
8. without referendum?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Moore.
11. SENATOR MOORE:
12. They...they presently have the authority to levy
13. .03 percent. This increases them to .05 percent and
14. it is my understanding there is a backdoor referendum
15. also attached to this bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator...Senator Wooten.
18. SENATOR WOOTEN:
19. Mr. President, a question of the sponsor. I'm...
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Indicates he will yield.
22. SENATOR WOOTEN:
23. ...a little troubled by the assertion just made
24. by Senator Demuzio. Did that last bill not, in fact,
25. have a backdoor referendum? I'm sure you made that
26. representation. I would hope it does have. Senator
27. Demuzio was in error then, is that correct?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Moore.
30. SENATOR MOORE:
31. The last bill has a backdoor referendum.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Is there further discussion? The question is shall 6...

1. House Bill 603 pass. Those in favor vote Aye. Those
2. opposed Nay. The voting is open. Have all those
3. voted who wish? Take the record. On that question
4. the Ayes are 39, the Nays are 9, 1 Voting Present.
5. House Bill 603 having received a constitutional
6. majority is declared passed. House Bill 604,
7. Senator Moore.

8. SECRETARY:

9. House Bill 604.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Moore.

14. SENATOR MOORE:

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

16. House Bill 604 amends the Illinois Local Library Act.

17. It changes the mortgage limit on existing library

18. buildings and sites from fifty percent to seventy-

19. five percent. This does not apply to the City of Chicago.

20. Many libraries are having difficulty raising money to

21. finance capital projects. It's for this reason they're

22. presently limited to...a mortgage of fifty percent. This

23. increases the rate to seventy-five percent. I'd be happy

24. for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? The question is shall

27. House Bill 604 pass. Those in favor vote Aye. Those

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

29. who wish? Take the record. On that question the Ayes

30. are 45, the Nays are 3. House Bill 604 having received

31. a constitutional majority is declared passed. House

32. Bill 605, Senator Moore. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 605.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Moore.

6. SENATOR MOORE:

7. Thank you, Mr. President. House Bill 605 amends
8. the Illinois Local Library and Public Library District Acts,
9. allows libraries to increase their tax levy by .05
10. percent through. And there is a backdoor referendum
11. attached to this. I'd appreciate a favorable roll
12. call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question...Senator
15. Wooten.

16. SENATOR WOOTEN:

17. Just to make clear a reference in this series,
18. I just talked to Senator Moore, stating that I do
19. not see a reference to a backdoor referendum in 602.
20. He assures me that can be accomplished by amendatory
21. veto. With that understanding, I will not move to
22. reconsider the vote by which that bill passed.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. Just an observation,
27. Mr. President and members of the Senate. Here we
28. have two, at least two and perhaps three, and I don't
29. know but what there's another one coming, tax increases
30. for one segment of local government, the libraries,
31. yes, at least in two of them, there's a provision
32. for a backdoor referendum. But this, in my opinion,
33. and I submit to the members of the Senate, is placing

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1. an unwarranted and undue burden on the taxpayers. Why
2. should we make it so difficult for the voters to determine
3. whether their tax bills are going to be increased. If
4. the libraries have a defensible proposal, certainly the
5. voters ought to be given the right to vote yes or no
6. on a head-on front door referendum and not go sneaking
7. around behind the bushes and make the voters attempt
8. to catch up with them by going out and getting a
9. list of names on a petition begging that they be
10. allowed to vote. I think this is a...an indefensible
11. procedure we have established and I would submit that
12. this does not warrant support.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is
15. shall House Bill 605 pass. Those in favor vote Aye.
16. Those opposed Nay. The voting is open. Have all those
17. voted who wish? Have all those voted who wish? Take
18. the record. On that question the Ayes are 30, the
19. Nays are 16, 2 Voting Present. House Bill 605 having
20. received a constitutional majority is declared passed.
21. House Bill 608. Senator Kosinski. Read the bill,
22. Mr. Secretary.

23. ACTING SECRETARY: (MR. FERNANDES)

24. House Bill 608.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Kosinski.

29. SENATOR KOSINSKI:

30. Mr. President and members of the Senate. House
31. Bill 608 is designed to do one thing and that is to
32. avoid the confusion which resulted in the appointing
33. and acting mayor in the wake of the death of a great

1. and beloved Mayor Daley. It provides for an alderman
2. to be chosen from the city council who will be given
3. the title of vice-mayor. He exercises no special
4. powers nor does he receive any additional compensation.
5. Upon the death or disability of the mayor, the vice-mayor
6. serves as interim mayor until an acting mayor is chosen
7. by the city, by the city council, or until the mayor's
8. term expires. The vice-mayor, when serving as interim
9. mayor receives only his salary as an alderman, but
10. does exercise all powers and duties of the office of
11. the mayor. This bill is intended to provide for an
12. orderly succession to office in the event of the
13. mayor's death or disability. And at this time I
14. would wish Mayor Bilandic a long life and good
15. health. Mr...Mr. Chairman, I now move for the full
16. adoption of this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is
19. shall House Bill 608 pass. Those in favor vote
20. Aye. Those opposed Nay, the voting is open. Have
21. all those voted who wish? Take the record. On that
22. question the Ayes are 52, the Nays are none. House
23. Bill 608 having received a constitutional majority
24. is declared passed. House Bill 609, Senator Walsh.

25. SECRETARY:

26. House Bill 609.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Walsh.

31. SENATOR WALSH:

32. Mr. President and members of the Senate. Under the
33. present law in most townships, political parties may either

1. conduct a primary or nominate their candidates by party
2. caucus. In townships of over five thousand population
3. coextensive with or wholly included within cities or
4. villages not under the commission form of government.
5. And in townships of over seventy-five hundred or more,
6. adjacent to cities of seventy-five thousand, this can-
7. not be done. That is, they must hold a primary. House
8. Bill 609 would permit the option to exist in all
9. townships as it does now in most and I urge your
10. support.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is
13. shall House Bill 609...just a moment. Senator Joyce.

14. SENATOR JOYCE:

15. Thank you, Mr. President. Would the sponsor yield
16. for a question? All right. Who decides whether they
17. hold the primary or the caucus?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Walsh.

20. SENATOR WALSH:

21. The political party would make that determination.
22. Now, in suburban Cook, for example, we...we have a
23. charade where the political parties change every election
24. because the good government party of last...of last year's
25. election becomes the better government party of this
26. year's election. And this would permit the same party
27. to continue in existence and to nominate its candidates
28. by caucus rather than to conduct a primary.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Joyce.

31. SENATOR JOYCE:

32. Yes, and that would be say the People's Party
33. or whatever. They could just continue year after year
34. and whether they be Democrat or Republican, they wouldn't

1. have to be Democratic or Republican.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Walsh.

4. SENATOR WALSH:

5. That...that's correct. It could be the People's

6. Party or...or any...any political party which had been

7. formed under the Election Code.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Joyce.

10. SENATOR JOYCE:

11. Now, what if another, say party, wanted to get

12. involved. Is this going to limit it to two or can

13. every...each party...if there was no party there before,

14. no one had filed under any certain name before and they

15. wanted to start, say a new one of those, I understand

16. what kind of parties you mean, but say they wanted to

17. start a new one. Can they do it also?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Walsh.

20. SENATOR WALSH:

21. Well, the first time...I think they have to become

22. an established political party so they would file

23. their petitions the way they do now to form the people's

24. party or whatever and then in the next election they

25. could nominate a slate under the...under the name

26. they used in the last election.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Joyce.

29. SENATOR JOYCE:

30. But they would have, would they have gotten to run

31. in that first time they filed?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Walsh.

1. SENATOR WALSH:

2. Well, they would have run by virtue of filing
3. their...their petitions under that party label and
4. then they become an established political party
5. by obtaining five percent of the vote at that
6. election.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Joyce.

9. SENATOR JOYCE:

10. Well, I...I have no more questions, Senator.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further debate? Senator Walsh may close.

13. SENATOR WALSH:

14. Well, just to close, Mr. President and members of
15. the Senate. This bill received a bipartisan support
16. in the...in the House. A vote of a hundred and twenty
17. eight to two. I don't believe there's...very significant
18. opposition, if any, and I would urge your support.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Joyce.

21. SENATOR JOYCE:

22. I realize the debate is closed, but in the Local
23. Government Committee it was voted out three to two
24. with 3 Voting Present, so it was not exactly bipartisan
25. there.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is shall House Bill...oh, Senator Walsh.

28. SENATOR WALSH:

29. I...I guess maybe I can close again in view of that...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. All right, but that's the last...

32. SENATOR WALSH:

33. They...there was some reservation indicated as the Chairman has

1. stated, but I've been led to believe that some of the
2. members from Chicago, I don't see Senator Savickas on
3. the Floor, but I've been led to believe that whatever
4. objection he might have had had been removed.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. The question is shall House Bill 609 pass. Those
7. in favor vote Aye. Those opposed Nay. The voting is
8. open. Have all those voted who wish? Have all those
9. voted who wish? Take the record. On that question
10. the Ayes are 24, the Nays are 17. House Bill 609...
11. Senator Walsh. Senator Walsh moves to postpone con-
12. sideration. Consideration is postponed. Senator
13. Johns, for what purpose do you arise?

14. SENATOR JOHNS:

15. Because I was called away on 608. I'd like for
16. the record to show I would have voted for the bill.
17. Thank you, Mr. President.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The electronic devices will so show. Senator
20. Walsh.

21. SENATOR WALSH:

22. Mr. President, while we're on that, I was called
23. off the Floor when House Bill 112 was called and I would
24. have voted in favor had I been in my seat.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Will be recorded forever on tape. House Bill 611.
27. Senator Rock, are you handling 611? Senator Collins as
28. to House Bill 611. Is there leave for her to handle that
29. bill? Leave is granted.

30. SECRETARY:

31. House Bill 611.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Collins.

3. SENATOR COLLINS:

4. House Bill 611 was amended in Judiciary I Committee
5. to be identical to Senate Bill 1143. We've heard
6. considerable debate on this bill. This bill simply
7. sets up a judiciary view and a monitoring process for
8. dealing with mental patients having been committed
9. to a mental institution after being acquitted of a
10. crime by reason of insanity. And I move...I ask for
11. a favorable roll call on this bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, Mr. President, just addressing a question to
16. Senator Collins. There was one additional amendment
17. that we put on for Senator Hickey which was further
18. than the one we had before. And I know you want to
19. put this bill in the same posture as 1143. Do you
20. want to put that amendment on or you want to let it
21. go without it?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Collins.

24. SENATOR COLLINS:

25. I have no objection to the amendment and I didn't
26. know about it and I don't think the sponsor, House
27. sponsor, did either. But I have no objection.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is it well...we...

30. SENATOR COLLINS:

31. If it's not in complete form with 1143, because
32. that was his desire.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Well, we'll take it from the record then.

2. SENATOR COLLINS:

3. You can take it from the record.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. House Bill 614, Senator Chew. Read the bill, Mr.
6. Secretary.

7. SECRETARY:

8. House Bill 614.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Chew.

13. SENATOR CHEW:

14. Mr. President, the bill is in order. We brought it
15. back to attach the amendment on yesterday. I would merely
16. ask for a favorable roll call. There should not be
17. any discussion because all discussions have gone on.
18. If there are questions I will attempt to answer them.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further debate? Senator Demuzio.

21. SENATOR DEMUZIO:

22. The Senator yield to a question?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Indicates he will.

25. SENATOR DEMUZIO:

26. Now, it's my understanding that the lowering of
27. the requirement to sixteen, and I haven't had an
28. opportunity to read the bill, that in reference to
29. motorcycles, that this would allow them by parental
30. consent, to ride a more powerful motorcycle. Is that
31. correct?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Chew. Just a moment. For what purpose do you

1. arise, Senator Glass?

2. SENATOR GLASS:

3. Point of order, Mr. President. I believe there was
4. a Floor Amendment put on this bill this morning.

5. SECRETARY:

6. No.

7. SENATOR GLASS:

8. Or that it will be offered.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The Secretary indicates that it was not amended. Senator...
11. Senator Weaver, for what purpose do you arise?

12. SENATOR WEAVER:

13. Thank you, Mr. President. Senator Coffey is off
14. the Floor for a few minutes. He has an amendment, I
15. think he's talked to you about this, Senator Chew.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Well, the custom...the custom today is if it's
18. going to be pulled back for an amendment with the
19. sponsor's consent, it will be done not at this time
20. but when all of the remainder of the bills in like
21. posture will be handled. So we would, therefore, have
22. to take it from the record. Senator Chew.

23. SENATOR CHEW:

24. I had the bill back. I held the bill for over a
25. week waiting on amendments and when I called it for
26. passage before the amendment was ready, I finally
27. got Amendment No. 1. Very frankly, I know what the
28. amendment does, but it's not on the Secretary's
29. Desk and I'm one that don't like my bills hanging
30. around. We...we, you know, could go through this.
31. The amendment isn't bad. I have the amendment, but
32. I'm not the one to offer the 2nd amendment, Senator
33. Weaver, so...I talked to Senator Coffey and I believe

1. we agreed in so much as I pulled it back before that
2. it would be settled in the House.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Well, Senator, is it your desire to proceed with
5. the bill on the Order of 3rd reading?

6. SENATOR CHEW:

7. I have no other alternative.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further debate?

10. SENATOR CHEW:

11. Because it's...it's just a...a corrective language
12. problem, it doesn't affect the bill whatsoever, but
13. I'm not one to want to clog up the Calendar.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Just a moment.

16. SENATOR CHEW:

17. And it can be done over in the House.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Just a moment. Senator Buzbee, for what purpose do
20. you arise?

21. SENATOR BUZBEE:

22. Well, I'd like to speak on the bill, Mr. President.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. You may.

25. SENATOR BUZBEE:

26. Senator Demuzio says...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Well, just a moment...well, we'll give it back to
29. you. Senator Demuzio.

30. SENATOR DEMUZIO:

31. I could yield to Senator Buzbee, but I'm not
32. going to. Senator Chew, do you have an answer for
33. my question?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Chew.

3. SENATOR CHEW:

4. Well, if you'd ask the question again, maybe I
5. could hear you this time without the interference. So
6. I was about to answer your question and then someone
7. got a point of order.

8. SENATOR DEMUZIO:

9. My question then is, this would allow an individual
10. who is sixteen years old with parental discretion to
11. ride a...the higher powered motorcycle. Is that correct?
12. Is that covered in the bill?

13. SENATOR CHEW:

14. Senator, the license of the drivers or operators
15. of these motorcycles, it does not come under the
16. heading of differential in horsepower. I...I don't
17. know what the horsepower of a motorcycle is and I
18. don't ride them so I really don't know. I...I suppose
19. once you're licensed they wouldn't discriminate and
20. say you can only drive a Ford and not a Cadillac or
21. a Cadillac and not a Rolls Royce, course many of you
22. don't have that privilege, but I...I don't think that...
23. that's important, sir.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Well, the synopsis of the bill says that it permits
28. the Secretary to issue drivers permits and licenses
29. for the operation of motorcycles with over a hundred
30. and fifty cubic centimeters. Piston displacement
31. into certain qualified persons sixteen of age or older.
32. So this, in fact, it is parental consent, that they can
33. operate these high...that they can operate these high

1. more horsepower motorcycles, or whatever classification
2. they are, right?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Chew.

5. SENATOR CHEW:

6. I suppose that is correct.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator...have you concluded? Senator Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President. Mr. President, I live
11. in a town that because it's a...well at one time was a
12. relatively small town that...that the University is
13. the...the major industry there. Has a great impact on...
14. on the town that I live in, Carbondale. And as a result, our
15. streets are populated heavily with motorcycles. Now,
16. I sure don't want to see even more population of those
17. motorcycles come on with the sixteen year olds starting
18. to drive these big motorcycles. I was of the age that
19. whenever you were...you only had to be fifteen to be
20. licensed to drive a car when I was growing up and the
21. day that I turned fifteen, like all the fifteen year
22. old kids, we went down and applied for a drivers license
23. and I was one of the fortunate ones that survived those
24. teen years of driving. A lot of my friends didn't survive
25. them. I really don't know why we're letting sixteen and
26. seventeen year old kids now, with this bill, start to
27. drive high powered motorcycles. It just seems to me
28. like that this is a bad way to go. I see an average, probably
29. of once a month, picking some kid off the concrete in
30. Carbondale and putting him in an ambulance that just
31. got...got creamed on the highway on a motorcycle and
32. I don't want to start seeing sixteen and seventeen year
33. old kids in that same position. I'm opposed to the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Coffey.

3. SENATOR COFFEY:

4. Yes, Mr. President. I would like to speak on this
5. bill and the amendment that we were attempting to...to
6. put on and I...I realize this bill was taken back and
7. amended before. The amendment that we were offering
8. is...a technical amendment to make two sections of
9. the Statute consistent to saying sixteen year olds,
10. one section refers to sixteen year olds, the other
11. section refers to eighteen year olds. And, you know,
12. I feel that the bill should pass out of the...out of
13. the Senate in proper form and...and for that reason
14. that was the reason that we attempted to put this
15. amendment on. And I think that members of the Senate
16. ought to be aware of that...of that error in the
17. original bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further debate? Senator Chew may close.

20. SENATOR CHEW:

21. Yes, to Senator Coffey, it was his proposal to offer
22. the amendment. The amendment had not been offered as to
23. why I called the bill. It should have been on the
24. Secretary's Desk on which it was not and I told him any
25. way he wanted to handle it, I would support his move
26. and we had all morning to offer it. If it's just
27. a technical amendment, I don't really think it's that
28. important enough to clog up the Calendar. Now, as
29. far as Senator Buzbee is concerned. You know we can
30. build an argument against an argument. We can put
31. two arguments together and one will win out. Sixteen
32. year olds are having babies. They're having abortions.
33. They're driving cars. They're being killed. They're

1. jumping out of windows. They're smoking pot. They're
2. drinking whiskey. They're having sex. Why select the
3. motorcycle as the most detrimental machine in the world.
4. Carbondale, people die everywhere. Carbondale, Cairo or
5. France. That's not a valid argument. I don't want to
6. see somebody picking a sixteen year old out of the streets
7. because of a motorcycle accident. Hell, I don't want
8. to see anybody picking up anybody because of any kind of
9. accident. As long as we build them and have babies, they
10. going be used. Sometimes we have to use common sense.
11. You can't stop them from doing these things. They're
12. now using them, driving them, operating them and we know
13. it's illegal. But they're still doing it. These kind of
14. things should not be predicated on petty kinds of
15. arguments for the benefit of, I don't want. Let's think
16. in terms of the masses of people that will be usable
17. for these kinds of machineries. I can't stop people
18. from getting killed. I can merely try to help them.
19. I don't want to see anybody killed, whether it's
20. in an automobile or an airplane. That's not the purpose
21. of the bill, to kill new people. That's not it and
22. Buzbee knows it. And I think as valid as not...his
23. conversation is not well taken. I would ask for a
24. favorable roll call on the bill and work with Senator
25. Coffey in any way he wants to get the technical amendment
26. on there.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Chew had closed the debate. Now, for what
29. purpose do you arise, Senator Knuppel.

30. SENATOR KNUPPEL:

31. I just want to tell him that I got a boy fifteen and
32. a half. You know, it's one hell of an excuse to be able
33. to tell him you can't buy one so he don't get on and kill

1. himself.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall House Bill 614 pass. Those
4. in favor vote Aye. Those opposed Nay. The voting is
5. open. (Machine cut-off) voted who wish? Take the
6. record. On that the question the Ayes are 10, the
7. Nays are 38. House...House Bill 614 not having received
8. a constitutional majority is declared lost.

9. PRESIDENT:

10. ...does Senator Rock arise?

11. SENATOR ROCK:

12. Thank you, Mr. President. While we're at ease
13. here for a moment before the dinner hour, I just wanted
14. to assure Senator Chew so he didn't feel too bad,
15. that bill had a hundred and forty-eight affirmative
16. votes in the House.

17. SENATOR CHEW:

18. Just for the record, sir, just before I called
19. the bill, I got a message from the Secretary of State,
20. Alan Dixon, said he couldn't administer and he wanted
21. it killed.

22. PRESIDENT:

23. What purpose...what purpose does Senator Maragos
24. arise?

25. SENATOR MARAGOS:

26. Mr. President, I understand we're going to be going
27. to the Agreed Bill List and at this time I ask leave of
28. the House to remove House Bill 1928 of which I'm the
29. chief Senate sponsor and put it on the 3rd reading
30. that which...for purpose of an amendment at a later
31. date.

32. PRESIDENT:

33. Would you like leave of the Senate, also, Senator?

1. SENATOR MARAGOS:

2. ...Senate to do so.

3. PRESIDENT:

4. Senator Maragos moves to remove House Bill 1928
5. from Agreed Bill List No. 4. All those in favor signify
6. ...and place it on the Order of 3rd reading. All those
7. in favor signify by saying Aye. Opposed. The Ayes have
8. it. So ordered. With leave of the Body we will now
9. consider Agreed Bill List No. 4. Is leave granted?
10. Leave is granted. And I've been asked to inform the
11. membership that food has arrived and is available
12. for the members in the President's office and the
13. order of priority will be the members of the Senate
14. first, then the staff and others will be allowed to
15. partake. We will read the Agreed Bill List and take
16. care of a couple of other matters of business and then go
17. back to the Order of 3rd reading. The bills on Agreed
18. Bill List No. 4 were chosen according to the procedures
19. which were described in the memorandum to all Senators
20. dated June 16, 1977. The following bills were removed
21. from the Agreed Bill List No. 4 after objections to
22. their presence were made by three Senators. House Bill
23. 831, House Bill 658, House Bill 1627, House Bill 1827,
24. House Bill 840 and House Bill 1928. For what purpose
25. does Senator Glass arise?

26. SENATOR GLASS:

27. Mr. President to request the removal of Senate Bill
28. 841 from the Agreed Bill List. I am the sponsor.

29. PRESIDENT:

30. Senator Glass has moved that...that House Bill 841
31. be removed from the Agreed Bill List and placed on the
32. Order of 3rd reading. All those in favor signify by
33. saying Aye. Opposed. The Ayes have it. So ordered.

*MB 1805
3rd reading
Agreed Bill List
6-22-77
740672*

1. The bills then that have been removed from Agreed Bill
2. List No. 4 are as follows; House Bill 831, House Bill 841,
3. House Bill 658, House Bill 1627, House Bill 1827, House
4. Bill 840, House Bill 1928. We will now consider the
5. remaining bills on Agreed Bill List No. 4 which are
6. shown on your Calendar. The Secretary will now read
7. those bills on Agreed Bill List No. 4 for a third time.

8. ACTING SECRETARY: (MR. FERNANDES)

9. Senate Bill 31...House Bill 31.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. House Bill 76.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. House Bill 232.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. House Bill 284.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. House Bill 321.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. House Bill 419.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. House Bill 462.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. House Bill 512.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. House Bill 591.
34. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. House Bill 592.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. House Bill 597.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. House Bill 5...656.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. House Bill 657.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. House Bill 659.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. House Bill 661.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. House Bill 662.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. House Bill 663.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. House Bill 664.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. House Bill 665.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. House Bill 667.
33. (Secretary reads title of bill)

HB 672
2nd Reading

1. 3rd reading of the bill.
2. House Bill 670.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. House Bill 672.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. House Bill 698.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. House Bill 734.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. House Bill 832.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. House Bill 833.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. 834.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. 8...House Bill 835.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. House Bill 836.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. House Bill 837.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. House Bill 838.
33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. House Bill 839.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. House Bill 843.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. House Bill 848.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. House Bill 850.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. House Bill 929.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. House Bill 1086.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. House Bill 1140.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. House Bill 1192.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. House Bill 1298.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. House Bill 1345.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. House Bill 1414.
33. (Secretary reads title of bill)

HB 1815
Approved Bill List
6/22/77

1. 3rd reading of the bill.
2. House Bill 1557.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. House Bill 1579.
6. (Secretary reads title of bill)
7. 1598.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. House Bill 1644.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. 1691.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. House Bill 1716.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. House Bill 1735.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. 1748.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. House Bill 1805.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. House Bill 1815.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. 1826.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. House Bill 1829.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. House Bill 1831.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. House Bill 2232.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. House Bill 2234.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. House Bill 1829 was read in error. Take it out of the
14. record.

15. SECRETARY:

16. It was...it was 1928 instead of 1829. 1829 will
17. remain on the Agreed Bill List. 1928 was the one.

18. PRESIDENT:

19. With unanimous consent of this Body a record vote
20. will now be taken on the bills which have just been
21. read for a third time. Any Senator who has indicated to
22. the Secretary of the Senate pursuant to our earlier
23. agreement that he or she wishes to vote No, or Present
24. on any bill just read will have that vote so reflected
25. on the Journal of the Senate. A separate record vote
26. as to the Yeas and Nays on each of the bills just read
27. will be entered on the Journal. There will be no debate
28. on this Agreed Bill List No. 4. Do I have the unanimous
29. consent of the Senate to follow this procedure as to
30. the bills just read? Unanimous consent is granted.
31. Leave being granted, the question is shall Senate Bills
32. 31, 76, 232, 284, 321, 419, 462, 512, 591, 592, 597,
33. 656, 657, 659, 661, 662, 663, 664, 665, 667, 670, 672,

1. 698, 734, 832, 833, 834, 835, 836, 837, 838, 839, 843,
2. 848, 850, 929, 1086, 1140, 1192, 1298, 1345, 1414, 1557,
3. 1579, 1598, 1644, 1691, 1716, 1735, 1748, 1805, 1815,
4. 1826, 1829, 1831, 2232, 2234, pass. One of the members
5. has indicated that the Chair said Senate Bills when the
6. list was read. All...all of the bills read were House
7. Bills and the question is shall the House Bills just
8. read pass. Those in favor will vote Aye. Those opposed
9. will vote Nay. The voting is open. Have all voted who
10. wish? Have all voted who wish? Take the record. On
11. those bills the Ayes are 58, the Nays are none, none
12. Voting Present, with the following exception, Senator
13. Nimrod will be recorded as No on House Bill 591. These
14. bills having received a constitutional majority are
15. declared passed.

16.
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18. End of Reel #7
19.
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1. PRESIDENT:

2. A Message from the House.

3. SECRETARY:

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

5. Mr. President - I am directed to inform the

6. Senate that the House of Representatives has passed bills

7. with the following titles in the passage of which I am

8. instructed to ask concurrence of the Senate, to-wit:

9. House Bill 1044 and 2402.

10. PRESIDENT:

11. House Bills, 1st reading. House Bill...do we

12. have leave of the Body to read for the first time, four

13. House Appropriations Bills that have just arrived? They

14. are not printed on the Calendar? Leave is granted.

15. House Bill 973, Senator Smith. Read the bill.

16. SECRETARY:

17. House Bill 973.

18. (Secretary reads title of bill)

19. 1st reading of the bill.

20. PRESIDENT:

21. House Bill 1033, Senator Schaffer.

22. SECRETARY:

23. House Bill 1033.

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. PRESIDENT:

27. House Bill 1044, Senator Bloom.

28. SECRETARY:

29. House Bill 1044.

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDENT:

33. House Bill 2402, Senator Roe.

1. SECRETARY:

2. House Bill 2402.

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. PRESIDENT:

6. For what purpose does Senator Donnewald arise?

7. SENATOR DONNEWALD:

8. Yes, Mr. President. As to House Bill 973, House
9. Bill 1033, House Bill 1044, House Bill 2402, I would now
10. assign those bills to Appropriations I and move that
11. the Six Day Notice for hearing be waived.

12. PRESIDENT:

13. Senator Donnewald moves that House Bills 973, 1033, 1044,
14. 2402 be advanced to the Order of 2nd reading without
15. reference...that the...House Bills 973, 1033, 1044,
16. 2402 be assigned to the Committee on Appropriations I
17. and that the Six Day Notice Requirement be waived so that
18. they may be heard this week in committee. All those in
19. favor signify by saying Aye. Opposed. The Ayes have it.
20. So ordered.

21.

22. The following typed previously.

23.

24.

25.

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1. PRESIDENT:

2. There are four bills on the Secretary's Desk which the
3. sponsors indicate they wish to nonconcur in House amendments,
4. and we are informed reliably that the motion for nonconcurrence
5. will be noncontroversial. In order to expedite the establish-
6. ment of Conference Committees, do we have leave to go to that
7. order for the purpose of those four bills? Leave is granted.
8. House Bill 153, Senator Roe...Senate Bill 153, Senator Roe.
9. Senator Roe moves to nonconcur in...in House Amendment No. 1.
10. All those in favor signify by saying Aye. Opposed. The Ayes
11. have it. So ordered. The Secretary will so inform the House.
12. Senate...Senate Bill 280. Senator Joyce. Senator Leonard.
13. Senator Leonard moves to nonconcur in House Amendment No. 1 to
14. Senate Bill 280. All those in favor signify by saying Aye.
15. Opposed. The Ayes have it. So ordered. The Secretary will
16. so inform the House. On Senate Bill 281, Senator Donnewald
17. moves to nonconcur in House Amendments 1 and 2. All those in
18. favor signify by saying Aye. Opposed. The Ayes have it.
19. So ordered. The Secretary will so inform the House. On
20. Senate Bill 937, Senator Bruce moves that the Senate nonconcur
21. in House Amendment No. 1 to Senate Bill 937. All those in
22. favor of the motion, signify by saying Aye. Opposed. The
23. Ayes have it. The motion carries, and the Secretary shall so
24. inform the House. On Senate Bill 1169 on the Secretary's
25. Desk, Senator Weaver moves to nonconcur in House Amendment No.
26. 2. All those in favor signify by saying Aye. Opposed. The
27. Ayes have it. The motion carries. The Secretary will so in-
28. form the House. (machine cutoff) Senator Rhoads arise?
29. SENATOR RHOADS:

30. Just to inquire of the Chair, Mr. President. At some
31. point today were we going to get to the Order of House
32. Appropriations Bills on 2nd reading?
33. PRESIDENT:

1. In a very few moments. For what purpose does
2. Senator Demuzio arise?

3. SENATOR DEMUZIO:

4. Well, while we're on this order of business,
5. are we going to take up any of the Senate Resolutions
6. on the Calendar and if so, I have 119.

7. PRESIDENT:

8. Senator, we will go to that order of business.

9. Yours is the second request. We will...we'll try to
10. get to that order of business. If not tonight, tomorrow,
11. without fail. Senator Grotberg moves to nonconcur
12. in House Amendment No. 1 to Senate Bill 1209. All those
13. in favor signify by saying Aye. Opposed. The Ayes have
14. it. The motion carries. The Secretary will soinform the
15. House. For what purpose does Senator Netsch arise?

16. SENATOR NETSCH:

17. To change chief sponsorship on a bill, if I might
18. have leave to do that. It's House Bill 948. I am shown
19. as the principal sponsor. Senator Savickas and I have
20. discussed this and since the bill is resting in
21. subcommittee in his committee, we agreed that he should be
22. shown as the principal sponsor. House Bill 948.

23. PRESIDENT:

24. You have heard the request. Is leave granted?
25. Leave is granted. On the Order of House Bills, 3rd
26. reading, House Bill 616, Senator Shapiro.
27. Read the bill.

28. ACTING SECRETARY: (MR. FERNANDES)

29. House Bill 616

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Shapiro.

1. SENATOR SHAPIRO:

2. Mr. President and Ladies and Gentlemen of the Senate.
3. House Bill 616 amends the Physician's Assistants Practice
4. Act by authorizing the employment of physician's assistants
5. in the Department of Mental Health and Developmental
6. Disabilities and State facilities and other certain facilities
7. under the director of such department. These physician's
8. assistants cannot be employed unless they meet the
9. proper certification of their own national board and the
10. State board. They can only be employed on a one to one
11. basis with a physician. I think this issue has been before
12. the Senate enough this Session that everyone is pretty much
13. familiar with it. It is a companion bill to House Bill
14. 615. If there are any questions, I'll attempt to answer
15. them. Otherwise, I would appreciate a favorable roll call.

16. PRESIDENT:

17. Any discussion? Senator Hickey.

18. SENATOR HICKEY:

19. I'd like to ask the sponsor a question. Is it true,
20. Senator Shapiro, that not even the nurses oppose this now?

21. SENATOR SHAPIRO:

22. I am not aware of...of the nurses withdrawing their
23. opposition. I have...I've received a few letters
24. from individual nurses throughout the State but that's
25. all.

26. PRESIDENT:

27. Is there any further discussion? If not, the question
28. is shall House Bill 616 pass. Those in favor will vote
29. Aye. Those opposed will vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Take the
31. record. On that question the Ayes are 45, the Nays are
32. 2, none Voting Present. House Bill 616 having received
33. a constitutional majority is declared passed. House Bill

1. 619, Senator Kenneth Hall. House Bill 621, Senator
2. Vadalabene. House Bill 623, Senator Netsch. House Bill
3. 624, Senator Demuzio. Read the bill.

4. ACTING SECRETARY: (MR. FERNANDES)

5. House Bill 624.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Demuzio.

10. SENATOR DEMUZIO:

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

12. This is part of the package that came out of the subcommittee
13. on long term care out of the House and House Bill
14. 624 addresses itself to requiring the Department of Public
15. Health to administer the Act and promulgate the rules and
16. regulations to implement the proposal. It provides that
17. every resident in the nursing home facility has the
18. following rights: to be equally informed of his or
19. her rights and rules...and the rules and regulations of the
20. facility, to be fully informed of the services available
21. and of the extra charges involved, to be fully informed
22. by a physician of his or her medical condition unless
23. medically contradicted, to participate in medical
24. planning and to refuse to participate in any
25. experimental research, to be transferred...transferred
26. only for a documented medical reasons for the welfare of
27. the resident and others. It assist...provides that a person
28. be assisted to exercise his own rights as a resident and as
29. a citizen, to manage his or own personal affairs and be
30. given quarterly accounting of financial transaction
31. including a detailed...of funds held in trust for the
32. resident by that facility, to be free from chemical and
33. physical restraints except under certain specified conditions,

1. the confidentiality treatment of his or her personal and
2. medical records, to be free of any requirement to perform
3. services not included for therapeutic purposes as so
4. documented, provides for the accompanying guardian or
5. spouse to be informed of the resident's rights if the
6. resident cannot be so informed and several other
7. two pages or three pages of...of memoranda that is covered
8. in this...in this bill and subject myself to questioning.
9. I hope I can provide the answer.

10. PRESIDENT:

11. Senator Maragos.

12. SENATOR MARAGOS:

13. Will the sponsor yield to a question? Senator Demuzio,
14. how do these bills differ or are they supplemental to the
15. bills that were discussed at the last Session which I think
16. Representative Lundy was the chief sponsor? How do these
17. differ...are they...do you know what happened to those bills,
18. did they become law or what?

19. PRESIDENT:

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Yes, Mr. President. These bills are a result of
23. Representatives...Lundy's subcommittee in the House.
24. It's my understanding that these bills apparently all went
25. to apparently a subcommittee for study and this is the
26. House recommendations of that subcommittee.

27. PRESIDENT:

28. Is there any further discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Senator Demuzio, I...I'm sorry. I didn't hear the
31. answer to the last question. What...what is it specifically
32. in the bill that's being...that you seek to do and I don't
33. quarrel with any of these things, that you seek to do that

1. isn't already being done by the Licensing Act?

2. PRESIDENT:

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Well, what this...what this bill actually does, Senator
6. Rhoads, it creates a bill of rights for residents of
7. nursing facilities and makes the Department of Public
8. Health the enforcing agency and provides for a complaint
9. mechanism by which any person may file a complaint against
10. a nursing home facility with the Department of Public
11. Health. It appears that State law is silent on the issue
12. of specific human rights of those persons in nursing
13. facilities. Many nursing facilities depend upon the
14. medicare and medicaid payments made on behalf
15. of the residents in order to continue existence.
16. However, little is mandated of the facility with respect
17. to the requirement other than those relating to the
18. physical structure.

19. PRESIDENT:

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Well, when this bill was heard in committee, unfortunately
23. there were only two Republicans present and the Department
24. informs us that in their opinion, this bill is unnecessary,
25. that they can do this by rule and regulation so I'm not
26. necessarily voicing any opposition to what you're seeking to
27. accomplish but I just wonder why you feel the bill is so
28. necessary.

29. PRESIDENT:

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Well, when you speak of only two Republicans being
33. present in committee, I...I don't...I hope that you don't

1. mean it's a partisan issue. The bill is an attempt
2. to standarize the rights of the nursing home facilities'
3. residents in a manner so as to be comparable as those
4. rights required by the Federal Government, under the
5. medicaid and medicare program. Apparently the subcommittee
6. felt that this is currently not being done and that the State
7. law is silent, that we're writing into the regulations
8. the...the human aspects of residents of nursing homes.

9. PRESIDENT:

10. Senator Grotberg.

11. SENATOR GROTBORG:

12. Yes, Mr. President. I would like to address the
13. bill briefly and then vote Present because this is one of
14. my more legitimate conflicts of interest because I do
15. operate a home. But I think there are plenty of things
16. wrong with the nursing home industry. I don't think this
17. gets at any of the ills of the nursing home industry
18. other than to give recourse to those who feel that they should
19. have some opportunity through the State of Illinois
20. to do a lot of very vague things at this point in time
21. in this bill and while voting Present for it, I'd ask
22. maybe everyone in the Senate to vote Present on this bill.
23. Thank you.

24. PRESIDENT:

25. Senator Demuzio may close the debate.

26. SENATOR DEMUZIO:

27. Well, let me just respond to that by saying...

28. PRESIDENT:

29. Excuse me, Senator Demuzio.

30. SENATOR DEMUZIO:

31. Well, I'll respond.

32. PRESIDENT:

33. There's another...Senator Berning wishes to speak.
34. And Senator Glass.

1. SENATOR BERNING:

2. Thank you, Mr. President. It's my understanding
3. the Department of Public Health expresses the feeling that
4. the bill is not necessary since they have this
5. authority really and that this will entail an annual cost
6. of at least eighty-one thousand two hundred five dollars.
7. Is that correct, Senator?

8. SENATOR DEMUZIO:

9. Well, if the Department feels that it's currently
10. doing it now, I don't know why they would need an
11. additional eighty-one thousand dollars.

12. SENATOR BERNING:

13. Because they will have to utilize additional
14. personnel. I think it's three or so that they
15. are indicating that they would have to provide but in
16. addition to that, Mr. President and members of the
17. Senate, let me point out that House Bill 624 makes
18. the following provisions under Section 4, page 1,
19. and page 2, every resident, every resident in a nursing
20. home facility shall have the right to be fully informed.
21. Now, I submit to you, Ladies and Gentlemen of the Senate,
22. if any of you have visited a nursing home, public or
23. private, you know as well as I do that a vast percentage
24. of these residents are incoherent to varying degrees
25. of less than full possession of their faculties,
26. they talk incessantly, their complaints are complaints that
27. have nothing to do really with their situation. But to
28. imply then that every resident shall be fully informed
29. as evidenced by his or her written acknowledgement prior
30. to the time or at the time of admission, of these rights,
31. to be fully informed by a physician of his or her medical
32. condition unless medically contraindicated, is placing an
33. intolerable burden, it seems to me, on the nursing home

1. which is going to have to provide the implementation
2. for this as well as the department. I can understand full
3. well what apparently is the objective to be sure that
4. patients are not abused. But I submit to the...Mr. President
5. and members of the Body, this is again, attempting to
6. exterminate gnats with a shotgun. There is nothing here,
7. as far as I can see, that will protect people without
8. making an...an intolerable burden for the department and for
9. the nursing home operators. After all, we must
10. depend on the operators and we ought not to be making it
11. totally impossible for them to function and it seems to
12. me this is making it almost impossible for the
13. homes to comply.

14. PRESIDENT:

15. Senator Glass.

16. SENATOR GLASS:

17. I think most of my questions have been asked but
18. Senator Demuzio, can you indicate the source of the people
19. who put the bill together, if you know. I mean, what...who
20. was it that felt the bill was needed?

21. PRESIDENT:

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. I have here a...about seventy-five or eighty pages
25. with the recommendations of the subcommittee on long term
26. care that was devised by Representative Lundy in the House
27. and apparently it was a very thorough study. It was...this
28. report was submitted pursuant to the provisions of House
29. Resolution 120 and 611 adopted by the House on May 28th,
30. 1975 and January the 14th, '76, respectively.

31. PRESIDENT:

32. Senator...Senator Glass. Senator Wooten.

33. SENATOR WOOTEN:

1. Well, Mr. President and colleagues. I rise in
2. support of this bill. I would merely like to point out
3. that the State of Illinois really kind of created this
4. industry when Governor Ogilvie decreed that the Department
5. of Mental Health would no longer be taking care of
6. geriatric cases and that was really the start of this
7. as a major industry in this State. This bill is the
8. product of a long and careful study and as I read through
9. the provisions of it, I am delighted to discover that it
10. answers the objections that cross my desk almost every
11. day about nursing homes. I've carried a lot of water
12. in this Chamber for the Department of Public Health
13. and my response to the proposition that they can do it
14. is if they can, why haven't they? The better nursing
15. homes already provide this kind of attention that
16. people under their care deserve as human beings. There
17. is nothing in here that can be quarreled with. What
18. we're proposing is that people be treated decently
19. and I think that the...the bill is excellent, it's the
20. sort of thing we should be doing and if it's possible
21. to someone else to do it and they haven't, too bad.
22. Apparently, we can wait forever for some action from another
23. quarter. Let's pass the bill today.

24. PRESIDENT:

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Question of the sponsor, Mr. President.

28. PRESIDENT:

29. Indicates he will yield.

30. SENATOR NIMROD:

31. Senator Demuzio, one thing that seems to be noted
32. here that I was just wondering whether or not this
33. was included within the provisions of the bill and that is

1. some sort of protection for those who...complaints
2. are filed. According to the report I have, is that
3. anyone may file a complaint and they may go ahead and then
4. investigate. This could cause reputable people or
5. certainly where complaints are unjustified, if some-
6. one is trying to discredit a particular home. Are there
7. any provisions to protect against this kind of action?
8. SENATOR DEMUZIO:

9. I had a little difficulty in hearing that, Senator
10. but I'll try to address myself to it. In terms of
11. the...of the complaint, it provides in the bill that
12. the complaint shall not...well, let me back up for a moment.
13. It permits any person to request an investigation of any
14. nursing home facility by submitting a written complaint to the
15. Department of Public Health. And it provides that that
16. complaint shall not be deemed a public record and the
17. complainant shall not be exposed unless he or she
18. specifically makes such a request or judicial proceedings
19. require such. It also provides for these procedures for which
20. the department must follow in investigating the complaint
21. and if there is reasonable grounds for such an investigation.
22. However, if there is not reasonable grounds for an
23. investigation, it requires the Department to notify the
24. complainant within ten days.

25. PRESIDENT:

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Thank you, Senator Demuzio. However, I just think then
29. that on that kind of a procedure and that kind of
30. investigation, then I certainly think that the number
31. of personnel that we're talking about and the fiscal effect
32. of this bill is unrealistic. I think with that kind of an
33. opportunity to do those things and take that kind of action,

1. that we're going to find this to be a very massive problem
2. and I'm not sure it addresses the solution to it very
3. adequately.

4. PRESIDENT:

5. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you, Mr. President. I think a number of
8. the points have now been made. I would like to just call
9. attention to one thing and I direct this, I guess, particularly
10. to Senator Berning. The people that are...that we are talking
11. about who are residents of these nursing homes, are in
12. many cases, Senator Berning, your mother or my mother
13. or your aunt or your cousin or my cousin. These are people
14. who have gone into nursing homes, not necessarily are
15. they products of Public Aid. They aren't always people
16. who have just been totally shunted off by society. It's
17. every nursing home we're talking about and these are the
18. older people for whom we have pretended that we have done
19. lots in other areas. Now, what we are saying is that they
20. are human beings, they must live in this environment which
21. is one that none of us would like to live in if we could
22. avoid it. But they...if they are going to live there, at
23. least they have the right to certain basic protections
24. and to be treated in a basically decent and humane manner.
25. That is all that this bill does. It is not that burdensome.
26. The department has indicated before that it doesn't...much
27. of this or supervises much of this. We are not adding
28. that much of a burden, but what we are saying is that
29. we are no longer are interested in just taking
30. someone's word that people may be treated decently with
31. respect to knowledge of and protection of their rights.
32. What we are saying is that it is now the public policy
33. of the State of Illinois that residents of nursing homes

1. will, in fact, be treated with that degree of
2. ...of decency and I think the bill ought to be enacted
3. as it is.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. The Chair recognizes Senator Demuzio to close
6. the debate.

7. SENATOR DEMUZIO:

8. Well, thank you, Mr. President and members of the
9. Senate. I don't know what all the fuss is about in
10. reference to this bill. I certainly can't see anything
11. wrong in Illinois to decide that we have, once and for all,
12. a public policy, as Senator Netsch indicates, to create
13. a bill of rights for those people who are in nursing
14. homes. I'm also surprised that a member of the commission
15. who is on the commission to visit and examine nursing homes and
16. mental institutions is...spoke in opposition to this bill.
17. There is nothing in this Act at all that is going to cause
18. any problems. It's a...it's a mechanism by once and for
19. all that you and I may one day be in the nursing home and
20. you and I will want the basic rights that are included
21. in this bill. And I ask for each and everyone of you in here
22. to examine his own conscience and to vote favorable on this
23. bill.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. The question is shall House Bill 624 pass. Those
26. in favor vote Aye. Those opposed vote Nay. The voting is
27. open. Senator Donnewald... Have all voted who wish?
28. I'll wait just a second. Have all voted who wish?
29. Have all voted who wish? Take the record. Senator Demuzio
30. wishes to postpone consideration. Consideration will be
31. postponed. Now we're going to go to the Order of 2nd
32. reading, appropriations. House Bill 579, Senator Knuppel.
33. This in on the Order of 2nd reading. These are appropriation

1. bills. You might want to pay particular attention, now.
2. Read the bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 579.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Senator Knuppel.
9. SENATOR KNUPPEL:
10. There is a...there is an amendment down there, I believe.
11. SECRETARY:
12. There...there will be, Senator, as soon as I get to it.
13. SENATOR KNUPPEL:
14. All right.
15. SECRETARY:
16. But there are no committee amendments.
17. SENATOR KNUPPEL:
18. No committee amendments.
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. Stand at ease just for a moment, Senator. He's got
21. quite a few to go through, there. Take it out.
22. SECRETARY:
23. No committee amendments, Mr. President.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. No committee amendments? Any amendments from the
26. floor? Senator Knuppel...
27. SECRETARY:
28. Amendment No. 1 offered by Senator Carroll.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. Senator Carroll. Senator Carroll is recognized.
31. SENATOR CARROLL:
32. Thank you, Mr. President, members of the Senate.
33. This is a amendment that had been discussed in committee.

1. In order to move the bill, we had moved it out originally
2. without it. It's reduced travel and commodities to
3. reflect the actual expenditures. I would move adoption of
4. Amendment No. 1.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Carroll moves the adoption of Amendment
7. No. 1 to House Bill 579. All those in favor say Aye.
8. All those opposed say Nay. The amendment is adopted.
9. Any further amendments from the Floor?

10. SECRETARY:

11. Amendment No. 2 offered by Senator Knuppel.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Amendment No. 2, Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I don't know. I didn't realize that Senator
16. Carroll...I want to check with him, whether this is the
17. same amendment or not. Probably the same amendment I
18. thought I was to prepare. Just a moment.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Okay. You two converse here just for a second and

21. ...

22. SECRETARY:

23. Senator Knuppel, it is the same amendment. Same
24. amendment.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. It's the same amendment, I'm told. All right. Then
27. we've just adopted it so no further...we need a motion to
28. Table that...no we don't have it yet. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. No further amendments. 3rd reading. Senator Shapiro,
33. House Bill 962, we're looking for any amendments in the files

1. here and so forth. In...he wishes the bill read, Mr. Secretary,
2. at your convenience.

3. SECRETARY:

4. House Bill 962.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No committee amendments.

7. PRESIDING OFFICER: (SENATOR JOHNS)

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

9. House Bill 964, Senator Rupp. Wishes the bill read, Mr.
10. Secretary.

11. SECRETARY:

12. House Bill 964.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Any amendments from the Floor? 3rd reading. Now,
17. Gentlemen, speak up clearly so that I can hear you if there
18. are amendments from the Floor. We'll move as quickly as
19. we can. House Bill 970, Harber Hall...Senator Harber Hall.

20. SECRETARY:

21. House Bill...

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. He's not here, Mr. Secretary. We'll move on.
24. House Bill 991, Senator Bloom. Senator Bloom here? Is he
25. here? Yes, he's here. Okay. Read the bill.

26. SECRETARY:

27. House Bill...House Bill 991.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No committee amendments.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Any amendments from the Floor? 3rd reading. House
32. Bill 992, Senator Ozinga. Read the bill.

33. SECRETARY:

1. House Bill 992.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. The Committee on Appropriations
4. I offers one amendment.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. Senator Carroll.
7. SENATOR CARROLL:
8. Thank you, Mr. President and members of the Senate.
9. This is a cut...to cut a part time employee from last year
10. who should not have been on their budget. It was an OSI
11. employee and I would move adoption of Committee Amendment
12. No. 1.
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. Any further discussion of Amendment No. 1...offered
15. by Senator Carroll to House Bill 992? All those in favor
16. say Aye. All those opposed say Nay. The amendment is adopted.
17. Any further amendments?
18. SECRETARY:
19. No further amendments.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. Any amendments from the Floor? 3rd reading.
22. House Bill 1037, Senator McMillan. Yes, read the bill,
23. Mr. Secretary.
24. SECRETARY:
25. House Bill 1037.
26. (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. Any amendments from the Floor? 3rd reading.
30. House Bill 1038, Senator Berning. Read the bill,
31. Mr. Secretary.
32. SECRETARY:
33. House Bill 1038.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Appropriations I
3. offers one amendment.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Committee on...what committee?
6. SECRETARY:
7. Appropriations I.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Senator Carroll.
10. SENATOR CARROLL:
11. Thank you, Mr. President. This amendment is to
12. appropriate the regular operational expenses into
13. line item accounts and I would move adoption of Amendment
14. No. 1....
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. You've heard the motion by Senator Carroll for
17. the adoption of Amendment No. 1 to House Bill 1038.
18. All those in favor say Aye. All those opposed say Nay.
19. The amendment is adopted. Any further amendments?
20. SECRETARY:
21. No further committee amendments.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. Any amendments from the Floor?
24. SECRETARY:
25. Amendment No. 2 offered by Senator Berning.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Senator Berning, would you explain the amendment,
28. please?
29. SENATOR BERNING:
30. Amendment No. 2 adds back in thirty-six hundred dollars
31. ...thirty-six hundred dollars for personal services and
32. two hundred sixty-three dollars for retirement, two hundred
33. eleven dollars for social security. I think this is agreed

1. to by the...the chairman of the Appropriations Committee and
2. unless there is an objection, I move for the adoption.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator Berning moves for the adoption of Amendment
5. No. 2 to House Bill 1038. All those in favor say Aye.
6. All those opposed say Nay. The Amendment No. 2 is adopted
7. to House Bill 1038. Any further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Any amendments from the Floor? 3rd reading.
12. House Bill 1040, Senator Graham. Read the bill, Mr.
13. Secretary.

14. SECRETARY:

15. House Bill 1040.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Appropriations
18. I offers two amendments.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Senator Carroll to explain Amendment No. 1 please.

21. SENATOR CARROLL:

22. Thank you. Committee Amendment No. 1 is a reduction of
23. fifty-seven hundred dollars of General Revenue Funds. I would
24. move the adoption of the amendment.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Carroll moves the adoption of Amendment No.
27. 1 to House Bill 1040. All those in favor say Aye. All those
28. opposed say Nay. The amendment is adopted. Amendment No.
29. 2, Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Senator Johns. Amendment No. 2 is
32. to reduce the appropriation for the Office of the Commissioner
33. and certain personal service and corresponding accounts. I
34. would move the adoption of Amendment No. 2.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Any further discussion on the bill? Senator Carroll
3. moves the adoption of Amendment No. 2 to House Bill 1040.
4. All those in favor say Aye. All those opposed say Nay.
5. The Amendment No. 2 is adopted. House...all right.
6. Any further amendments?
7. SECRETARY:
8. No further committee amendments.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. No further committee amendments? Any amendments
11. from the Floor? 3rd reading. House Bill 1047, Senator
12. Hynes. All right. Move right on here. House Bill
13. 1064, Senator Berning. Your pleasure, Sir. House Bill
14. 1064.
15. SENATOR BERNING:
16. ...President, I would be willing to move it. It's
17. my understanding that the chairman of the Appropriations
18. Committee prefers that it be held. Is that correct or...
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. Senator Carroll, I think you're...
21. SENATOR BERNING:
22. ...incorrect?
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. ...being addressed. No, Senator Buzbee. I'm sorry, wrong
25. Appropriations Committee. It is to be held. House Bill
26. 1064 will be held. House Bill 1065, Senator Berning.
27. Is that the same condition? Or is that another...
28. SENATOR BERNING:
29. That's to be held too.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. All right, Sir.
32. SENATOR BERNING:
33. Mr. President, I beg your pardon.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. What's your pleasure, Sir?
3. SENATOR BERNING:
4. Yes, move...
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. He wishes the bill read.
7. SENATOR BERNING:
8. ...1065.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. Mr. Secretary, read the bill.
11. SECRETARY:
12. House Bill 1065.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. Any amendments from the Floor? 3rd reading. House
17. Bill 1101, Senator Vadalabene is absent. House Bill 1102,
18. Senator Bloom. Well...pardon me, Senator Bloom. As a
19. courtesy to Senator Vadalabene, we're going to move his
20. bill. He is ill and he's asked Senator Carroll to do that
21. and we recognize that and we'll do it. Read it.
22. SECRETARY:
23. House Bill 1101.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. The Committee on Appropriations I
26. offers one amendment.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. Senator Carroll, explain Amendment No. 1 from the
29. committee, please.
30. SENATOR CARROLL:
31. Thank you, Mr. President. The amendment is to reduce the
32. pay plan to the roughly two and a half, three percent range
33. that we have been holding all people to and I would move adoption

1. of Committee Amendment No. 1.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. You've heard the motion. Senator Carroll moves for the
4. adoption of Amendment No. 1 to House Bill 1101. All
5. those in favor say Aye. All those opposed say Nay. The
6. amendment is adopted. Any further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Any amendments from the Floor? 3rd reading. House
11. Bill 1102, now, Senator Bloom. Read it.

12. SECRETARY:

13. House Bill 1102.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Appropriations
16. I offers one amendment.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. My good friend, Senator Carroll.

19. SENATOR CARROLL:

20. Why thank you, Mr. President. This is a reduction in
21. personal services and its corresponding accounts and I would
22. move the adoption of Committee Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. You've heard the motion to adopt Amendment No. 1
25. to House Bill 1102. All those infavor say Aye. All those
26. opposed say Nay. The amendment is adopted. Any further
27. amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR JOHNS)

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

32. House Bill 1106, Senator Weaver. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 1106.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Any amendments from the Floor? 3rd reading.
6. House Bill 1115, Senator Regner.
7. SECRETARY:
8. House Bill 1115.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. The Committee on Appropriations
11. I offers one amendment.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. Senator Carroll.
14. SENATOR CARROLL:
15. Thank you, Mr. President. I would move to Table
16. ...move to, yes, Table the Committee Amendment No. 1.
17. I don't think I have to move to reconsider because it was
18. adopted in committee. I would, therefore, move to Table.
19. The reason is that the substantive legislation that
20. had been in the House had failed to pass. It is, therefore,
21. no longer necessary to have the amendment.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. You've heard the motion to Table Amendment No. 1
24. adopted in committee. All those in favor say Aye. All those
25. opposed say Nay. The amendment No. 1 adopted in committee
26. is Tabled. Any further amendments, Mr. Secretary?
27. SECRETARY:
28. No further committee amendments.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. Any amendments from the Floor? 3rd reading. House
31. Bill 1127, Senator Berning.
32. SECRETARY:
33. House Bill 1127.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Read the bill.
3. SECRETARY:
4. House Bill 1127.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Any amendments from the Floor? 3rd reading.
9. If I'm correct, Mr. Secretary, we go to 1393. House
10. Bill 1393, Senator Kosinski. He was here just a moment
11. ago. Senator Kosinski. He was here just a moment ago.
12. Senator Kosinski. Move it. Read the bill.
13. SECRETARY:
14. House Bill 1393.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Any amendments from the Floor? No amendments
19. from the Floor. 3rd reading. House Bill 1418, Senator
20. Carroll. Read the bill, Mr. Secretary.
21. SECRETARY:
22. House Bill 1418.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. The Committee on Appropriations
25. I offers one amendment.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Senator Carroll to explain Amendment No. 1, please.
28. SENATOR CARROLL:
29. Thank you, Mr. President. Committee Amendment No. 1
30. is to delete the salaries for four department officers
31. from Department of Finance and two from General Services
32. and to add into for the Department of Administrative Services
33. under the Governor's reorganization and I would move the

1. adoption of Committee Amendment No. 1.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Carroll moves the adoption of Amendment No.

4. 1 to House Bill 1418. All those in favor say Aye.

5. All those opposed say Nay. The amendment is adopted.

6. Any further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR JOHNS)

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

11. Read House Bill 1429.

12. SECRETARY:

13. House Bill 1429.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. No committee amendments.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Any amendments from the Floor? Senator Regner is
18. recognized.

19. SENATOR REGNER:

20. Yes, is Senator Hynes on the Floor?

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. He is right here behind me.

23. SENATOR REGNER:

24. I have a question. This is a bill that we
25. discussed in Appropriations and we suggested a possible
26. Floor amendment due to have the appropriation handled
27. by a different agency and I think Senator Hynes is going
28. to speak on it now.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Stand at ease a moment till the Senator gets to his chair.

31. SENATOR HYNES:

32. Senator Regner, I would like to move the bill. I will
33. be happy to talk with you even this evening and if we can

1. agree on an amendment of that kind, I...I prefer your
2. approach, frankly.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Gentlemen's agreement. Read the bill, Mr. Secretary.

5. We have read the bill, haven't we? Any amendments from the
6. Floor? 3rd reading. House Bill 1726, Senator Rhoads.

7. Read it.

8. SECRETARY:

9. House Bill 1726.

10. (Secretary reads title of bill)

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

12. PRESIDING OFFICER: (SENATOR JOHNS)

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

14. House Bill 1729, Senator Regner. Read the bill, Mr.
15. Secretary.

16. SECRETARY:

17. House Bill 1729.

18. (Secretary reads title of bill)

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

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. Committee Amendment No. 1
25. deletes the transfer of Road Fund and General Revenue
26. monies into the Court of Claims Fund, the latter having
27. been abolished by House Bill currently pending. I would move
28. adoption of Committee Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Senator Carroll has explained the Amendment No. 1
31. to House Bill 1729. All those in favor say Aye. All those
32. opposed say Nay. The amendment is adopted. Any further
33. amendments, Mr. Secretary?

1. SECRETARY:

2. No further committee amendments.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. No further committee amendments? Any amendments
5. from the Floor? 3rd reading. House Bill 2126, Senator
6. Rock. Hold it. House Bill 2137, Senator Maragos.
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 2137.

10. (Secretary reads title of bill)

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Take that from the record, Mr. Secretary. Sorry,
13. Senator Maragos. We're taking appropriations and it
14. was just a little darker print. Okay. 2163, Senator Glass.
15. I apologize to all of you. House Bill 2163, Senator Glass.
16. Read the bill. Read the bill.

17. SECRETARY:

18. House Bill 2163.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations
21. I offers one amendment.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Sorry. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President and members of the Senate.
26. Committee Amendment No. 1 is to delete five thousand
27. for additional office space and twenty-five hundred for
28. operation of automotive equipment. I would move the adoption
29. of Committee Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. You've heard the motion by Senator Carroll to...to
32. adopt Amendment No. 1 to House Bill 2163. All those in favor
33. say Aye. All those opposed say Nay. The amendment is adopted.

1. Any further amendments?
2. SECRETARY:
3. No further committee amendments.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Any amendments from the Floor? 3rd reading.
6. House Bill 2325, Senator Buzbee. Read the bill, Mr.
7. Secretary.
8. SECRETARY:
9. House Bill 2325.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. Any amendments from the Floor? 3rd reading.
14. House Bill 2358, now, Senator Maragos. I think I'm on the
15. right track with this one. Court of Claims. Oh, yes.
16. House Bill 2358, Senator Maragos. I called for...read the bill,
17. Mr. Secretary.
18. SECRETARY:
19. House Bill 2358.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. The Committee on Appropriations
22. I offers one amendment.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. Senator Carroll. 2358, Senator Carroll. Court of Claims.
25. SENATOR CARROLL:
26. One moment, please.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. Take your time.
29. SENATOR CARROLL:
30. Thank you, Mr. President. This is to remove the Court
31. of Claims Fund and provide for direct appropriations from
32. General Revenue and from the Motor Fuel Tax Funds and take
33. away the artificial distinction of a Court of Claims Fund.

1. I would move the adoption of Committee Amendment No. 1.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. Senator Maragos nods in the affirmative for the
4. adoption of Amendment No. 1 offered by Senator Carroll onto
5. House Bill 2358. All those in favor say Aye. All those
6. opposed say Nay. The Amendment No. 1 is adopted.
7. Any further amendments?
8. SECRETARY:
9. No further committee amendments.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. Any further amendments from the Floor? 3rd reading.
12. House Bill 2370, Rock.
13. SECRETARY:
14. House Bill 2370.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Any amendments from the Floor? 3rd reading. Senator
19. Maragos, did you wish to be recognized for any reason?
20. Okay. House Bill 2371, please. Senator Hynes. Read it
21. please.
22. SECRETARY:
23. House Bill 2371.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Any amendments from the Floor? 3rd reading.
28. House Bill 2375, Senator Lemke. Absent. House Bill 2391,
29. Senator Bruce. Read it.
30. SECRETARY:
31. House Bill 2391.
32. (Secretary reads title of bill)
33. 2nd reading of the bill. Committee on Appropriations II
34. offers Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senator Buzbee. Explain Amendment No. 2...
3. Amendment No. 1 to House Bill 2391.
4. SENATOR BUZBEE:
5. Yes, Mr. President. This amendment transfers
6. thirty-five thousand from the language grants to the POW
7. and MIA scholarship line item. I'd move its adoption.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Any further discussion of the amendment to House
10. Bill No. 2391 offered by Senator Buzbee's motion to adopt?
11. All those in favor say Aye. All those opposed say Nay: : : : :
12. The amendment is adopted. Any further amendments?
13. SECRETARY:
14. No further committee amendments.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. Any amendments from the Floor? 3rd reading.
17. Senator Coffey, House Bill 2396. Senator Coffey. Is he
18. on the Floor? Let's move it.
19. SECRETARY:
20. House Bill 2396.
21. (Secretary reads title of bill)
22. 2nd reading of the bill. No committee amendments.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. Any amendments from the Floor? 3rd reading.
25. Did we do you right, Max? That takes care of the appropriations
26. bills on 2nd reading. Now, if someone was absent, the Chair
27. would be glad to go back and pick those up from the start
28. because we should be moving those bills. The Chair wishes to...
29. to tell you that we are now going back to 3rd reading of House
30. Bills. We left off...16...624...House Bill 624, Demuzio.
31. We're going to now pick up House Bill 625, if Senator Demuzio
32. wants to have that read. No? Pass. 627, no. 629...House
33. Bill 629, Maragos. House Bill 623, Lemke. House Bill 637,

1. Washington. Yes. 3rd reading, Washington, House Bill

2. 637. Mr. Secretary.

3. SECRETARY:

4. House Bill 637.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Washington.

9. SENATOR WASHINGTON:

10. Mr. President, 637 simply adds to the list of
11. medical services to be provided for recipients of welfare,
12. rape victims to the list of medical services, department
13. is authorized to provide under the medical assistance program
14. and includes in such services, tests to secure
15. evidence in relation to rape. Now, at present, they do provide
16. by administrative order, I dare say, medical assistance to rape
17. victims who are on welfare. What we are concerned about, in addition,
18. is to permit that to extend to the protection of the evidence
19. gathered in a rape case. I know of no opposition to this
20. bill and I move its adoption. I ask for your support.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. You've heard the explanation of the bill. The question
23. is ...is there any discussion? Senator Moore? Senator Rock?

24. SENATOR MOORE:

25. Thank you, Mr. President and members of the Senate.
26. I rise in support of this bill. The Department of Public
27. Aid is presently paying for these costs. We're doing it
28. administratively. What this does is just write it into the
29. Statute. The Department has no objection to this bill and
30. I would urge members on this side of the aisle to support it.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President. Senator Moore just stole
2. my speech. I, too, rise in support of House Bill 637.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Any further testimony? Senator Berning.

5. SENATOR BERNING:

6. Just a question. What is the costs that we are talking
7. about and who pays this?

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Senator Washington.

10. SENATOR WASHINGTON:

11. I don't have a cost figure, but it would be paid,
12. of course, by the State out of the Public Welfare Budget.
13. I don't...it is being paid now. I don't expect it's
14. going to be monumental but it will be an appreciable number
15. of the rape victims in this State, are unfortunately, on
16. Public Aid. But we're not talking about a monumental
17. cost, Senator.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Any further questions of the sponsor?
20. You've heard the motion. The question is shall Senate Bill...
21. House Bill 637 pass. Those in favor vote Aye. Those
22. opposed vote Nay. The voting is open. Have all voted who
23. wish? Have all voted who wish? Take the record, Mr.
24. Secretary. On that question the Ayes are 53, the Nays
25. are none. House Bill 637 having received a constitutional
26. majority is declared passed. We're going back to Senator
27. Maragos' bill, 629. He was off the Floor just a second
28. and we missed him. Going to offer that courtesy to him.
29. You've heard the Chair.

30. SECRETARY:

31. House Bill 629.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Maragos, will you explain the bill, please?

3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. House

5. Bill 629 increases the emergency salaries which would give

6. to the National Guard when they are on emergency duties from

7. twenty-five dollars a day to forty dollars a day. Many times

8. these men are...are...when there's tornadoes..when there

9. are tornadoes or other big disasters and they have to come

10. in and help us in time of need, I think it is also...that

11. we try to help them to get a live in wage to support their

12. families when they have to leave their jobs in order to give

13. duty. This is the only civilian force that we have that comes

14. under...emergency nature on the State-wide basis and I ask

15. for your favorable support.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. The Chair recognizes Senator Hall.

18. SENATOR KENNETH HALL:

19. Would the sponsor yield to a question?

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. He nods he will.

22. SENATOR KENNETH HALL:

23. Senator Maragos, when you referred to naval militia,

24. I mean, when are they ever called out on any emergencies?

25. SENATOR MARAGOS:

26. Well, if they are never called out, they never get
27. paid.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. I want to know if there's ever any white tornadoes

30. I've recovered. Senator Wooten.

31. SENATOR WOOTEN:

32. Senator Maragos, where would this place us in relation

33. to other states? I get the idea that at forty dollars, we would

1. be the most generous State in reimbursing these people.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. We pride ourselves in being the most progressive
6. and in many ways, thoughtful State of all in the nation, so I
7. don't see why we should take umbrage if we're going to
8. be number one in this area.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Wooten.

11. SENATOR WOOTEN:

12. Add to your list of adjectives, lavish, if you will.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Maragos.

15. SENATOR MARAGOS:

16. If there are no further questions, Mr. President, I'd
17. like to state that these guardsmen, usually, when there's
18. time of disaster, are working alongside many other
19. local municipal employees, like firemen or policemen
20. who get paid much more for...to do the same kind of duty
21. and I think it's nothing much to expect these men...by the
22. way, most of these funds come from Federal funding many
23. times, so I think it's not going to be that big of an item
24. for us to be concerned about, but I think it would help
25. each individual guardsman and I ask for your favorable support.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. The question is shall Senate...House Bill 629 pass.
28. Those in favor vote Aye. Those opposed vote Nay. The voting
29. is open. Thank you, Senator Hall. Have all voted who wish?
30. Have all voted who wish? Take the record, Mr. Secretary.
31. On that question the Ayes are 40, the Nays are 8, House
32. Bill 629 having received a constitutional majority is declared
33. passed.

End of reel

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. House Bill 640, Senator Graham. Wait a minute. I'm
3. sorry. Senator Guidice wishes to be recognized. Let's
4. see what he wants.
5. SENATOR GUIDICE:
6. Mr. President.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Yes, Senator.
9. SENATOR GUIDICE:
10. Thank you. Had my key been in the hole I would have
11. voted Aye on that last bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. It is so recorded. Thank you. Senator Graham.
14. SECRETARY:
15. House Bill 640.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. SENATOR GRAHAM:
19. Mr. ...Thank you, Mr. President and members of the
20. General...of the Senate...
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. ...Pardon me, Senator...Okay. We'd had some joviality.
23. Let's settle down again. What do you say? Senator Graham.
24. SENATOR GRAHAM:
25. The bill that we're going to vote favorably upon
26. shortly, I hope will be a step back to renewing the farm
27. operations in our correctional institutions that we did
28. enjoy a few years ago. Senators Buzbee, Johns, Representative
29. Brummet and others have worked in this area for quite a long
30. time and watched the deterioration of our farm operations
31. and the deterioration of the food products...process almost
32. be eliminated to the extent that where we used to be able to
33. employ some of the inmates in some of the various institutions

1. and keep them out of cell time and make them productive
2. and at the same time raise produce, can it and transfer it
3. from one institution to another, thereby saving the state
4. money, employing some of the inmates in our institutions
5. and in many cases giving them an opportunity to learn a
6. trade or something they could use when they get on the out-
7. side. It seems strange to some of you that we might suggest
8. that we use meat cutting for some of the training of some
9. of the inmates and some are experienced in that area. But
10. in the institutions where we have tried this and where it
11. has worked we have produced some people upon their re-
12. lease who went out and got employed as meat cutters and
13. were employed in packing plants. We have been able to
14. train some people in the area of canning, some in the many
15. other areas. Part of this vocational training that we have talked
16. about did not enjoy this deterioration. It was forced upon
17. us. The program I would like to see only reinstated would
18. embrace every institution in this state that had the avail-
19. able resources to continue this program. We know at the
20. outset that this cannot be accomplished, perhaps, under
21. the...current budget. Talking with the Governor and the
22. Department of Corrections and with Senators Johns and
23. Buzbee and Representative ...Brummet and others. It is
24. generally decided that we should take this on a step by
25. step procedure and start in the institutions of Vandalia,
26. Menard and Vienna. We think that this will give us a
27. well rounded program. It's going to cost us something
28. for start up money, but I can assure you that when you
29. meet in a year or two, and if this program gets going as
30. it should, we'll prove to you that this will return in
31. time, in money to the state that we are now spending for
32. foodstuffs. And in addition to that, we'll be employing
33. personnel. The Department of General Services and the

1. Department of Mental Health sort of objected to this and
2. we're not...expecting them to really get involved and
3. we don't want them to be objecting...objecting on the basis
4. that we are removing ourself from a competitive bidding
5. process. If we can't furnish it then we'll buy it. But
6. I'm telling you, Ladies and Gentlemen, this Senate, this
7. is one of your most important votes this year. Now...
8. we'll appreciate a favorable roll call.

9. PRESIDENT:

10. Is there any further discussion? If not...Senator
11. Johns.

12. SENATOR JOHNS:

13. Well, it's an odd combination of Graham and Johns.
14. But it's there because it's common sense. It can save us
15. money. It can give the inmates activities. It can give them
16. good health and fresh air and maybe see that there is a
17. better world ahead and I really would appreciate a favorable
18. vote on this bill.

19. PRESIDENT:

20. Senator Johns, you're...you're remarks have stirred
21. up some additional debate. Senator Wooten.

22. SENATOR WOOTEN:

23. Mr. President. I must confess that I am more than
24. a little skeptical about the value of this program for
25. inmates. The practicality of it. I'd like to inquire
26. how much are we talking about spending. I'm glancing
27. through an analysis here and some numbers that seem to
28. add up to an awful lot of money. What are we contemplating
29. that this program is going to cost because it certainly
30. is going to cost something just to gear it up. Senator
31. Graham.

32. PRESIDENT:

33. Senator Graham.

1. SENATOR GRAHAM:
2. Yes, that's true, Senator Wooten. And you don't get
3. something for nothing. The first estimate on this was
4. about seven million dollars and I think that was a wrong
5. estimate. The new estimate, that we have devised, as...or
6. the Department of Corrections has come up with, as have
7. the farm managers and others have given it a appropriate
8. study, will be to get this thing off the ground six hundred
9. and fifty thousand dollars. And some of that, perhaps,
10. Senator Wooten and you asked a good question, some of
11. that start up money, perhaps, may come out of bonding
12. because there will be a necessity at Vandalia, perhaps,
13. and other places to build a building in which to store
14. the canning factory that will be used in this program.
15. So we're talking about, maybe, three hundred and fifty
16. thousand dollars general fund money.

17. PRESIDENT:
18. Senator Wooten.

19. SENATOR WOOPEN:
20. I'm also thinking, too, of...are we talking about
21. you know, kind of a Maoist, let a thousand flowers bloom,
22. approach to farming. Are we talk about...talking about the
23. modern kind of farming in which considerable expertise
24. and outlay for equipment and materials is required?

25. SENATOR GRAHAM:
26. ...answer the questions.

27. PRESIDENT:
28. Senator Graham.

29. SENATOR GRAHAM:
30. Senator Wooten. There again we don't get something
31. for nothing. In some of our institutions we have some of
32. this farm machinery that is not being used now. For instance,
33. in Pontiac and Stateville. That can be transferred. In some

1. of the areas, unfortunately, the last administration, through
2. some of their ineptness or whatever, did allow one canning
3. unit and that's at Vandalia to go in...the people go in
4. with a torch and cut it down. Stateville's canning unit
5. is almost destroyed. Well, I'd like to suggest to you,
6. that whatever it costs to get this going that in nineteen
7. hundred and sixty six the canning processes in the State
8. of Illinois allowed that there be one hundred and ninety
9. thousand gallons of foodstuff transferred from one
10. institution to another as a result of this program that
11. we're trying to reinstate. It will...it'll return in
12. time, Senator.

13. PRESIDENT:

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Well. I retain my skepticism, Senator. I...I know
17. that the appeal that this has. It seems to me, though, that
18. the day of this approach to corrections is probably past.
19. We talk about the rehabilitative value for prisoners in the
20. same term that we used to talk about Latin in high school
21. and maybe it's correct. You know, you take Latin, you
22. won't use it later on, but it will be a great mental
23. exercise and discipline. It's a cinch...at least I think
24. it's arguably a cinch that the prisoners are not going
25. to get into farming when they get out of prison. The idea
26. of getting some productive work out of them. The idea of
27. requiring that they do something of keeping them busy. Those
28. are all good ideas that go back to the original Quaker approach
29. to the penitentiary. But I just suspect and I think this is
30. a subject of some discussion among penologists. I just suspect
31. that it is not quite worth the candle and that...on the contrary,
32. when we come back in two years we'll find that it's going to
33. take more money, more effort and I believe that'll be the

1. pattern right on down the line. I'm willing to be proven
2. wrong, but I'm, frankly, skeptical of...of a return to this
3. program.

4. SENATOR GRAHAM:

5. I'm willing to help to try to prove you wrong and I
6. enjoy...and I appreciate your skepticism because I know
7. you're honest in making it. Senator, you're...you're
8. right. I could think that many of the inmates that are
9. from the intercities and other people will not go back
10. to a farm because they don't have any farms where they
11. came from. But I'm going to tell you, having visited
12. and having been in and out of these penitentiaries
13. on a official legislative business for nineteen years,
14. I'll prefer some sort of a program like this rather than
15. the regimentation of lifting dumbbells out in the yard.
16. Now, a little dirt under their fingers and little bit of
17. tiring as a result of working in the farms or productive
18. methods in our penitentiaries is a whole lot better than
19. twelve or fourteen hours a day cell time. If nothing
20. else, there's a human value attached to it.

21. PRESIDENT:

22. Senator Donnewald.

23. SENATOR DONNEWALD:

24. Yes, I didn't...I really don't want to take too much
25. of the Senate's time to speak of this particular subject,
26. but I had some experience along these lines when I was
27. very young. We lived...my family, my father was captain
28. of the guard of the honor farm, which...at Joliet Stateville,
29. which consisted of two thousand acres and we had a...a work
30. program, a canning program and a furniture factory, license
31. factory. Many of the inmates did, in fact, rehabilitate
32. themselves. But one thing that did do then and it will do
33. now, is to keep them busy and a busy mind and a busy body keeps

1. them out of other mischief. Now the penologists and there
2. theories now to rehab people by other means, I...I don't
3. have much...faith in such as that and I would urge the
4. passage of this legislation.

5. PRESIDENT:

6. Is there any further discussion? If not, the
7. question is, shall House Bill...Senator Hickey.

8. SENATOR HICKEY:

9. Thank you, Mr. President. I have two questions,
10. which I don't think were answered in the previous discussion.
11. Since we do know that things of this sort have been given
12. up, that they did belong to another time, I'm wondering
13. why they were given up and,secondly, because we've seen
14. it happen not only in correctional institutions - but in
15. county farms, in institutions of mental health, all kinds
16. of public institutions have deserted farming and this kind
17. of productivity. Why did they give it up and are those
18. reasons...gone now for ones giving them up and,secondly,
19. what does the Department of Corrections feel about this?
20. Did they come and ask for this to be done? Two questions.

21. PRESIDENT:

22. Senator Graham.

23. SENATOR GRAHAM:

24. I can answer both of them, Senator Hickey. I don't
25. know why. I don't know why Dan Walker did the things he
26. did. I have no answers for it. But he did it. I can tell
27. you one thing. The Department of Corrections does support
28. this program and they think it's a viable thing and should
29. be done. There was a time they thought farming wasn't
30. acceptable and I remember that time when we...when we had horses and
31. mules at Stateville and Senator Donnewald remembers that and
32. the inmates up there were trying to back up a team of mules
33. like they would a tractor and it didn't work. They couldn't

1. milk the cows because they got kicked out from under them.
2. So they got milking parlors and other things that they let
3. deteriorate and I tell you one thing...Pontiac Penitentiary
4. at one time we furnished all the milk for Pontiac, for
5. Dwight, for Sheridan, and for St. Charles in return for that,
6. Dwight and those other areas furnished us eggs and so-forth.
7. But we found out it was inconvenient. It was more easy...it
8. was easier for us to buy it. So now we reached the point
9. in time where we can't afford to buy it where we got these
10. inmates doing all this cell time and I'm willing to take
11. this chance on this and the department does support it.
12. And the Governor.

13. PRESIDENT:

14. The question is, shall House Bill 640 pass. Those
15. in favor will vote Aye. Those opposed will vote Nay. The
16. voting is open. Have all voted who wish? Have all voted who
17. wish? Take the record. On that question, the Ayes are 50,
18. the Nays are 2, 2 Voting Present. House Bill 640 having
19. received the constitutional majority is declared passed.
20. House Bill 641, Senator Mitchler.

21. SECRETARY:

22. House Bill 641.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate. House Bill
29. 641 does exactly what the Calendar says. It amends the
30. Vehicle Code to allow persons to stand on roadways to
31. solicit. This is a bill wanted by the Lions Club and
32. that when they solicit and sell their candies. The
33. Veterans organization to sell their poppies. It has been

1. amended. It must have a municipal ordinance adopted before
2. they can do it and it prohibits the solicitation on high-
3. ways...rather state highways. I know of no opposition
4. now and I'd ask for a favorable roll call.

5. PRESIDENT:

6. Is there any discussion? Senator Wooten.

7. SENATOR WOOTEN:

8. I suggest that maybe there is some opposition. I...
9. personal opposition to it, I am given to understand that
10. the Department of Transportation is not crazy about it.
11. I have almost run in to a couple of people soliciting
12. funds on a public roadway. I have, sometimes, admired
13. the nimble footwork of the fellows who sell flowers
14. during rush hour on the Interstate, pardon me, on Outer
15. Drive in Chicago. But I just don't think it is a...it is
16. a sort of thing that we ought to condone and encourage.
17. I believe that it is a dangerous practice and I think,
18. in fact, the Department of Transportation is opposed to
19. this bill.

20. PRESIDENT:

21. Is there further discussion? Question is, shall
22. House Bill 641 pass. Those in favor vote Aye. Those
23. opposed Nay. The voting is open. Have all those voted
24. who wish? Take the record. On that question, the Ayes
25. are 40, the Nay are 8, 1 Voting Present. House Bill
26. 641 having received the constitutional majority is declared
27. passed. House Bill 650, Senator Rupp. Read the bill, Mr.
28. Secretary.

29. SECRETARY:

30. House Bill 650.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Rupp.

2. SENATOR RUPP:

3. Thank you, Mr. President. What this does is merely
4. amend the Illinois Municipal Code and an Act in relation
5. to public water districts and it raises from fifteen
6. hundred dollars to twenty five hundred dollars the contract
7. amount beyond which advertising for bids...for bids is
8. required. I ask a favorable vote on this...

9. PRESIDENT:

10. Is there further discussion? Question is, shall
11. House Bill 650 pass. Those in favor vote Aye. Those
12. opposed Nay. The voting is open. Have all those voted
13. who wish? Take the record. On that question, the Ayes
14. are 51, the Nays are none. House Bill 650 having re-
15. ceived the constitutional majority is declared passed.
16. House Bill 651, Senator Knuppel. Read the bill, Mr.
17. Secretary.

18. SECRETARY:

19. House Bill 651.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Mr. President and members of the Body. House Bill
26. 651 does not rename arbiters as judges. That's the
27. first thing I want to disillusion you about. The
28. caption is not...does not follow the amendment to the
29. bill. They're still called arbiters. This is purely
30. an increase in salary bill for members of the commission
31. and industrial arbiters. Their salaries would become
32. thirty-four thousand dollars a year while members of the
33. commission would receive thirty-six thousand and the Chairman

1. of the commission would receive thirty-eight thousand. They...
2. these men have had one raise since 1971, and which amounted to
3. about sixteen percent while State employees in their pay
4. grades or in their...at their level have increased forty-
5. six percent. Associate judges have increased as much as
6. a hundred and forty-six percent. These men...has been my
7. experience to work with those, at least in downstate
8. Illinois. Get up and if you want to reach them you have
9. to reach them early in the morning or late at night. They
10. travel over a large district the same as many downstate
11. legislators do. They arrive and they're on time. They
12. start their call at nine o'clock and sometimes have over
13. a hundred cases with them. They are...if there's any
14. group of people in State government, that in my opinion,
15. do more for less than these, I would like to meet them.
16. These men are always courteous, considerate. They listen.
17. They have...they have to have a high degree technical
18. knowledge, of...of physical injuries and medical terms.
19. I think they're deserving of the pay raise that's been
20. included in this bill. It's in keeping with the type of
21. work they do and their dedication. I would appreciate a
22. favorable roll call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Sommer.

25. SENATOR SOMMER:

26. Just a couple of questions. Senator Knuppel, are these
27. people required to be lawyers?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. No, Sir. The arbiters are not. A...a substantial
32. part of those who are on the commission are. I...I think
33. that you will find several of the members of the commission
34. itself are attorneys. But these men are not required to be.

1. It's been my experience that most of these fellows have
2. now from eight to ten to twelve years experience. Of
3. course, they always have to start new ones from time to
4. time. But all the ones I come in contact with have a
5. great deal of experience and...and are very intelligent,
6. capable people. They have the capacity that they could
7. have been lawyers had they wanted to study that.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Sommer.

10. SENATOR SOMMER:

11. Are we locking them in under the Personnel Code,
12. by this bill?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. I don't know that they're under the Personnel Code,
17. but these people are appointed. For example, the commissions
18. appointed, and the arbiters are appointed and there has not,
19. I assume, they're under some kind of protection. I'm not
20. that familiar with that part of it. But these people have
21. stayed on through changing administrations.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Sommer.

24. SENATOR SOMMER:

25. Well, as I read the bill, you probably creating a very
26. nice political job that's going to pay thirty-four thousand
27. dollars a year for people who don't really have qualifications.
28. And you've sold the bill on the basis of the fact that the
29. arbitrators have to go around the state and do this and do
30. that. However, you're raising the salary of the secretary
31. of the commission to the same thirty-four thousand dollars
32. a year. Now, who is the secretary and what does that person
33. do?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, the secretary is the person who's appointed who
5. has charge of the filing of all these thousands and thousands
6. of cases and to see that they receive numbers. That...he
7. has charge of a large office force in the City of Chicago
8. who has the responsibility of receiving, filing these
9. claims for industrial injuries. Having those assigned to
10. different arbiters. Keeping track of the appeals. I
11. don't know just what the office force is, but it runs into,
12. probably, a couple of hundred people that he's over. This
13. is not out of line with a person in that supervisory capacity
14. at all. A...a superintendent of schools directing that
15. many people as an administrator in the City of Springfield
16. would receive a comparable salary. These salaries are in
17. line with the types of responsibilities that are assigned
18. to these people. There is no question about that. You
19. say that they're...untrained. I submit that most of these
20. people have a great deal of formal education and a lot
21. more experience and in an industrial commission case, I'll
22. be very frank about it, I think I'm a good industrial case
23. lawyer. They know a hell of a lot more about it than I do.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Sommer.

26. SENATOR SOMMER:

27. Senator Knuppel, will you tell us who the secretary
28. of this commission is and what participation that person
29. has had in partisian politics in the last few years?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Sir, I...I'm not...I'm not personally acquainted with

1. the secretary. There's no conflict of interest here.
2. They change from time to time and I think there has been
3. a change, but for a long time it was one person. I
4. don't know him, personally, I don't even know what the hell
5. his name is. I just know what his job is and what he
6. does.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Berman.

9. SENATOR BERMAN:

10. Thank you, Mr. President. I'm pleased to stand in
11. support of Senator Knuppel's excellent bill. He refers
12. to his experience in downstate cases involving the
13. industrial commission. I can indicate to you that, as
14. many of the lawyers here know, the work load in Cook
15. County up at the State of Illinois Building is just as
16. heavy, if not even heavier. They are very hard working.
17. They are very industrious, as well as very dedicated to
18. a very heavy work load. Many times there are problems
19. involving these injuries that requires not only a technical
20. expertise, but also a quality of human compassion that is
21. very important when you're dealing with serious injuries
22. to people that have been hurt on the job. I think they
23. well earn the salary schedule that is suggested in this
24. bill. I urge your Aye vote.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. Well, Senator Knuppel, the secretary is a she, not a
29. he. I...well, yah, and I'm...I apologize to you, I have
30. not had an opportunity to discuss this with you. Would
31. you be willing to take it out of the record for a few
32. minutes?

33. SENATOR KNUPPEL:

1. Well, I...I'll say this as a matter of...courtesy if
2. it's all right with leave of this Body and the Chairman
3. I'll be happy to. I...I'm ready and we've heard part
4. of the debate, but if you'll come on over here, I'll
5. be happy to take it out of the record for a minute, if
6. we can come back to it. I...I think anybody's entitled
7. that.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Well, that requires leave from the entire Body. Do
10. we have leave? Leave is granted. House Bill 658, Senator
11. Netsch. House Bill 666. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 666.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. This is one of a series of
20. bills, which is designed to revise the appropriate places
21. in the Illinois State Statutes, which are not sex neutral
22. in their references. This one actually adds a section
23. to the Statute that deals with the construction of
24. Statutes and the section added simply defines surviving
25. spouse as a widow or a widower as the case may be.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Question is, shall
28. House Bill 666 pass. Those in favor vote Aye. Those
29. opposed Nay. The voting is open. Have all those voted
30. who wish? Take the record. On that question, the Ayes
31. are 48, the Nays are none. House Bill 666 having received
32. the constitutional majority is declared passed. House Bill
33. 668, Senator Netsch. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 668.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Netsch.
7. SENATOR NETSCH:
8. Thank you, Mr. President. This is another one of the
9. same series of bills, which is intended to eliminate
10. discriminatory references in the Statutes. This one deals
11. the Mine Inspection Act and it changes the word boy throughout
12. to youth. This is the prohibition on young people working
13. in mines and it will now read that no youth under the age
14. of eighteen shall be permitted to do manual labor in or
15. about a mine. That is the...incidentally, some of the things
16. that were indicated in the Digest originally are not in the
17. bill now. They were eliminated by amendment in the House.
18. At the, as I understand it, that at the request of the Department
19. of Mines the age was also changed in this Statute from
20. sixteen to eighteen to conform to existing practice, and I
21. believe other provisions of the Statute.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Soper.
24. SENATOR SOPER:
25. Thank you, Mr. President. Senator Netsch, I have a
26. little sheet here that says that removes the prohibition
27. against some, against women working in the mines. Is this
28. women's lib?
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Netsch.
31. SENATOR NETSCH:
32. Yes.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Soper.

2. SENATOR SOPER:

3. So you want to send the women back to the mines.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Question is, shall House
6. Bill 668 pass. Those in favor vote Aye. Those opposed
7. Nay. The voting is open. Have all those voted who wish?
8. Take the record. On that question, the Ayes are 48, the
9. Nays are 1. House Bill 668 having received the constitutional
10. majority is declared passed. House Bill 669, Senator Lemke.
11. House Bill 674, Senator Bowers. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 674.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER:(SENATOR DONNEWALD)

17. Senator Bowers.

18. SENATOR BOWERS:

19. Thank you, Mr. President. First, I would like to say
20. that House Bill 674 does not do what the Calendar indicates that
21. it does. It does not totally attack the question of
22. confidentiality of juvenile records. What it does do, is
23. provide one minor exception to that...to that policy and the
24. exception is this. That where a minor commits an act of
25. violence against property of...person, of another, the
26. victim is entitled to get that...that name of the minor.
27. The problem, of course, arises because we have in this
28. General Assembly provided for parental responsibility
29. but we don't provide for a method for the victim to get
30. the name of the person who may be liable under the...
31. under that particular Act. So, all this does, is provide
32. an exception so that the victim can get that name and I
33. would ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Netsch.

3. SENATOR NETSCH:

4. A question of the sponsor. Senator Bowers, have
5. you had a chance to check this in relationship to Senate
6. Bills 359 and 360, which we've already passed here and I
7. believe it will pass the House now, too. They dealt
8. much more broadly with the subject of confidentiality
9. of such records and I...I wonder only if you've had a
10. chance to read this in the light of those provisions.
11. I don't think that they're necessarily inconsistent.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bowers.

14. SENATOR BOWERS:

15. Senator, the answer to the question is no, Senator
16. Netsch, I have not. I have not understood that they
17. were in any way in conflict with those...with those bills.
18. This is, as I indicated one minor exception in that the
19. victim can get the name of the minor. As far as con-
20. struction purposes are concerned, if you are concerned
21. about that, I'll be happy to hold the bill until we can
22. work that out.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Question is, shall
25. House Bill 674 pass. Those in favor vote Aye. Those opposed
26. Nay. The voting is open. Have all those voted who wish?
27. Take the record. On that question, the Ayes are 51, the
28. Nays are none. House Bill 674 having received the constitutional
29. majority is declared passed. House Bill 675. House Bill
30. 677, Senator Schaffer. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 677.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. House Bill 677 would allow for state reimbursement to
6. a school district for a child placed in a out-of-state
7. school...public school, special education program. We
8. currently allow private placement out of state. I'm
9. told that this involves about ten pupils in the
10. state: Has a fiscal impact of approximately fifteen thousand
11. and is under the joint control of...or veto of the local
12. school districts and the Office of Education. I know of
13. no opposition. Be happy to answer any questions. Appreciate
14. a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Question is, shall House
17. Bill 677 pass. Those in favor will vote Aye. Those opposed
18. Nay. The voting is open. Have all those voted who wish?
19. Take the record. On that question, the Ayes are 45, the
20. Nays are none. House Bill 677 having received the constitutional
21. majority is declared passed. House Bill 679, Senator Bruce.
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 679.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bruce.

29. SENATOR BRUCE:

30. Thank you, Mr. President. This relates to non-voting
31. student members on various colleges boards and university
32. governing boards. It has not changed, in any way, the impact
33. of students on those various governing boards. Several years

1. ago this Body decided along with the House to allow students,
2. non-voting rights on the Boards of the Illinois Community
3. College, Board of Higher Education, the Board of Regents, the
4. Board of Trustees at the University of Illinois and the Board
5. of Trustees at Southern Illinois University. This bill would
6. not change those rights whatsoever, except to make them conform
7. with the opinion of the Attorney General, which says, that
8. the students have a right to make and second motions and
9. to attend executive sessions, but not have the right to
10. vote. And this bill does not change that. They will not
11. have the right to vote. The question is, on confirming
12. motions to approve capital expenditures and it has been
13. the practice to...of the student members to vote on those
14. motions. And one of the...one of the universities or
15. colleges asked for an opinion of the Attorney General.
16. And it was his decision that once we gave them the right
17. as a non-voting member they would have the right to make
18. and second motions and to attend executive sessions.
19. That is all that is contained in this. It conforms to the
20. Attorney General's opinion, which is the standing practice
21. on all these boards. There is no opposition from any of
22. the boards, the Board of Higher Education or any educational
23. institution involved.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Soper.

26. SENATOR SOPER:

27. Thank you, Mr. President. Senator Bruce, if the
28. Attorney General's position is as you say it is, why do
29. we need this?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Bruce.

32. SENATOR BRUCE:

33. Well, I am told, Senator, that bond counsel, knowing the

1. the effect of Attorney General's opinions, would like to
2. have it nailed into the Statutes. If they are challenged
3. in court, as you are well aware, the opinion would only
4. be advisory to the court and they might have ruled, in
5. fact, that the student does not have the right to...vote
6. on motions. Having approved a thirty million dollar new
7. building, at say, the University of Illinois and the de-
8. ciding vote was the students, the bond holders might find
9. themselves with something less than what they expected.
10. And so it was the advice of many of the boards and they
11. brought forth the bill to give them the rights that the
12. Attorney General says they have and that is what they are
13. actually doing on all these boards, making and seconding
14. motions and attending executive sessions. All the bill
15. says they should do. It just confirms what the Attorney
16. General says they ought to do and it clears up a legal
17. problem for some of the boards and they would like to
18. have this legislation.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Soper.

21. SENATOR SOPER:

22. Well, that's a nice way to put it, but that doesn't
23. clean...clean up a legal problem for me, Senator. Now,
24. if we're going to have somebody that's not elected or
25. that's just a student sitting on a board, now that board is
26. going to have a deciding vote on some of these things and
27. it's going to decide, it's just like putting the fox in...
28. in the chicken coop and you...you know, don't tell me it doesn't
29. do that. ...We're not just going to stand around here,
30. sit around here and say that if the Attorney General
31. said so and so. The courts may not say so. Now, if the
32. bonding companies don't want a...don't want to approve that bond
33. because of the fact that they don't believe what the

1. Attorney General said¹ was right, then they ought to go
2. to the courts. The court should decide it. We shouldn't
3. decide for...if, just on your say so that...just clears
4. up a little something that may involve us in a thirty,
5. forty, fifty or a hundred or two hundred million or
6. five hundred million. You're talking about one little
7. building about thirty million dollars. That's what you're
8. talking about. But this is enfanatum. This is on and on
9. and on. Well, I don't believe in that on and on and on.
10. We've got enough people running around deciding things
11. for us that...that shouldn't be decided. They should
12. be in their place. When they get old enough they're
13. paying the taxes, well, then they should be deciding.
14. Before that, I'd say they should sit around there and learn how
15. this thing runs and when they get their name on a gas
16. bill and an electric bill, they become citizens and then
17. they can pay their taxes and then they'll vote intelligently.
18. Right now, I think, this is a...a bomber and that's what
19. we should do with it. Bomb it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Yes, Mr. President and fellow Senators. This bill
24. as well as a couple others involving the students was
25. discussed at length in the Higher Education Committee.
26. And it seems that what...what our problem is in this
27. particular area is that the students have come back and
28. decided they want to, not only be making motions and
29. going into this area, but other bills that address them-
30. selves to that were on that Calendar that call for voting
31. rights. Now one of the bills was held up in committee and
32. one got out as far as the voting rights are concerned and
33. I want to say to you, that just because the Attorney
34. General had indicated in the absence of any law, that

1. this would be the procedure, it certainly, we who are here
2. who follow Robert's Rules of Orders certainly know that
3. a non-voting member would not, naturally, have any partic-
4. ular right to make any motion. And, in following that up,
5. I find that it very difficult for us to constantly keep
6. inching away at something that the students said they wanted
7. to know what was going on and wanted to have some know-
8. ledge. That now we're going to the next step of making
9. motions and the one that follows this is going to be a
10. voting right. I think we've included the non-voting
11. members on the board. They're aware: They may attend
12. the meetings. They may sit there and participate. I do
13. not believe they should have the right to go ahead and
14. make these motions and...notwithstanding the opinion of
15. the Attorney General. His is only a recommendation in
16. the absense of law. And if we choose not to pass this,
17. then I think that we can certainly clarify the subject.
18. This is only going to allow the next step to happen and
19. that is voting rights on all these boards, which is
20. presently bottled up in committee and I would urge us
21. to consider our...our vote on this and certainly here's a
22. chance to deliberate this further in committee.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Davidson. Oh, Senator Regner. I'm sorry.
25. Senator Regner, then Senator Davidson.

26. SENATOR REGNER:

27. Mr. President, members of the Senate. I was going to
28. ask Senator Bruce a question, but Senator Nimrod brought
29. up the topic I wanted to mention. Two years ago we passed
30. the original bill. Now we have this one for making motions
31. and I'm sure, either in 1978 or 1979 we'll have the bill
32. in to give...to give them full voting rights. Even though
33. two years ago that it was stated that they weren't interested in that.

1. This is the way things happen. It's a pick here and a pick
2. there. I think it's a bad bill and it should be defeated.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. I'd like to rise in support of this bill. This bill,
7. when you voted to give the student representation to the
8. different boards, the bill you passed in '73 or '74, I
9. forgot which year it was, said that student representatives
10. shall have all the rights and privileges except the right
11. to vote. And all the rights and privileges on that board meeting
12. except the right to vote does allow them to make motions,
13. seconds, debates and et cetera. This bill came out, whether
14. the Attorney General or the Circuit Court in the Elgin
15. Community College Board District where this point was raised
16. and I don't know whether it was the Attorney General's
17. opinion was asked on that or another one or whether that
18. was a Circuit Court. There was a decision on the attorney
19. for the state and/or the Circuit Court saying yes, they did.
20. And this bill does exactly that. I oppose the other bills,
21. which were talked about that give them the right to vote
22. on these other bills and some of the individuals who are
23. speaking against this bill, voted for that other bill would
24. give them a vote. This only says they can do clearly what
25. we said we intended for them to do. Have all the rights
26. and privileges of that board except the right to vote. I
27. urge a Yes vote.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Well, I think it really is not either fair or accurate
32. to say that giving them this additional privilege, which
33. many thought they had to begin with...inevitably leads to

1. giving them the right to vote, assuming that you do not
2. want that to happen. Just as an example, on the faculty
3. of the private university, at which I teach the students
4. have the right to do all of these things. They do not
5. have the right to vote. They have not sought it.
6. We have not considered, again, giving it to them and it
7. simply does not one thing lead to another, inevitably
8. as has been suggested. It seems to me that this is only
9. a logical part of their participation in the content of
10. the meetings and it is a good bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. I don't have a lot of college students so I'll just
15. pass it up.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Bruce may close.

18. SENATOR BRUCE:

19. Just to make clear this is not allowed...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just...just a moment. Senator Nimrod indicates he
22. wishes to speak on this a second time. Senator Nimrod.

23. SENATOR NIMROD:

24. Mr. President. Just a point of clarification and I
25. had to be sure I was talking. There was an attempt right
26. at this time, Senator Netsch, to provide a voting rights
27. for these same individuals in Senate...in House Bill 319.
28. That bill was in committee and so what happens, is that
29. there is a direct attempt now to be going ahead. Now, I
30. think it's...what we need to do is clarify our position
31. and the position is that we are now providing a means of
32. voting on...on making motions and, of course, voting comes
33. next.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Bruce may close.

3. SENATOR BRUCE:

4. Just to make it very clear this does not in any way
5. allow a student to vote on any issue before any board. It
6. allows him to make and second motions, which is occurring
7. on every board on which they now sit, pursuant to the
8. Attorney General's opinion. And all it says is, yes, they
9. can make and second motions. It does not give them the
10. right to vote and that is all it does. Thank you.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Question is, shall House Bill 679 pass. Those in favor
13. vote Aye. Those opposed Nay. The voting is open. Have all
14. those voted who wish? Take the record. On that question, the
15. Ayes are 36, the Nays are 15. 1 Voting Present. House Bill
16. 679 having received the constitutional majority is declared
17. passed. House Bill 680, Senator Nimrod. Read the bill,
18. Mr. Secretary.

19. SECRETARY:

20. House Bill 680.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Nimrod.

25. SENATOR NIMROD:

26. Mr. President and fellow Senators. House Bill 680
27. amends an Act relating to the use of human blood for the
28. blood banks and what it does, it changes the repealing date
29. of an Act from July 1st, 1977 to July 1st, 1981. The
30. extension of four years. And the automatic repeal of the
31. law limits the liability for those persons who are engaged
32. in the use of transplants and for the taking of human blood.
33. This is presently a limited liability for the people engaged

1. in these locations where the liability is limited to the
2. instances of...for negligence and willful conduct. This
3. bill does no more and I would urge a favorable roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Rock.

6. SENATOR ROCK:

7. Well, we...we have it seems every Session. The question
8. is,...is the problem we are still unable to accurately detect
9. hepatitis?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Yes, Senator Rock, what we have done, is there are
14. some tests and the department has...has indicated that they
15. need some additional time to run those tests to make sure
16. statistics does confirm it. So that's for the reason they
17. decided to four years and then, we hopefully, the next time
18. it'll be a permanent repealer.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall House
21. Bill 680 pass. Those in favor vote Aye. Those opposed Nay.
22. The voting is open. Have all those voted who wish? Take
23. the record. On that question, the Ayes are 42, the Nays are
24. 4, 2 Voting Present. House Bill 680 having received the
25. constitutional majority is declared passed. House Bill 681,
26. Senator Rhoads. House Bill 682, Senator Grotberg. You wish
27. to call the bill. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 682.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Grotberg.

1. SENATOR GROTBORG:
2. Thank you, Mr. President. This bill really belongs on
3. the Agreed Bill list. You'd think it was a pinball machine
4. bill. All it does is the counties already have the power to
5. license and collect taxes on amusement devices in their
6. powers. But the Revenue Act does not have the listing and
7. this amends the Revenue Act to make it identical to the
8. power that's already granted them in the...in the county
9. ...powers. And that's all there is to it. I'd be glad to
10. answer any questions.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion?

13. SENATOR GROTBORG:

14. And I would ask for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there favor...Is there further discussion?

17. Question is, shall House Bill 682 pass. Those in favor
18. vote Aye. Those opposed Nay. The voting is open. Have
19. all those voted who wish? Take the record. On that question,
20. the Ayes are 50, the Nays are none, 1 Voting Present. House
21. Bill 682 having received a constitutional majority is declared
22. passed. House Bill 685, Senator...House Bill 687,
23. Senator Buzbee. House Bill 688...House Bill 692, Senator
24. Davidson. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 692.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Yes, Mr. President and members of the Senate. The
33. synopsis of this bill is inaccurate 'cause it's been amended

1. to the...back to three and a half dollars now, rather
2. than the six that was in it. It's spreads out the pay-
3. ment over a three times a year, rather than one. I'd be
4. glad to ask any questions. I'd appreciate a favorable
5. roll call.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Do you want to answer any?

8. SENATOR DAVIDSON:

9. It's not...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is, shall
12. House Bill 692 pass. Those in favor vote Aye. Those
13. opposed Nay. The voting is open. Have all those voted
14. who wish? Take the record. On that question, the Ayes
15. are 46, the Nay are none, 2 Voting Present. House Bill
16. 692 having received the constitutional majority is declared
17. passed. 694 was amended today. We've been holding all
18. bills that were amended today until tomorrow. Too bad.
19. House Bill 696, Senator Vadalabene. House Bill 703,
20. Senator Harber Hall. Read the bill, Mr. Secretary.

21. SECRETRARY:

22. House Bill 703.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. Mr. President. 703 amends the Election Code to correct
29. some inconsistencies in the time for withdrawing from elections
30. where municipalities decide to coordinate their election for
31. municipal officers with the primary or the general election.
32. It doesn't require them to coordinate their elections, but
33. if they do so, it makes adjustment in the dates applicable

1. to that election the same as other candidates filing at
2. that election instead of when municipal officers normally
3. withdraw if they're going to withdraw, et cetera. I don't
4. know of any objection to this bill, but I'd be glad to
5. answer any questions concerning it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Question is, shall House
8. Bill 703 pass. Those in favor vote Aye. Those opposed
9. Nay. The voting is open. Have all those voted who wish?
10. Take the record. On that question, the Ayes are 49, the
11. Nays are 1. House Bill 703 having received the constitutional
12. majority is declared passed. House Bill 704, Harber...
13. Senator Harber Hall. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 704.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Harber Hall.

20. SENATOR HARBER HALL:

21. Mr. President and Ladies and Gentlemen of the Senate.
22. 704 is a teacher's retirement bill that provides that under
23. the present code where a teacher applies for a pension
24. credit for any period of time that they took leave of
25. absence up to three years, which is the present law. This
26. can be done. Now it moves the date back to 1955 from 1963.
27. I'm not sure how many teachers have taken such leaves where
28. a credit would be given under this provision between '63 and
29. back to 1955, but I think it's about six people. There was
30. objection in the committee hearing on this. Senator Berning
31. and Senator Egan both objected to this bill. I commend it
32. for your consideration now.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Question is, shall
2. House Bill 704 pass. Those in favor vote Aye. Those
3. opposed Nay. The voting is open. Have all those voted
4. who wish? Take the record. On that question, the Ayes
5. are 27, the Nays are 10, 2 Voting Present. House Bill
6. 704, Senator Harber Hall.

7. SENATOR HARBER HALL:

8. I think I spoke a little rapidly and I think you
9. did, too. Maybe I better postpone this if you wouldn't
10. mind.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Consideration postponed. House Bill 707. House Bill
13. 709, Senator Knuppel. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 709.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. This is one of the series of bills designed to include
22. volunteer firemen and policemen under the definitions of
23. firemen or volunteer firemen. This one here, this one here
24. includes those people who work on underwater rescue either
25. as firemen or volunteer firemen. So that they...may if they
26. lose their life or are injured receive the same benefits while
27. rendering their services as a regular fireman or a volunteer
28. fireman.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Question is, shall House
31. Bill 709 pass. Those in favor vote Aye. Those opposed Nay.
32. The voting is open. Have all those voted who wish? Take
33. the record. On that question, the Ayes are 48, the Nays are

1. 1. House Bill 709 having received the constitutional
2. majority is declared passed. House Bill 712, Senator
3. Schaffer. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 712.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. This bill, House Bill 712, eliminates some confusion
12. in references in the code to township between when...when
13. talking about elections, rather we're talking about town-
14. ships or congressional townships. It appears the Office of
15. Education came up with one ruling and the Board of Elections
16. came up with another. This simply inserts the word, Congres-
17. sional throughout the Statute to clearly indicate that we're
18. talking about Congressional Townships. I know of no opposi-
19. tion to the bill. Appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Question is, shall
22. House Bill 712 pass. Those in favor vote Aye. Those
23. opposed Nay. The voting is open. Have all those voted
24. who wish? Take the record. On that question, the Ayes
25. are 47, the Nays are none. House Bill 712 having received
26. the constitutional majority is declared passed. House
27. Bill 724, Senator Rhoads. House Bill 725, Senator Johns.
28. You wish that called, Senator? Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 725.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Johns.

2. SENATOR JOHNS:

3. Well, I think the...Digest speaks for itself. I've
4. lost my file, Mr. President.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is, shall
7. House Bill 725 pass. Those in favor vote Aye. Those
8. opposed Nay. The voting is open. Have all those voted
9. who wish? Have all those voted who wish? Take the record.

10. On that question, the Ayes are 32, the Nays are 13, 1
11. Voting Present. House Bill 725 having received the consti-
12. tutional majority is declared passed. House Bill 733,
13. Senator Rock. Read the bill, Mr. Secretary. Oh, I'm
14. sorry. Just...just a moment...House Bill 732, Senator
15. McMillan. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 732.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator McMillan.

22. SENATOR McMILLAN:

23. The...the purpose of this bill is to make changes in
24. the Act related to the licensing of veterinarians. One of
25. the big things that it does, is to provide an opportunity for
26. a graduate of a foreign school of veterinary medicine to
27. practice one year with a licensed veterinarian in the State
28. of Illinois in order that he might have the experience
29. necessary to qualify him to take the examination and then
30. be licensed as a veterinarian. The details of this have
31. been worked out, so that it now has the approval of the
32. Department of Registration and Education, the Illinois
33. Department of Agriculture and the College of Veterinary

1. Medicine at the University of Illinois. I would ask for
2. a Yes vote on this bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Question is, shall House
5. Bill 732 pass. Those in favor vote Aye. Those opposed Nay.
6. The voting is open. Have all those voted who wish? Take
7. the record. On that question, the Ayes are 51, the Nays
8. are none. House Bill 732 having received the constitutional
9. majority is declared passed. A short time ago leave was
10. given to return to the Order of House Bill 651, Senator
11. Knuppel. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 651.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. This bill has been debated, unless somebody else has
20. something to say, I'll sum it up. But if somebody else
21. wants to talk I want them to have that opportunity now
22. before I sum up.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? You may sum up.

25. SENATOR KNUPPEL:

26. All right. Something was said about the fact that these
27. men in debate have...do not have a formal legal education. I
28. want to say this for these men. In non-descript surroundings
29. often temporary in nature, where they move from courthouse
30. to courthouse, or city hall to city hall, sitting around a
31. table, they make determinations and retain the dignity and
32. the respect of lawyers and physicians, which is something
33. that judges often can't do even with all the pomp and ceremony

1. of a courthouse. These men, if they were unintelligent,
2. if they were making bad decisions would lose the respect
3. of not only the petitioners but respondents lawyers. They
4. are a high class of individuals. Individuals who are highly
5. intelligent or they could not maintain that position and
6. retain the respect and admiration of those who practice
7. before them. As I've indicated they're hard working. I
8. know, for example, that arbiter Felletia from Rockford.
9. I went to Ottawa one day, handled over a hundred and twenty
10. cases in one day and he...and whatever those decisions are
11. that, he has to type up, he types up at night or someplace
12. else at home.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Philip.

15. SENATOR PHILIP:

16. Yes, I have a question to the sponsor, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Well, he already summed up, but I guess we'll let you
19. do that. Senator, he...he will submit.

20. SENATOR PHILIP:

21. Just reading the synopsis in the Calendar, is there a
22. salary increase involved here? I notice you mentioned
23. everything but the increase in salary..

24. SENATOR KNUPPEL:

25. Oh yes. I...I mentioned it, Sir. You were of the
26. Floor. They go from twenty-five thousand to thirty-four
27. thousand. The members of the commission go to thirty-six
28. thousand. The chairman of the commission goes to thirty-
29. eight thousand and the secretary goes to thirty-four
30. thousand.

31. SENATOR PHILIP:

32. Gee, do you think we're increasing them enough?

33. SENATOR KNUPPEL:

1. Well, these raises they've received very little in the way
2. of raises. You see, at one time they were getting twenty-one five,
3. which is..was as much as or more than Associate Judges and
4. now Associate Judges have gone up a hundred and fifty-six
5. ..a hundred and fifty-six percent.

6. SENATOR PHILIP:

7. Well Senator, when was the last time they got an
8. increase?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 1971, that's what he said the last time.

11. SENATOR PHILIP:

12. 1971? Thank you.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question is, shall
15. House Bill 651 pass. Those in favor vote Aye. Those
16. opposed Nay. The voting is open. Have all those voted
17. who wish? Have all those voted who wish? Take the record.
18. On that question the Ayes are 27, the Nays are 13. Senator
19. Knuppel requests Postponed Consideration. Consideration will
20. be postponed. Senator Rhoads, for what purpose do you arise?

21. SENATOR RHOADS:

22. To seek leave to return to House Bill 724.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Do we have leave to return to House Bill 724? Leave
25. is granted. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 724.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. House Bill 724 would put the thirteen water commissions

1. in the State on the footing with municipally owned water
2. departments, in that they could sell to other municipalities
3. within a twenty-five mile radius of their location. This
4. bill was requested by a number of communities in my district
5. because they were able to get a...a private company, The
6. Fisher Body Company, to build two thirty inch mains across
7. the Chicago Sanitary and Ship Canal and we do not have to
8. pay back and we could get tap-in rights into that main.
9. This affects my district, Senator Savickas' district and
10. I know of no opposition.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Grotberg.

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(End of Reel)

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1. SENATOR GROTBORG:

2. Mr. President, just to say that in Local Govern-
3. ment Committee this bill went out unanimously and
4. it's...dire need for the bill for these several
5. localities. I recommend an Aye vote for it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is
8. shall House Bill 724 pass. Those in favor vote Aye.
9. Those opposed Nay. The voting is open. Have all
10. those voted who wish? Take the record. On that
11. question the Ayes are 52, the Nays are 1. House Bill
12. 724 having received the constitutional majority is
13. declared passed. House Bill 733, Senator Rock.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 733.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, Ladies and Gentlemen
23. of the Senate. The answer to Senator Bruce's query,
24. this is not an amendment to the Open Meetings Act.
25. House Bill 733 is an amendment to the Illinois
26. Legislative Investigating Commission Act and does three things.
27. One, it deletes obsolete language which had provided
28. that General Assembly members shall serve until
29. their respective successors are appointed. In the
30. old days there were public members on this commission,
31. that is no longer true, so this is just a clean-up
32. provision. Secondly, it...it strikes the provision
33. concerning immunity. We have already had the Murphy

1. versus Waterfront Supreme Court Decision, which said
2. that a state immunized witness could not be brought
3. before the Federal Court on the basis of that testimony.
4. That provision is stricken from the Act. The Illinois
5. Immunity Act has already been amended to do that. And
6. thirdly, I had Amendment No. 1 which provided that the
7. commission will, in fact, investigate pursuant to
8. joint resolution. That is to say a resolution passed
9. by both the House and the Senate. As most of you are
10. well aware, the last thirteen or fourteen investigations
11. of this commission investigating everything from Cicero
12. Avenue to the barricades on I-55, have been pursuant
13. to House Resolutions. It seems that every time one
14. of the members gets a...something stuck in their
15. craw, this commission is called upon to investigate
16. it. All this provision would say is that it must
17. be a resolution passed by both houses. I would
18. urge a favorable vote.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is
21. shall House...Senator Berman.

22. SENATOR BERMAN:

23. Would the sponsor yield?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Indicates he will.

26. SENATOR BERMAN:

27. Phil, could you go through the explanation regarding
28. the immunity just one more time please.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock.

31. SENATOR ROCK:

32. Yes, there was a provision in the...in the Act
33. creating the Illinois Legislative Investigating Commission

1. which said that the court shall not order any such
2. person that is immunized to testify or produce evidence
3. if it reasonably appears to the court that such testimony
4. or evidence could be used under the laws of another
5. state or the United States. In fact, Murphy versus
6. the Waterfront Commission said that once...once given
7. immunity you have it whether it's in the Federal Court
8. or under the laws of any other state. Our...our Illinois
9. Witness Immunity Act has already been amended to reflect
10. that decision, this merely at this point, is obsolete
11. language and we're just deleting it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is shall
14. House Bill 733 pass. Those in favor vote Aye. Those
15. opposed Nay. The voting is open. Have all those
16. voted who wish? Take the record. On that question
17. the Ayes are 55, the Nays are none. House Bill 733,
18. having received the constitutional majority is declared
19. passed. House Bill 735, Senator Rock. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. House Bill 735.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President, Ladies and Gentlemen of
29. the Senate. House Bill 735 is an amendment to the Act
30. in relation to State Finance and it provides that the
31. vouchers of the Illinois Legislative Investigating
32. Commission need not go to the Department of Finance,
33. which of course is an executive department. The

1. commission is a legislative commission, this is a
2. direct result of a recommendation by the Auditor General
3. and the Department of Finance. In fact, what happens is
4. that they go to the Department of Finance and then they
5. go to the Comptroller. We are just eliminating the
6. one step at the request of the Department of Finance.
7. It's a duplication and I would urge a favorable vote.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is shall
10. House Bill 735 pass. Those in favor vote Aye. Those
11. opposed Nay. The voting is open. Have all those
12. voted who wish? Take the record. On that question the
13. Ayes are 54, the Nays are none. House Bill 735 having
14. received the constitutional majority is declared passed.
15. House Bill 740, Senator Carroll. Read the bill, Mr.
16. Secretary.

17. SECRETARY:

18. House Bill 740.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President and members of the Senate.
25. This bill does as the Calendar indicates, allows
26. annexation by mosquito abatement districts subject
27. to referendum and petition by both the area to be
28. annexed and the original area. I would answer any
29. questions and ask for a favorable roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Moore.

32. SENATOR MOORE:

33. Thank you, Mr. President. Will the sponsor yield?

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.

2. SENATOR MOORE:

3. What would be the situation if a group of property
4. owners who adjoin a mosquito abatement district, want
5. to annex in and they petition to annex in. Does there
6. still have to be a referendum?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Subject to a backdoor referendum by one thousand
11. voters or five percent of the voters of a district
12. whichever is the lesser figure.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further debate? The question is shall
15. House Bill 740 pass. Those in favor vote Aye. Those
16. opposed Nay. The voting is open. Have all those
17. voted who wish? Take the record. On that question
18. the Ayes are 52, the Nays are none. House Bill 740
19. having received a constitutional majority is declared
20. passed. House Bill 747. House Bill...those two bill...
21. Senator Walsh 744 was amended earlier today, we're not
22. taking any...House Bill 744 was not amended. Senator
23. Walsh read...read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 744.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Walsh.

30. SENATOR WALSH:

31. I may wish that this had been amended, Mr. President,
32. but...House Bill 744 amends the Use Tax Act and the
33. Retailer's Occupation Tax Act and provides that persons
34. engaged in the business of leasing motor vehicles would

1. be required to pay a Retailer's Occupation Tax or a
2. Use Tax in the event sales of the motor vehicles are
3. made at retail. National Rent-A-Car and Budget Rent-
4. A-Car have been selling, and maybe some others, I
5. don't know, have been selling some cars at retail and
6. not...and not collecting the sales tax. It's created
7. an unfair business relationship with...with used car
8. dealers and we feel that they should be required to
9. collect the tax as well as other used car dealers.
10. If there were a sale of the entire fleet to a used
11. car dealer there would be no tax, if there's an
12. isolated sale, there would be no tax. We think that
13. ...possibly one million dollars in untapped revenue
14. can be obtained with passage of this bill. I urge
15. your support.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is
18. shall House Bill 744 pass. Those in favor vote Aye.
19. Those opposed Nay. The voting is open. Have all
20. those voted who wish? Take the record. On that question
21. the Ayes are 52, the Nays are none. House Bill 744,
22. having received a constitutional majority is declared
23. passed. House Bill 760, Senator Washington. Do you
24. wish...call...read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 760.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Washington.

31. SENATOR WASHINGTON:

32. Mr. President, House Bill 760 adds a section of
33. the Criminal Code and provides that opinion evidence as to the

1. chastity of the prosecuting witness or past sexual conduct
2. of a rape victim with any person other than the accused!
3. is inadmissible as evidence in a trial of rape and these
4. two categories, in order to be admissible, must first
5. be offered as a offer of proof in camera in private
6. before a judge and he will rule as to the relevancy
7. and admissibility of such evidence. I repeat, only
8. two grades of such evidence would be permissible,
9. opinion evidence as to the chastity of the prosecuting
10. witness and past sexual conduct with the defendant
11. after the judge rules inadmissible. The necessity
12. for this proposed act arises out of the long series
13. of situations in our criminal courts in which it
14. has become quite evident that one of the main reasons
15. why the rape cases have not been prosecuted more
16. vigorously by victims is because they have, in certain
17. situations, when consent has been offered as defense
18. then subjected to the traumatic embarrassing situation
19. of having their whole sexual life reviewed in front
20. of them, even though it was not relevant to the
21. particular case in mind. This does two things, it
22. safeguards the witness, the prosecuting witness, against
23. unnecessary rendition of her life and also it gives
24. adequate protection to her defendant because the...the
25. judge has the discretion of ruling on the relevancy
26. and admissibility of evidence. I know of no opposition.
27. I ask for your support for this bill.

28. PRESIDING OFFICER: (SENATOR DORNEWALD)

29. Senator Egan.

30. SENATOR EGAN:

31. Would the sponsor yield?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. He indicates he will.

1. SENATOR EGAN:
2. : Does this apply to...convictions of prostitution?
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Washington.
5. SENATOR WASHINGTON:
6. That, I would assume, would be a question for
7. the trial court judge to determine.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Egan.
10. SENATOR EGAN:
11. Well, if, in fact, it is broader in construction
12. than allowing general reputation evidence, or
13. disallowing general...reputation evidence, it
14. would cover the situation where a...a convicted
15. prostitute could very easily frame a...an innocent defendant.
16. SENATOR WASHINGTON:
17. Well, that...that's certainly possible, but we
18. have to face up to the fact that it is possible also
19. to rape a prostitute. It...it's admissible and it
20. could be screened by the trial court judge. It
21. isn't precluded from being presented here. ...bill.
22. SENATOR EGAN:
23. It's merely up to the...it's merely up to the
24. trial court to determine whether or not it is
25. admissible, but I...if it's permissive, that's my
26. question? Can such evidence be introduced after
27. this bill passes?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Washington.
30. SENATOR WASHINGTON:
31. My...my guess would be that if...if the defendant
32. wanted to proceed with such evidence, it would be in a
33. category of opinion. evidence, he would make an offer

1. of proof before the court. And the judge would rule,
2. I imagine, in terms of its admissibility. Because...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Egan, oh, excuse me, Senator Washington.

5. SENATOR WASHINGTON:

6. ...it...it's in there.

7. SENATOR EGAN:

8. If you can assure me that the evidence is possibly
9. admissible, I'll support the bill. But if...if I...if
10. you can't make that assurance then I'm going to have
11. to hesitate.

12. SENATOR WASHINGTON:

13. Well, I'm not going to get that far out on a limb,
14. but it appears to me that this bill is written in
15. such a way that it does not preclude admissibility of
16. opinion evidence relative to chastity. It seems to
17. me that a conviction of past prostitution or a series
18. of convictions should be presented by the defendant's
19. attorney and the court would rule as to the relevancy
20. and admissibility. I would assume that under certain
21. circumstances, past convictions of prostitution would
22. definitely bear upon the veracity and so forth of the
23. prosecuting witness.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. Would it be more correct, Senator Washington, to
28. state that they could use, under the way this bill
29. is written, they could use that past information
30. for impeachment. That the way I could read the bill
31. rather than they still could use it if the court felt
32. that it should be admitted as impeachment. It doesn't
33. preclude it from being used for impeachment purposes?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Washington.

3. SENATOR WASHINGTON:

4. That's a reasonable interpretation. That isn't the
5. way that I reasoned it, but that's a reasonable inter-
6. pretation, certainly.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I don't think this bill is hard to read. It says
11. very expressly that there's only two exceptions to
12. the rule. One, when there's a question of her reputation
13. for chastity, only then can it be introduced. Well, how many...
14. how many...times in a rape case can the gal plead that
15. she has chastity. That narrows that down pretty much.
16. Unless we're going to start at an awful young age.
17. And secondly, as evidence concerning past sexual conduct
18. between her and the accused. Well, you know, she could
19. have been as permissive as hell with everybody else. You know,
20. I got a good joke, but I won't tell it here. It's a
21. tremendous joke, but...now...no, it won't help the bill.
22. But the answer is...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. No jokes.

25. SENATOR KNUPPEL:

26. ...the answer is, is if you can read, the only time
27. that a defendant can introduce the reputation or...or
28. past...past conduct of the prosecutress or the principal
29. witness is if she claimed she's chaste and two, if he's
30. had prior relations with her. That narrows it down
31. pretty much. And I...I say there are...there is other
32. conduct, such as being a prostitute and other things
33. that would have...would have a direct relationship...

1. you know, occupation and other things. I...I just think that...
2. that it goes too far. I think that it's just too
3. tight a noose around that poor guy's neck.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Washington. I don't think it was a question.
6. Is there further debate and then we'll let you close.
7. SENATOR WASHINGTON:
8. I think it is a question in the sense...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Oh, all right, we'll let you respond.
11. SENATOR WASHINGTON:
12. ...that it...I...I think Senator Maragos put his
13. finger on the question. That...that could be admitted
14. in terms of her veracity as a witness. And I think that
15. it would be admissible as an exception to what we've
16. said here, Senator Knuppel.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Berning.
19. SENATOR BERNING:
20. Thank you. Senator Washington, would you just
21. explain in line...line 19 what it means for a hearing
22. to be held in camera?
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Washington.
25. SENATOR WASHINGTON:
26. That means in private, usually in a judge's chambers.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Berning.
29. SENATOR BERNING:
30. Thank you.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? Senator Egan.
33. SENATOR EGAN:

1. I'm...I'm still leery about the conviction of prosti-
2. tution. It...it does that...is the word of chastity
3. a word of art, does it include prostitution? If it
4. does, then it can be admitted, but I question that.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Well, is that a real question? Senator Washington.
7. SENATOR WASHINGTON:
8. Senator Knuppel answered it indirectly. If a woman
9. has been convicted of prostitution she can't very well
10. claim chastity and if she does then she can be impeached
11. on that basis.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Egan.
14. SENATOR EGAN:
15. But if she doesn't claim it, then her past conviction
16. cannot be introduced.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Washington.
19. SENATOR WASHINGTON:
20. And it may not be relevant. I think we have to
21. disabuse ourselves of the fact that it's impossible
22. to rape a prostitute, it is. I think we have to
23. disabuse ourselves of a lot of things. Let's...let's
24. face it, male chauvinism is the reason why this bill
25. is being presented. There are still men...walking
26. through the land free and so forth, who actually believe
27. a woman cannot be raped. I think what we're doing is
28. trying to redress long standing aggrievances, one of
29. the main reasons why we don't have more vigorous prose-
30. cution of rape cases because women, honest, decent,
31. chaste women simply do not want to go through the
32. embarrassment of having their irrelevant past sexual
33. conduct charted before them. This bill attempts to

1. get around that very simple problem without abusing the
2. whole process of the administration of criminal justice
3. and I don't think it does abuse it.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, but again, if you can frame a...a defendant this
8. is the best way to do it and I don't want that to happen.
9. Now, if you can insure in some way that the...that the
10. conviction of prostitution is admissible for what it's
11. worth then I can support the bill. If you can't do
12. that, I can't support the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator...is there further debate? That wasn't a
15. question, as I presume, that was a statement; Senator
16. Egan, was it not? Senator Washington, you'll have an
17. opportunity to close. Is there further debate? Senator
18. Washington may close the debate.

19. SENATOR WASHINGTON:

20. Would you take this bill from the record, Mr. President.
21. Please.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Take it from the record. 7...House Bill 761, Senator
24. Rock. House Bill 763, Senator Glass. Read the bill, Mr.
25. Secretary.

26. SECRETARY:

27. House Bill 763.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Glass.

32. SENATOR GLASS:

33. Thank you, Mr. President, Ladies and Gentlemen. The

1. purpose of House Bill 763 is to avoid a double benefit now
2. possible for persons under five of the State Pension
3. Systems. IMRF being one of them, the Judges' Retirement
4. System, the General Assembly and the...the benefits
5. now possible under the...these systems are double
6. recovery for an injury from both the Pension System
7. and under Workmen's Compensation. For example, under
8. some pension systems, a disabled employee may receive
9. seventy-five percent of his gross pay and for the
10. same disability receive another sixty-seven percent
11. of his wages from Workmen's Compensation, which would
12. be, in effect, one hundred and forty-two percent
13. benefit, a hundred and forty-two percent of his
14. salary. So this is a windfall that the bill seeks
15. to eliminate. At the present time a number of the
16. other State Systems already have this provision
17. eliminating the double recovery. I would appreciate
18. a favorable roll call. Be happy to answer any
19. questions.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. The...the bill as introduced, I think Senator, if
24. the Senator will yield, Mr. President and Ladies and
25. Gentlemen.

26. PRESIDING OFFICER:

27. He indicates he will.

28. SENATOR ROCK:

29. Thank you. What...what is the purpose of Amend-
30. ment No. 1?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Glass.

33. SENATOR GLASS:

1. Well a...which amendment is that Senator? There are
2. two amendments. One of them has a...is provisions for
3. Christian Science religion and stipulates that the
4. monthly benefit cannot be reduced to less than ten
5. dollars a month and then there's...

6. SENATOR ROCK:

7. That's...that's number 2.

8. SENATOR GLASS:

9. All right. Then No. 1 is the amendment that provides
10. any person who has terminated his participation under
11. ...as an employee under this section, and has continued
12. the employment upon which such employee status has been
13. based may revoke that termination after it's
14. been in effect at least one year by filing a notice of...
15. revocation of thought.

16. SENATOR ROCK:

17. Yes,that...that's the one and the reason I ask is
18. that it seems to me that amendment was...was appended
19. to a Senate bill earlier and that Senate bill was
20. recommitted to the Committee on Pensions and frankly
21. I didn't understand the amendment then and I'm in the
22. same position now.

23. SENATOR GLASS:

24. All right. Let me then ask to take that bill out
25. of the record. We'll see if we can get it explained.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Take it out of the record. House Bill 766, Senator
28. Leonard. You mean skip it. House Bill 769, Senator
29. Mitchler. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 769.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate. House Bill
5. 769 is a bill that amends the Illinois Public Library
6. District Act. What it does, it provides that territory
7. within the public library districts being established
8. need not be contiguous. This requires a referendum
9. of the area that would want to annex and has a one year
10. destruction clause, self-destruct clause. The bill has
11. been heard in committee, I know of no objections now.
12. I ask for a favorable roll call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is shall
15. House...Senator Bowers.

16. SENATOR BOWERS:

17. I'm sorry. Would the sponsor yield to a question?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. He indicates he will.

20. SENATOR BOWERS:

21. Do I understand that...that territory can be annexed
22. that is not contiguous to the library district?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Yes, the purpose of the bill in the Shorewood-Troy
27. Library District, the City of Joliet, strip annexed
28. out on a roadway to annex a shopping center into the
29. City of Joliet. And it disconnected a small portion
30. of a...an area that desires to be annexed to the
31. Shorewood-Troy Library District. And in order for them
32. to get that, they by referendum, if this bill is passed,
33. it gives them the authority by referendum, to annex

1. into the Shorewood-Troy Library District. They have to do
2. it within a one year because it has a self-destruct clause
3. on the...on the enabling legislation.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bowers.

6. SENATOR BOWERS:

7. Is there any limitation in the bill on the distance
8. between the two territories, for instance, suppose they
9. wanted to annex some territory downstate. That's
10. kind of ridiculous, but isn't there some sort of limit...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. The territory to be annexed is closer by public roadway
15. to the annexing district. It must be just by a roadway
16. separating. You can't have...for example, they couldn't
17. annex way downstate or outside of the area. Just a roadway
18. separating them.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Wooten, did you wish recognition? Senator
21. Wooten.

22. SENATOR WOOTEN:

23. Yes, Mr. President. I realize we sometimes get
24. carried away by what Senator Hudson Sours used to call
25. the de minimis interpretations of the bill and I'm just
26. trying to read it to see if some of my fears might be
27. allayed. For example, I'm thinking that a district
28. might decide to jump over some district that they did
29. not want to be a part of that particular library district,
30. to leap-frog a ghetto area. And then what happens after
31. ...after they jump across the road and then the...what
32. is the process for annexing contiguous property on the
33. other side. Maybe these are unreal concerns, but you

1. learn after awhile to ask those crazy kinds of questions..

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. No, Senator Wooten, I don't think you should have
6. fear of that because this primarily, I would say is
7. the specific bill for a certain area and with the self-
8. destruct clause in the legislation, that would eliminate
9. it and you'd...any other case that you would want to
10. bring, you'd have to have new enabling legislation.

11. It's to bring in an unincorporated area of single
12. family homes, the...Rooney-Heights Subdivision and
13. also a...there's one Cedarwood Apartments. I think
14. there's three hundred and sixty-five families with
15. about sixteen hundred members.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Hickey.

18. SENATOR HICKEY:

19. Thank you, Mr. President. I'd like to ask Senator
20. Mitchler if since there is nothing in the bill about
21. referendum, if it's there by reference?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. It's my understanding...read this...they have to
26. by referendum of the area that wants to annex. They
27. have to take this referendum vote within one year
28. from the date of the Act.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Hickey.

31. SENATOR HICKEY:

32. The bill doesn't say that, but it does say something
33. about the procedures for annexation shall be as described

1. in some other statute and I wonder if that's where the
2. referendum is. Because there's nothing in the bill
3. that says referendum directly.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Yes, Senator, you have that time to refer now. Lines
8. fourteen, fifteen, sixteen on page 2 refer to the section
9. that would prescribe the annexation authorization.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further...Senator Grotberg.

12. SENATOR GROTBORG:

13. Yes, I've heard all of these same questions asked
14. in committee. We held this bill and had two hearings
15. on it in committee. It does do exactly what Senator
16. Mitchler is referring to. It enables, I believe in the
17. Village of Plainfield, or some area down on Route 59,
18. to do what they have to do sooner or later and to do
19. it legally and then self-destruct. It means that there's
20. a contiguous area across the street. The road is in between
21. and it's a...it's a local need and I would certainly
22. recommend a Aye vote on it.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Senator Mitchler, would...if the gentleman will yield,
27. will...will this bill also allow for the leap-frogging,
28. the jumping over of an undesirable area as well for
29. annexation.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33.

1. No, Senator Demuzio, because it said the territory
2. to be annexed is not...let's see...there is a roadway
3. separating the two, you wouldn't have it jumping over an entire
4. district to get into another section.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Well, there's a lot of roadways. I don't know where
9. that district goes, but it would appear to me that this
10. was never clear in committee that you could, in fact, jump
11. over a particular area whether or not it had a roadway or
12. not, 'cause the district is such a large district and I
13. just have some serious questions about it.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Question...Senator
16. Mitchler, do you wish a roll call? ...The...question
17. is shall House Bill 769 pass. Those in favor vote Aye.
18. Those opposed Nay. The voting is open. Have all those
19. voted who wish? Have all those voted who wish? Take
20. the record. On that question the Ayes are 27, the Nays
21. are 7, 2 Voting Present. Senator Mitchler moves for
22. postponed consideration. Consideration will be postponed.
23. House Bill 773, Senator Berman. Read the bill, Mr.

24. Secretary.

25. SECRETARY:

26. House Bill 773.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Berman.

31. SENATOR BERMAN:

32. House Bill 773, Mr. President and members of the
33. Senate, creates the State Council on Nutrition. The
34. Council will consist of twenty-seven members. A broad

1. spectrum of participants, including eight members of the
2. General Assembly, twelve agency directors or designees,
3. four persons from health agencies, food scientists, curricu-
4. lum specialists, public health nurses and five public
5. members appointed by the Governor. The purpose of the
6. council is the coordinated approach to identify and
7. address nutrition problems in programs in the State
8. with particular emphasis to the questions of nutritional
9. deficiencies in our schools and the school food programs.
10. I'll be glad to respond to questions and respond to any
11. questions that solicit your Aye vote on it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Yes, Senator Berman, I...I notice in the bill that
16. on Section 4, it says the council is empowered to accept
17. and disperse grants, gifts and other monies from the
18. Federal Government from any other source. Does this
19. mean that in the area of nutrition projects that are
20. currently being conducted in the State of Illinois that
21. under the Council of Aging that this would, that
22. this agency, this new agency would then supersede that
23. which is being done already by the council?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Berman.

26. SENATOR BERMAN:

27. I don't anticipate that they'll be stepping on
28. any one else's toes. There are other grants, I believe,
29. available for them to...apply for and from the Federal
30. Government, that's the purpose of that language.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Demuzio.

33. SENATOR DEMUZIO:

1. Well, the reason I asked this question, it's certainly
2. a laudable concept on the State Council on Nutrition, but
3. is there such a committee that is now functioning under the
4. Council on Aging?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berman.

7. SENATOR BERMAN:

8. I'm not aware of the...of the agency that you talk
9. about through the Council on Aging. I think that most
10. of the language in this bill deals with the question
11. that arose in the disclosure, I think it was in the
12. Tribune, regarding the problems of the school lunch
13. programs, the problems of waste food, non-nutritious
14. lunches and breakfasts that are served throughout the
15. State under the school lunch programs. The aging problem,
16. I think, is more addressed to the nutrition centers
17. that we've tried to set up for the aged people throughout
18. the State.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. My...my only concern is that the Council on Aging
23. is already established ghost plans priorities for
24. senior citizen's nutrition sites throughout Illinois
25. and I don't see any reference, of course, to senior
26. citizens in...in your bill. It appears that it is
27. only applicable when it pertains to preschool children
28. and if...if that is so, and if it is so, I wish you'd
29. answer that question and if it is so then I...I would
30. lend my support to the bill, but I wouldn't want to
31. get involved with...to jeopardize any of the current
32. nutritional activities for senior citizens that are
33. currently going on in the State of Illinois. This

1. would only pertain to preschool children.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Berman.

4. SENATOR BERMAN:

5. Well, in answer to the question, Senator Demuzio.
6. The reading of the bill, I do not think is limited to
7. preschool children. And I don't want to give...give
8. that impression. I...in both the House and in the
9. Senate committee hearings there was no objection or
10. inquiry by the Department on Aging on this bill. I
11. don't anticipate that they are going to run on a
12. collision course with each other. This program has
13. been endorsed by a long list of organizations which
14. I will not impose upon you to read, but I do not
15. think that we are going to find them either imposing
16. upon each others areas of...of inquiry, but rather
17. probably working in coordination with each other.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator, your time has expired several minutes
20. ago. Would you conclude.

21. SENATOR DEMUZIO:

22. Thank you, Mr. President. Senator Berman my...my
23. only inquiry was because of the fact that we do have
24. several nutrition sites that are currently going on
25. in...in my district and I know in several other
26. Senator's districts here. I've been assured by people
27. around me that it will not conflict with that activity
28. that is going on...on the Council on Aging and therefore
29. I think it is an entirely laudable concept. I think it's
30. one that is...it's time has well come and I'm certainly
31. going to lend my support to it and thank you.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Graham.

1. SENATOR GRAHAM:

2. My main problem with this bill, Mr. President and
3. members of the Senate, is a twenty-seven member council.
4. Now, we're going to have twenty-seven members there stepping
5. on their own toes besides they're probably going to be
6. falling over other people that are trying to do the same
7. thing. I just wonder if this proliferation of this kind
8. of an area is not in conflict with or in substitution of
9. efforts already being made. I just call your attention
10. to that fact.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Grotberg.

13. SENATOR GROTBORG:

14. Well, thank you, Mr. President. I regretfully arise
15. in opposition to this bill. I remember it so well from
16. it's four times around in the House. All it gains is
17. ...all it gains is...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Just...just a moment, Senator. Now we're going
20. along pretty well...just...just a moment. Would the
21. members please be in their seats. Proceed.

22. SENATOR GROTBORG:

23. All it seems to gain is sponsors. I see practically
24. every House member on it and I don't know what the
25. popularity of it is because I think our United States
26. Department of Agriculture and probably twenty-five
27. other Federal bureaucracies have so many nutritionists
28. passing down programs to us that we cannot generate
29. the staff to handle them. The aging is not in it, I
30. understand that, but we get...I have a nutrition program
31. in the...in the operation that I operate and we get such
32. ...specific menus and proteins and ounces from the Federal
33. Government every week that we have to handle for that.

1. The Office of Education of the State of Illinois gets the
2. same thing for school kids. I cannot see where in the
3. world in today's market place, a twenty-seven member council
4. can improve anything on my diet or the diet of anyone
5. else in this State. And that's a laudable concept, but
6. I think we're already overloaded in that field and to
7. create another monster would be just too much and I
8. recommend a No vote on it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Berning...Berman
11. may close the debate.

12. SENATOR BERMAN:

13. Thank you, Mr. President. I think that with the
14. reason for the number that's involved here is to make
15. sure that every area of the State and every area of
16. interest is adequately represented. This bill received
17. votes in the House, the Senate and the Senate Committee,
18. the House Committee on the House Floor and I believe
19. it was not one negative vote when it came out of the
20. Senate Committee the same way without one negative vote.
21. Part of the problem that Senator Grotberg refers to is
22. the reason for the necessity of this council. We are
23. having plans come down as often happens from Washington,
24. eight hundred miles away, without any coordination on
25. the part of the State. There was a...hearings held
26. up in Chicago, as I mentioned before, regarding the lack
27. of nutritional value and the great waste...the great waste
28. of taxpayer dollars and the food programs that are being
29. conducted in the...in the programs that we have for
30. feeding our school children and the question of nutrition
31. of our other citizens. This is a broadly supported program.
32. I think it is something that is very necessary. Until
33. this bill got into debate tonight, I didn't hear one

1. iota of objection. I think it's a good idea that is
2. necessary for the preservation and encouragement of
3. nutrition throughout the State. I solicit your Aye
4. vote.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. All right. The question is shall House Bill 773 pass.
7. Those in favor vote Aye. Those opposed Nay. The voting
8. is open. Have all those voted who wish? Have all those
9. voted who wish? Take the record. On that question the
10. Ayes are 34, the Nays are 18. House Bill 773 having
11. received a constitutional majority is declared passed.
12. Are you serious in your request for a verification?
13. A request for a verification is being made. Will the
14. members please be in their seats. Secretary will call
15. the affirmative roll.

16. SECRETARY:

17. Following...the following voted in the affirmative;
18. Berman, Bloom, Buzbee, Carroll, Chew, Clewis, Collins,
19. D'Arco, Daley, Davidson, Demuzio, Donnewald, Glass, Guidice,
20. Kenneth Hall, Johns, Joyce, Knuppel, Kosinski, Lemke,
21. Leonard, Maragos, Merlo, Moore, Netsch, Rock, Roe, Savickas,
22. Shapiro, Smith, Sommer, Vadalabene, Washington, Mr. President.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Ozinga. Senator Chew is on the Floor. Is
25. Senator Lemke on the Floor? Take him from the roll. Is
26. Senator Vadalabene on the Floor? Take him from the roll.
27. Is Senator Smith on the Floor? Take him from the roll.
28. Senator Moore. Senator Moore on the Floor? Take him from
29. the roll. That's thirty. The roll has been verified. The
30. Chair rules the roll has been verified. The Ayes are 30,
31. the Nays are 18. The bill having received the constitutional
32. majority is declared passed. House Bill 778, Senator Walsh.
33. ...House Bill 780, Senator Merlo. Read the bill, Mr. Secretary.

HB 780
6/22/77
3rd

1. SECRETARY:

2. House Bill 780.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Merlo.

7. SENATOR MERLO:

8. Mr. President and members of the Senate. House
9. Bill 78...780 was introduced at the request of John
10. Morris, the Chairman of the Property Tax Appeal Board.
11. The bill would restore a right that was lost when the
12. Property Tax Appeal Board was placed under the Depart-
13. ment of Local Government Affairs. Namely, to have the
14. authority to collect fees for the cost of preparing
15. answers for cases under administrative review. Without
16. this legislation the cost of these appeals are passed to
17. the State or to the budget of the Property Tax Appeal
18. Board, which actually means the tax burden would be
19. taken up by the taxpayer. There was one objection that
20. was made by Senator Rupp in committee. This was resolved
21. by amendment. I know of no other objections and I move
22. that the bill receive a favorable vote.

23. PRESIDENT:

24. Is there any discussion? Senator Rupp.

25. SENATOR RUPP:

26. Thank you, Mr. President. Just with that amendment,
27. I do raise and stand in favor of this bill and recommend
28. a favorable roll call.

29. PRESIDENT:

30. Is there any further discussion? The question is
31. shall House Bill 780 pass. Those in favor will vote...vote
32. Aye. Those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take

1. the record. On that question the Ayes are 49, the Nays
2. are none, none Voting Present. House Bill 780 having
3. received a constitutional majority is declared passed.
4. House Bill 783, Senator Washington. Read the bill.

5. SECRETARY:

6. House Bill 7...excuse me...House Bill 783.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Washington.

11. SENATOR WASHINGTON:

12. Mr. President, this is another bill which gives the
13. director of financial institutions the power to set
14. maximum fees for community and ambulatory currency
15. exchanges. We passed out Senate Bill 440, which is now
16. on the Governor's Desk. And it was felt that two versions
17. should reach his desk and let him make the decision. This
18. bill differs from 440 in that it permits different rates
19. to be set for a community currency exchanges as against
20. ambulatory currency exchanges and it permits a differential of
21. rates between ordinary checks and public welfare checks.
22. I know of no opposition to it. I ask your support.

23. PRESIDENT:

24. Is there any further discussion? If not, the question
25. is shall House Bill 783 pass. Those in favor will vote
26. Aye. Those opposed will vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take
28. the record. On that question the Ayes are 51, the Nays
29. are none, none Voting Present. House Bill 783 having
30. received a constitutional majority is declared passed.
31. House Bill 784, Senator Kenneth Hall. Read the bill.

32. SECRETARY:

33. House Bill 784.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Kenneth Hall.

5. SENATOR KENNETH HALL:

6. Thank you, Mr. President and Ladies and Gentlemen
7. of the Senate. House Bill 784 amends the Finance Act
8. to prohibit spending in violation of FEPC and U.S. Equal
9. Opportunity Commission. In the 79th General Assembly,
10. the House Committee on Employment of Minorities and
11. Women in State Government developed an amendment which
12. was placed on all major appropriation bills to require
13. that money be spent only in compliance with rules
14. and regulations of the Illinois Fair Employment Practice
15. Commission and the United States Equal Employment
16. Opportunity Commission. Although the House approved
17. of these amendments, the Senate felt that the appropriate
18. way to make this provision in the Statutes was to amend
19. the Finance Act, thus making one permanent statutory
20. provision rather than a series of one year provisions.
21. This is why this bill was introduced and I ask your most
22. favorable support of this bill.

23. PRESIDENT:

24. Senator Regner.

25. SENATOR REGNER:

26. Mr. President and members of the Senate. I'd like to
27. just clarify a little something that Senator Hall just
28. mentioned on this. Part of it is true when he said that
29. the House did adopt individual amendments to every appropria-
30. tion bill, I think it was the year before last or last
31. year, whichever it was. The reason that the Senate took
32. them off were not...was not that they felt that it would
33. be better to put it on all in one bill and the Finance

1. Act to cover everything at one time. The reason those
2. amendments are...were taken off is it virtually would
3. have destroyed State government in the hiring of
4. capable and qualified employees. That is the reason
5. it was taken off. If this passes the Finance Act, the
6. person who will really be the acting director in
7. regards to hiring and firing of State employees, is the
8. director of the FEPC Commission and we elect a Governor
9. in this State to run the Executive Department and make
10. those decisions, not the director of one of our agencies.
11. It is an extremely bad bill. It would virtually destroy
12. effective and efficient operation of the State government
13. and I would urge a defeat of this particular...piece of
14. legislation.

15. PRESIDENT:

16. Is there any further discussion? Senator Washington.

17. SENATOR WASHINGTON:

18. Well, I must take issue with Senator Regner. His
19. history is slightly off and his conclusion is absolutely
20. wrong. As I recall what happened, the President, the
21. present President of the Senate, used his good office
22. to resolve a serious problem and he suggested that the
23. Finance Act be amended. That does not mean to say that
24. he supported it, but as a reasonable compromise to a
25. very tacky problem, he made that suggestion. Secondly,
26. this bill in no way, gives the control of this State
27. in terms of personnel to the Fair Employment Practice
28. Commission. It simply says that no act in violation
29. of the Fair Employment Practice Commission Act or
30. the Federal EEO law shall be countenance and still
31. use State money. That's a clear cut mandate. It's
32. public policy and this simply attempts to enforce that
33. policy through the Finance Act. I think it's a good bill.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of
5. the Senate. Lest we get too involved in past history,
6. I think it's fair to say that it was suggested to
7. Representative Catania, this was the infamous Catania
8. amendment that we took off at...at will. It was
9. suggested that if an attempt of this kind was to
10. be made, it should be put in a Statute and I think
11. that's fair to say, but it was only an attempt. I
12. think the bill is a bad one. I think it's ill-conceived.
13. We have in the first place, and I rise by the way in
14. opposition to it, we have in the first place, a real
15. question as to State expenditures with respect to
16. services and goods from private industry. How in
17. the world is the State to know that the money that
18. has been appropriated is being properly expended
19. as to whether or not the private sector is living
20. up to the rules of the FEPC and or the EEOC. In
21. addition to that, it seems to me, and I said at
22. the time to Representative Catania and to the members
23. of the Appropriation Committee, it seems to me we
24. are kind of asking the Governor of this State to
25. move over and have the Executive Director of the FEPC
26. kind of oversee the...the expenditure of monies appro-
27. priated to the...to the operation of State Government.
28. That no monies could, in fact, be appropriated unless
29. somehow there was the approval, tacit or explicit,
30. of the Executive Director or the Commission on FEPC.
31. I think it's...well-motivated, obviously, but in terms
32. of the operation of State Government I...I oppose
33. House Bill 784.

1. PRESIDENT:

2. Is there any further discussion? If not, the question
3. is shall House Bill 784 pass. Those in favor will vote
4. Aye. Those opposed with vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Take
6. the record. On that question the Ayes are 14, the Nays
7. are 36, 1 Voting Present. House Bill 784 having failed
8. to receive a constitutional majority is declared lost.
9. House Bill 785, Senator Knuppel. Read the bill.

10. SECRETARY:

11. House Bill 785.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Mr. Chairman and members of the Body. All this Act
18. does is empower the Director of the Department of
19. Conservation to vary the period in which game birds
20. can be hunted on licensed game preserve areas. It
21. used to be from October 1st to March 1st or now it
22. provides or as otherwise determined by the director,
23. so that the appropriate harvest may be made on these
24. preserves and when you have bad conditions, hunting
25. conditions and so forth, that they can keep the proper
26. population. I think this is good legislation.

27. PRESIDENT:

28. Is there any discussion? If not...Senator Johns.

29. SENATOR JOHNS:

30. Senator Knuppel, did you say just on the game
31. preserves? Alone, it's limited to that?

32. SENATOR KNUPPEL:

33. It's only on licensed preserves. Not...not the

1. general hunting season for the average hunter. It's just
2. on preserves. Only on preserves.

3. SENATOR JOHNS:

4. Well, I...I kind of regret that'cause we ran into
5. a situation, I think it was this year where we had
6. a lot of snow on the ground and we couldn't get any
7. quail hunting because, you know, dogs couldn't...couldn't
8. ...couldn't be utilized. And I've often said that we
9. ought to try to make amends in the...in the Game Act so that
10. they could vary the hunting season. I wish we could
11. have done it in this bill, but sobeit, I'll vote for
12. it anyway.

13. PRESIDENT:

14. All right. Senator Egan.

15. SENATOR EGAN:

16. Will the sponsor yield?

17. PRESIDENT:

18. Indicates he will yield.

19. SENATOR EGAN:

20. What is the new date? What date does it extend it
21. to?

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. It's...it's not extended at all. What this does is
26. give the director discretion to allow an extension. There's
27. no date. He can extend it two weeks, one day, but it's...
28. it's discretionary and it's only on licensed preserves,
29. so there's no date fixed. It...

30. SENATOR EGAN:

31. It doesn't allow them to restrict it, does it?

32. SENATOR KNUPPEL:

33. I don't think so. It just extends.

1. PRESIDENT:

2. Senator Demuzio. Senator Egan. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Yes, he could...he could be shortened on game
5. preserves if he thought it was necessary I believe
6. because it says, it says only during the period from
7. October 1st to March 1st or as otherwise determined.

8. PRESIDENT:

9. Senator Egan, have you concluded? Senator Egan.
10. Senator Egan has...Senator Demuzio.

11. SENATOR DEMUZIO:

12. Well, my question is, I assume that this not
13. only pertains to pheasants, but also pertains to
14. geese.

15. SENATOR KNUPPEL:

16. ...assume if you had a shooting preserve where
17. you had it stocked with geese the same thing would
18. apply.

19. SENATOR DEMUZIO:

20. Best of my recollection, I think that the Director
21. of Conservation last year extended the goose season, I think,
22. by at least one or two days because of the situation that
23. Senator Johns had...had indicated and if so and if he
24. did that, isn't there already a provision in the Statute
25. for...for him to extend?

26. SENATOR KNUPPEL:

27. Only...only during the period from October 1st to
28. March 1st. He can set those dates now between those
29. dates where he wants to set them, but now he could
30. set the date beyond the October 1st or March 1st date.

31. SENATOR DEMUZIO:

32. Okay...I...I think you're correct because last
33. year I think that the rationale behind his extension

1. of the goose season of course, was because of the harvest
2. not reaching twenty-two thousand. I'd only make this
3. last closing comment, that last year my permits for geese
4. were, I think, the first week in March, and the season closed
5. in December and if you can do anything about upping my
6. permits I'd...would...would like for you to do so.

7. PRESIDENT:

8. Senator Egan for the second time.

9. SENATOR EGAN:

10. I'm sorry, but I'm a little nervous about it, John.
11. If he...if we get a...a director that doesn't like hunting,
12. he can close them down. I wonder if we could make...could
13. you...can we change it to make sure that he can't limit
14. the season any more than it is now available.

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. I know how you love to hunt geese, but I'm sure
19. you'll always find plenty of geese and ducks in the
20. Beardstown area and to hell with the season down there,
21. if you get yourself the right guide.

22. SENATOR EGAN:

23. Well, now that is...well I...I, yes, and I know who
24. you're talking about, but I...but I'm nervous about the
25. fact that a director, if we get a Director of Conservation
26. who feels that the hunting season is too long, he'll restrict
27. it. There, you know, we've had some experience in the
28. last few years and I'm nervous about that. I would like
29. if you could to leave the season, leave it so that he can
30. only broaden it rather than narrow it. Will you do that?

31. PRESIDENT:

32. Senator Knuppel.

33. SENATOR KNUPPEL:

1. Yes, I'll do it, but for crying out loud, this is such
2. a little bitty bill and...and over around Beardstown, the
3. season doesn't mean a damn thing anyway and that's where
4. you hunt.

5. PRESIDENT:

6. Take it out of the record. Take it out of the record.
7. House Bill 796, Senator Nimrod. House Bill 804, Senator
8. Rock. Read the bill.

9. SECRETARY:

10. House Bill 804.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. House Bill 804 is an amendment to the
18. School Code and it would provide that classroom facilities
19. constructed by the Capital Development Board to accommodate
20. former nonpublic school students who are wards of the
21. State be utilized by a district under a joint agreement
22. until all wards of the State under the age of twenty-one
23. who reside within the district who are in need of that
24. facility have been accommodated. This bill was introduced
25. by Representative Schlickman at the request of Maryville
26. Academy. I will state for the record that I am a member
27. of the Board of Directors of Maryville Academy. There
28. are some three hundred wards of the State currently
29. residing there, there's a school residing there, there's
30. a school on the grounds. Maryville has donated land to
31. build a school on the grounds and there is a conflict
32. between the two local school districts. And what we
33. are attempting to say by virtue of this legislation

1. is that those wards of the State have to be accommodated
2. first and I would seek a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is
5. shall House Bill 804 pass. Those in favor will vote
6. Aye. 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 48, the
9. Nays are none, none Voting Present. House Bill 804
10. having received a constitutional majority is declared
11. passed. House Bill 808, Senator Rupp. Read the bill.

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17. END OF REEL

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1. SECRETARY:
2. House Bill 808.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDENT:
6. Senate...Senator Rupp.
7. SENATOR RUPP:
8. Thank you, Mr. President. What this does is to
9. provide under the assigned risk type Workmen's Compensation
10. policy through the Industrial Commission, provision for
11. an all states endorsement. Now, what the all states
12. endorsement does is provide in an insurance policy which will
13. cover risks in any state in which the...they are encountered.
14. Actually, what it does, we have found that those companies
15. who are forced to go to the pool, have not been able to get
16. this endorsement and it has led to instances where
17. an injury to an Illinois employee occurred in some other
18. state, the workman was not covered. I do think that this is
19. a...a good provision to have this all state endorsement
20. provided and I ask a favorable roll call.
21. PRESIDENT:
22. Is there any discussion? If not, the question is shall
23. House Bill 808 pass. Those in favor will vote Aye.
24. Those opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question the Ayes are 54, the Nays are none,
27. none Voting Present. House Bill 808 having received
28. a constitutional majority is declared passed. House Bill
29. 813, Senator Maragos. Read the bill.
30. SECRETARY:
31. House Bill 813.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. House Bill
5. 813 is similar to Senate Bill 16 which was passed out of this
6. House several weeks ago. This deals with the Chicago
7. Regional Port District and it makes the area district conterminous
8. with the City of Chicago. We have placed on it the
9. amendment that the Governor requested which is the same
10. amendment we passed on Senate Bill 16. Many of you are
11. familiar with this particular piece of legislation because
12. it has been discussed for several years now. I ask for
13. a favorable support and favorable vote.

14. PRESIDENT:

15. Is there any discussion? Senator Glass.

16. SENATOR GLASS:

17. I have a question of the...of the sponsor, if he will
18. yield.

19. PRESIDENT:

20. Senator Maragos.

21. SENATOR GLASS:

22. Senator Maragos, I wonder...I...I noticed that the...among
23. other things, the bill changes a number of appointed members
24. by the mayor and the Governor and really swings the
25. ...the balance in favor of the Governor from...in other words,
26. instead of four to three, with the Governor appointing four
27. and the mayor three, it's now five by the mayor and four
28. by the Governor...

29. SENATOR MARAGOS:

30. No...

31. SENATOR GLASS:

32. Is that wrong?

33. SENATOR MARAGOS:

1. No, the...the present board makeup is still nine
2. members and it is five for the Governor and four by the
3. mayor. This reverses it. Five by the mayor and four
4. by the Governor. However, the provision the Governor
5. wanted, he didn't want to be restricted to appointments
6. in the City of Chicago which was the bill as initially came
7. over here and we put the amendment on just like we did on
8. Senate Bill 16, so he still has a right to put those
9. four from whatever part of the State of Illinois that
10. he wants...determines is the best for the board and
11. for himself.

12. PRESIDENT:

13. Senator Glass.

14. SENATOR GLASS:

15. Yeah, well, I don't...I question the need for that
16. provision. I...I don't think it ought to be changed and that's
17. the part of...I oppose.

18. SENATOR MARAGOS:

19. Well, Mr....Senator Glass, I can only state at this
20. time, that I think we've met the requirements and I think
21. the Governor is in favor of this particular piece of
22. legislation. We've discussed it many times. In fact,
23. we had twenty industrial leaders from our community who
24. spoke with them several months ago and I...it's a needed
25. piece of legislation and I would like to state to you further
26. that because the former Governor vetoed this bill last
27. year, we lost nine million dollars which we're...for the
28. U.S. Government to help us. And I appreciate if we don't
29. make that mistake again and I have been advised by one of the
30. industrial people who are involved with the maritime
31. industry that there's a very good possibility we'll get
32. a similar appropriation if we can unify the board under one city
33. control and I'd appreciate it for the people of the State of

1. Illinois and for the economy of the State of Illinois that
2. this bill be passed out.

3. PRESIDENT:

4. Is there any further discussion? If not, the question
5. is shall House Bill 813 pass. Those infavor will vote
6. Aye. 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 40, the Nays
9. are 11, 3 Voting Present. House Bill 813 having received
10. a constitutional majority is declared passed. ...purpose
11. does Senator Rhoads arise?

12. SENATOR RHOADS:

13. ...point...on a point of personal privilege,
14. Mr. President. The hour is late, but we do have a very
15. special introduction. Seated in the gallery to my right
16. is the mother of Senator Kenneth McMillan.

17. PRESIDENT:

18. Will Mrs. McMillan please rise. For what purpose
19. does Senator Clewis arise?

20. SENATOR CLEWIS:

21. Mr. President, I rise and seek leave of the Senate
22. to withdraw my name as principal Senate sponsor of
23. House Bill 767. I've discussed the matter with Senator
24. Leonard and he will assume the principal sponsorship.

25. PRESIDENT:

26. You've heard the request. Is leave granted? Leave
27. is granted. House Bill 818, Senator Demuzio.
28. House Bill 820, Senator Bloom. House Bill 822, Senator
29. Don Moore. Read the bill.

30. SECRETARY:

31. House Bill 822.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:
2. Senator Moore.
3. SENATOR MOORE:
4. Thank you, Mr. President and members of the Senate.
5. The synopsis in our Calendar is not entirely correct. What
6. this bill does, it provides that alcoholic liquor may be
7. delivered in any building belonging to or under the control
8. of any city, village or incorporated town or park district.
9. There was an amendment added at the request of the committee
10. to provide that adequate dram shop liability and maximum
11. insurance coverage limits for such facilities so as to save
12. harmless itself from all financial loss, damage or harm.
13. Amendment No. 2 placed on by Senator Vadalabene included
14. State universities to cover their...it was his intention to
15. cover the banquet halls and so forth that they have.
16. I'd be happy to answer any questions or ask for a favorable
17. roll call.
18. PRESIDENT:
19. Any further discussion? Senator Ozinga.
20. SENATOR OZINGA:
21. My question of the sponsor was, he stated delivered to.
22. What about dispensed at?
23. SENATOR MOORE:
24. In response, Senator...
25. PRESIDENT:
26. Senator Don Moore.
27. SENATOR MOORE:
28. ...the...the bill states and it is confined to delivered
29. in any building. If it's delivered, it can be dispensed.
30. It cannot be sold. I'd appreciate a favorable roll call.
31. PRESIDENT:
32. There's no further discussion? The question is shall
33. House Bill 822 pass. Those in favor will vote Aye. Those opposed

1. will vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that question
3. the Ayes are 35, the Nays are 7, 7 Voting Present.
4. House Bill 822 having received a constitutional majority
5. is declared passed. House Bill 825, Senator Vadalabene.
6. House Bill 827, Senator Knuppel. Read the bill.
7. SECRETARY:
8. House Bill 827.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDENT:
12. Senator Knuppel.
13. SENATOR KNUPPEL:
14. Mr. President and members of the Body. This amends
15. the County Cooperative Extension Law and increases the State's
16. participation in the financial part of that to fifty
17. percent, which was the recommended amount in 1972 but at
18. that time, it had been put there at only fifty percent...
19. only twenty-five percent of the State's part. Now,
20. it will be fifty percent. This is the people...the home
21. advisor, the farm advisor in the counties and this comes from
22. the Premium Fund.
23. PRESIDENT:
24. Is there any discussion? If...if not, the question
25. is shall House Bill 827 pass. Those in favor vote Aye. Those
26. opposed will vote Nay. The voting is open. Have all
27. voted who wish? Have all voted who wish? Take the
28. record. On that question the Ayes are 52, the Nays are
29. 1, none Voting Present. House Bill 827 having received
30. a constitutional majority is declared passed. House Bill
31. 830, Senator Buzbee. House Bill 8...for what purpose
32. does Senator Demuzio arise?
33. SENATOR DEMUZIO:

1. Well, thank you, Mr. President. I just had a call
2. from Red Sweeney and I know that many people here in this
3. Body remember Red when he was here as the...whatever he
4. was, the doorman or what was he? Sergeant-at-Arms and I
5. don't say that lightly. He was a very fine man. He wants
6. to send his best to all of you here and let you know that
7. he's a little ill and if you think about it, you might
8. drop him a card. He's down in Jerseyville. Thank you.
9. PRESIDENT:

10. Thank you, Senator. House Bill 831, Senator Glass.
11. Read the bill. Senator Glass.

12. SENATOR GLASS:

13. Mr. President, I move that House Bill 831 be
14. Tabled.

15. PRESIDENT:

16. Senator Glass moves that House Bill 831 be Tabled.
17. All in favor signify by saying Aye. Opposed. The Ayes
18. have it. The motion carries. The bill is Tabled.
19. House Bill 8...for what purpose does Senator Guidice
20. arise?

21. SENATOR GUIDICE:

22. Since Senator Glass moved to Table that one, I've
23. got another one I could Table, 1568, if that's in order.

24. PRESIDENT:

25. Senator Guidice moves to Table House Bill 1568.
26. All those in favor signify by saying Aye. Opposed.
27. The Ayes have it. The motion carries. The bill is Tabled.

28. House Bill 840, Senator Glass. Read the bill. Hold the bill.

29. House Bill 845, Senator Lemke. Senator Lemke. House Bill 852, Senator
30. Glass. Read the bill.

31. SECRETARY:

32. House Bill 852.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. PRESIDENT:
3. Senator Glass.
4. SENATOR GLASS:
5. Thank you, Mr. President and Ladies and Gentlemen.
6. This is a Law Revision Commission bill which repeals
7. a section of the Criminal Code and the section repealed
8. is now covered by another section of the code so
9. this section is no longer necessary. Appreciate a
10. favorable roll call.
11. PRESIDENT:
12. Is there any discussion? If not, the question is shall
13. House Bill 852 pass. Those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? Take the record.
16. On that question the Ayes are 55, the Nays are none, none
17. Voting Present. House Bill 852 having received a con-
18. stitutional majority is declared passed. House Bill
19. 858, Senator Glass. Read the bill.
20. SECRETARY:
21. House Bill 858.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDENT:
25. Senator Glass.
26. SENATOR GLASS:
27. Again, Mr. President and Ladies and Gentlemen, this is
28. a Law Revision Commission bill. It substitutes modern
29. language for the phrase chattel mortgages. It uses the
30. term security interest and I would appreciate a favorable
31. roll call.
32. PRESIDENT:
33. Is there any discussion? If not, the question is shall,

1. House Bill 858 pass. Those in favor will vote Aye.
2. Those opposed will vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question the Ayes are 52,
5. the Nays are none, none...1 Voting Present. House Bill
6. 858 having received a constitutional majority is declared
7. passed. House Bill 868, Senator Netsch. Read the
8. bill.
9. SECRETARY:
10. House Bill 868.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDENT:
14. Senator Netsch.
15. SENATOR NETSCH:
16. Thank you, Mr. President. As the bill has been
17. amended, it does nothing except to extend the life of the
18. Law Revision Commission until 1979 for two additional
19. years. All the other language was deleted from the bill.
20. PRESIDENT:
21. Is there any discussion? If not, the question is shall
22. House Bill 868 pass. Those in favor will vote Aye. Those
23. opposed will vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record.
25. On that question the Ayes are 46, the Nays are 5, 2
26. Voting Present. House Bill 868 having received
27. a constitutional majority is declared passed. House Bill
28. 872, Senator Berman. Senator Berman on 872. Read the bill.
29. SECRETARY:
30. House Bill 872. .
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDENT:

1. Senator Berman.

2. SENATOR BERMAN:

3. Thank you, Mr. President and Ladies and Gentlemen
4. of the Senate. House Bill 872 creates the High Blood
5. Pressure Control Act. The Department of Public Health is
6. required to establish educational detection and monitoring
7. programs concerning the control of high blood pressure.
8. This is a area of health that is a major concern throughout
9. the State of Illinois. Heart attacks, strokes are two of the
10. results of unchecked and unregulated blood pressure. We
11. have amended the bill to provide certain safeguards and
12. procedures for a high blood pressure registry. It
13. requires and encourages programs to be instituted by the
14. Department of Public Health for the effective control of
15. this very serious physical condition. I'll be glad
16. to respond to questions and solicit your Aye vote.

17. PRESIDENT:

18. Senator Graham.

19. SENATOR GRAHAM:

20. Mr. President and members, I probably am a living
21. example of a person that didn't listen. I don't think
22. existence or the forming of this commission will be anything
23. different than probably what happened to me. We had a
24. red-headed nurse that told me to go to the hospital and
25. be checked up with regard to my high blood pressure and I
26. put it off for six months because I was too busy. I don't
27. think this commission is going to prove a heck of a lot
28. only we've got other people stumbling around trying to do
29. something for people they should be doing for themselves
30. and they're probably not going to listen anyway. I didn't
31. listen to a registered nurse right here and I've been
32. ever...ever...I've been sorry ever since. I don't think a
33. formation of a governmental entity will make it any different

1. and I think there comes a time when somebody has to do things
2. for themselves.

3. PRESIDENT:

4. Is there any further discussion? Senator Ozinga.

5. SENATOR OZINGA:

6. Mr. Sponsor, how many people will the Department of
7. Public Health require to administer this bill?

8. PRESIDENT:

9. Senator Berman indicates he will yield.

10. SENATOR BERMAN:

11. The advisory committee...consists of ten people.
12. The program itself, I do not have any figures as to the
13. kind of personnel, but again, it's...it's an educational
14. program rather than a...a bureaucratic program. I think
15. that it's a program that gets to a very serious problem
16. and I do not anticipate that we're talking about
17. any large bureaucracy being formed as a result of this
18. program.

19. PRESIDENT:

20. Senator Rhoads. Senator Ozinga.

21. SENATOR OZINGA:

22. If that's the case, now, how much additional
23. appropriation has already been put into the budget of this
24. department for this particular function?

25. PRESIDENT:

26. Senator Berman.

27. SENATOR BERMAN:

28. I cannot answer that.

29. SENATOR OZINGA:

30. Well, this department has been known to be expanding
31. like topsy. It's one of those things that I just wonder
32. whether this is another necessity. I'm in complete accord
33. with the concept, but I think they can do that without a

1. commission or advisory commission. The nurse on the third
2. floor does just as good or better than the whole
3. Department of Public Health.

4. PRESIDENT:

5. Senator Rhoads.

6. SENATOR RHOADS:

7. It's so seldom I get a chance to support Senator
8. Berman on a bill but this is a good bill. We discussed it
9. in committee. I asked the questions because I had
10. concerns about the fiscal impact, but I think it's minimal
11. and...and the purpose here is very worthwhile and all
12. members of the Public Health Committee did support the
13. bill.

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. Just an observation. About
18. the best thing that this Act could do would be abolish
19. the...the General Assembly. I think it's totally unnecessary.
20. If we're going to do this for blood pressure we ought
21. to have it for heart condition, hardening of the arteries
22. and everything else. It seems...seems...athlete's foot...
23. but more important diarrhea of the mouth...I think this bill ought
24. to be defeated.

25. PRESIDENT:

26. A lot of cosponsors for that, Senator Berning.
27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you Mr. President and members of the Senate.
30. I would rise in opposition to this bill. It appears to me
31. that we are embarking on something that ought not to be
32. embarked upon and that is we are going to register the blood
33. pressure of many individuals throughout this State.

1. I'm particularly concerned, having worked some many
2. weeks in the Workmen's Compensation area, of what this is
3. going to do to all those people whose blood pressures
4. are registered and they find that they would later on
5. like to have life insurance from a company, those records
6. might very well be available to deny them benefits under
7. ...under a new life insurance program. I'm not certain
8. that the confidentiality of these records within the
9. domain of the Public Health Department is secure and
10. for those reasons, and thirdly, it just does not seem
11. to me that this is a program the State of Illinois must
12. fund. If it is a good program, it is one that private
13. industry and others who maintain records and registries
14. can do and the State of Illinois really has not much
15. business saying that we are going to keep a regional
16. registry of blood pressures of people living in the fifty-
17. fourth district or any other district in the State of
18. Illinois.

19. PRESIDENT:

20. Senator Rock. Senator Davidson.

21. SENATOR DAVIDSON:

22. I'd like to rise in support of this bill. One of the
23. things with the amendment is put on, the only persons can
24. be...going to that register is after their written consent is attained.
25. This is actually a opportunity for people who are trying
26. to do something about high blood pressure and the correction
27. thereof where they have a maintenance record to check on these
28. people as they progress and see whether they are progressing
29. if whatever they are given for the correction of high blood pressure
30. condition is doing the job and what the end results are.
31. There are many complications which high blood pressure may
32. bring, whether it's a cardiovascular accident, a arterial
33. accident or whether it...you're going into...which many of

1. normally talk about the complications from diabetes and...
2. that is gangrene due to the lack of circulation. This is
3. a good bill. This is an opportunity to try to do something
4. about an insidious disease that most people ignore.
5. I urge you to vote Aye.
6. PRESIDENT:
7. Is there any further discussion? Senator Berman
8. may close the debate.
9. SENATOR BERMAN:
10. Well, thank you, Mr. President. In response to the
11. Senator that had asked about the appropriations, I want
12. to point out that the Department of Public Health currently
13. conducts a hypertension registry program pursuant to
14. appropriations that we have previously made. This bill will
15. merely codify an existing program. The FY '78 budget
16. for the Department of Public Health includes three hundred and
17. ninety-two thousand dollars for the hypertension program.
18. Of this amount, two hundred and sixty thousand dollars is used
19. for grants to local health agencies for their continued
20. development of screening programs and registry maintenance.
21. Ten thousand patients, ten thousand patients will be
22. screened this year under the current program and another
23. twenty-seven thousand are projected for FY '78. The...
24. the department estimates that 1.7 million people
25. are hypertensive in Illinois. Now, we have great debate and
26. we vote on...on appropriations every year and the millions
27. and sometimes billions of dollars for the...for the health
28. programs of this State. It costs us seventy, eighty and more
29. millions of dollars for our own health insurance programs.
30. We're talking about a few hundred thousand dollars to set
31. up a program that's endorsed by the Heart Association,
32. by the...both the Chicago and Illinois Heart Associations,
33. by the Medical Society to try to undertake some preventive

1. programs. Senator Graham talks about not following advice.
2. Well, many of us don't follow advice, the hours and the
3. schedules that we keep here. But I would think that there
4. are more intelligent people throughout the State of Illinois
5. that would be glad to follow advice. You know, we're our
6. own worst patients when it comes to following medical
7. advice, but I think that we ought...that we have
8. the obligation to institute programs to advise people
9. and alert them to the dangers of hypertension and high
10. blood pressure. This is a small amount of money, very
11. small as far as the long range hopes of saving a lot of
12. lives, preventing strokes. I urge your support for, I think,
13. a very valuable program for the health of millions of
14. people in the State of Illinois.

15. PRESIDENT:

16. The question is shall House Bill 872 pass.
17. Those in favor will vote Aye. Those opposed will vote
18. Nay. The voting is open. Have all voted who wish?
19. Have all voted who wish? Take the record. On that question
20. the Ayes are 35, the Nays are 13, 1 Voting Present.
21. House Bill 872 having received a constitutional majority
22. is declared passed. For what purpose does Senator Harber
23. Hall arise?

24. SENATOR HALL:

25. Mr. President and fellow Senators. I rise on this
26. point, that having voted on the prevailing side, I would
27. move that the vote by which House Bill 822 passed be now
28. reconsidered.

29. PRESIDENT:

30. Senator, we've passed the Order of Motions.
31. We have not decided whether the Body will return to that
32. order today. You do have the right to file that motion
33. with the Secretary. House Bill...Bill 873, Senator Carroll.

1. Read the bill.
2. SECRETARY:
3. House Bill 873.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDENT:
7. Senator Carroll.
8. SENATOR CARROLL:
9. Thank you, Mr. President and members of the Senate.
10. This bill is to allow the creation of a public library
11. district and to allow a rate over the statutory required
12. of .15 up to .4 with the initial referendum being
13. really a front door one by having the initial election
14. contain not only the request for a district but the rate
15. that is to be set so the voters at the time they create
16. the district, will know how much it will cost them.
17. I would be willing to answer any questions and would
18. ask for a favorable roll call.
19. PRESIDENT:
20. Is there any discussion? If not, the question is shall
21. House Bill 873 pass. Those in favor will vote Aye. Those
22. opposed will vote Nay. The voting is open. Have all
23. voted who wish? Have all voted who wish? Take the
24. record. On that question the Ayes are 50, the Nays are
25. none, none Voting Present. House Bill 873 having
26. received a constitutional majority is declared passed.
27. House Bill 874 Senator Carroll. Read the bill.
28. SECRETARY:
29. House Bill 874.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDENT:
33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President and members of the Senate.
3. This bill does exactly the same thing for a library that is
4. in an incorporated town, village or township and allows
5. for the electorate to know at the time and ends
6. duplication of referendums. I would ask for a favorable
7. roll call.

8. PRESIDENT:

9. Is there any discussion? If not, the question is shall
10. House Bill 874 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 47, the Nays
14. are none, none Voting Present. House Bill 874 having
15. received a constitutional majority is declared passed.
16. House Bill 878, Senator Bowers. Read the bill.

17. SECRETARY:

18. House Bill 878.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Bowers.

23. SENATOR BOWERS:

24. Thank you, Mr. President. House Bill 878 seeks
25. to raise the salaries of the administrative assistants
26. to the chief circuit judges throughout the State to fifteen
27. thousand five hundred. It's supported by the Supreme
28. Court. I have a letter from Judge Gully supporting the
29. ...supporting the concept. They are having trouble
30. throughout the State at the present salary getting administrative
31. assistants. I know of no opposition to the bill and would
32. appreciate a favorable roll call.

33. PRESIDENT:

1. Senator Bruce. Senator Demuzio.
2. SENATOR DEMUZIO:
3. Yes, Senator, is this the same thing as court
4. reporters, being a nonlawyer?
5. PRESIDENT:
6. Senator Bowers.
7. SENATOR BOWERS:
8. No, Senator Demuzio. It's the administrative
9. assistant to the chief circuit judge.
10. SENATOR DEMUZIO:
11. Also, how many of those are there in the State?
12. SENATOR BOWERS:
13. Well, as far as I know, each of the circuits have one.
14. I'm not sure of how many circuits there are.
15. SENATOR DEMUZIO:
16. Okay and...and what's the raise now? Where are we?
17. SENATOR BOWERS:
18. They were at eleven. It's up to fifteen five.
19. Fifteen thousand five hundred.
20. SENATOR DEMUZIO:
21. Twenty-one circuit judges...twenty-one administrative
22. assistants, and twenty-one circuits. Thank you.
23. PRESIDENT:
24. Senator Kenneth Hall.
25. SENATOR HALL:
26. Well, he answered my questions. I just wanted to know
27. how much the raise was.
28. PRESIDENT:
29. Senator Hickey.
30. SENATOR HICKEY:
31. ...two questions. I'm wondering who pays this and
32. if it's mandated at this level?
33. PRESIDENT:

1. Senator Bowers.
2. SENATOR BOWERS:
3. The circuit courts are...are arms of the State
4. of Illinois and it comes out of the State budget.
5. PRESIDENT:
6. Senator Hickey.
7. SENATOR HICKEY:
8. Is it mandated and when did they get a raise last?
9. PRESIDENT:
10. Senator Bowers.
11. SENATOR BOWERS:
12. I can't...I can't answer the second question.
13. I have a feeling that they never have had one. I think
14. this was the original salary when it was established...
15. when the office was established. I won't vouch for that
16. but I think that's the case. So...and when that was, I
17. honestly don't know, Senator Hickey. '73 somebody
18. says.
19. PRESIDENT:
20. Senator Knuppel.
21. SENATOR KNUPPEL:
22. Well, my thought about it is, is this may just be a
23. prelude to what the judicial pay increases want to be
24. and this is an increase of almost thirty percent and
25. I...I would be prone to give this to the poor working girl
26. but I think it's just another little block, you know, you
27. step up on that and say, well, our dear little executive
28. secretary is getting fifteen thousand five hundred and
29. we give her...the legislators gave her a raise of thirty
30. percent. Now, how about the judges getting the thirty
31. percent increase, too?
32. PRESIDENT:
33. Is there any further discussion? If not, the question...

1. Senator Bowers...if not, the question is shall House Bill
2. 878 pass. Those in favor will vote Aye. Those opposed will
3. vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that
5. question...sponsor has moved to postpone consideration.
6. Consideration will be postponed. House Bill 879,
7. Senator Nimrod. House Bill 880, Senator Schaffer.
8. Read the bill.
9. SECRETARY:
10. House Bill 880.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDENT:
14. Senator Schaffer.
15. SENATOR SCHAFFER:
16. House Bill 880 would allow a township which operates
17. a water work or sewage system to expend Federal revenue
18. sharing funds for that purpose to such units of
19. government in existence, one in Senator Sangmeister's
20. district and one in Senator Walsh's district. The bill,
21. as amended in the Senate, would also allow a township
22. in a county under one million to expend up to ten thousand
23. dollars for a not-for-profit museum. I know of no
24. opposition. I would be happy to answer any questions.
25. PRESIDENT:
26. Is there any further discussion? Senator Demuzio.
27. SENATOR DEMUZIO:
28. One quick question. Since this is dealing with
29. Federal Revenue Sharing, the categories established by the
30. Federal Government, is this additional category within the
31. purview of the Federal legislation and do we have the
32. jurisdiction here as the lawmakers to establish a new
33. category, if such?

1. SENATOR SCHAFFER:

2. As I understand the process there, the townships are
3. entitled to spend the Federal Revenue Sharing money
4. for purposes that they are empowered to spend their
5. own revenue for and since...as I understand the purviews
6. of Federal Revenue Sharing, this would certainly fall within
7. the guidelines, under Public Health and Safety, specifically.

8. PRESIDENT:

9. Senator Rhoads.

10. SENATOR RHOADS:

11. Well, Senator Schaffer, Senator Demuzio had an
12. excellent question, I think and I'm...as I understand
13. the Federal Revenue Sharing Guidelines, you first
14. have to be spending some of your own money for this
15. purpose. Now, will these townships be doing that?

16. PRESIDENT:

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Well, I'm under...I'm being told from all sides
20. that the statement you just made is not accurate. And I'm
21. under the impression that the townships are, but not from
22. the township general fund.

23. PRESIDENT:

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Just another quick question. I know I've spoke on this...
27. this is my second time. This only covers two municipalities,
28. is that correct in the State, and if such, Jack, I'll just
29. ask you another question. Is it possible that you might
30. consider holding this bill to allow other municipalities
31. such as the say, seven thousand or eight...it's only for
32. townships, is that correct? Only amends the Township Act?

33. PRESIDENT:

1. Senator...

2. SENATOR DEMUZIO:

3. Okay, well, then I think what's happened here is
4. that...that if this legislation passes, it probably
5. already just authorized and legitimized that which is
6. already being done so I think it's a good bill and I...
7. and I urge support.

8. PRESIDENT:

9. Is there any further discussion? If not, the question
10. is shall House Bill 880 pass. Those in favor will vote
11. Aye. Those opposed will vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish?
13. Take the record. On that question the Ayes are 49,
14. the Nays are 1, 2 Voting Present. House Bill 880 having
15. received a constitutional majority is declared passed.
16. House Bill 889, Senator Maragos. Read the bill.

17. SECRETARY:

18. House Bill 889.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Maragos.

23. SENATOR MARAGOS:

24. Mr. President and members of the Senate. House
25. Bill 889 amends the State Appellate Defender Act as it is
26. said in the synopsis. It adds the power of the State
27. Appellate Defender to research and implement model systems
28. for the improvement of trial level defenders services
29. and to make an annual report concerning these...the
30. services and the studies to the General Assembly.

31. Many of you are aware that the Cook

32.

(Continued on next page)

33.

1. County has a very viable public defender system, however,
2. there are many small counties that need some more
3. study and they want...they need some more help and as a
4. result, they...the State Appellate Defender Commission
5. would like to make the study to assist many of the
6. smaller counties downstate for this purpose and there
7. is no fiscal implications and I ask for your favorable
8. support.

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall
11. House Bill 889 pass. Those in favor will vote Aye. Those
12. opposed will vote Nay. The voting is open. Have all
13. voted who wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 45, the Nays are 4, none
15. Voting Present. House Bill 889 having received a constitutional
16. majority is declared passed. House Bill 893, Senator
17. Leonard. Read the bill.

18. SECRETARY:

19. House Bill 893.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Leonard.

24. SENATOR LEONARD:

25. This is very similar to one that went out of the
26. Senate. It pertains to the northeastern part of Illinois.
27. It resolves a conflict between the county and municipalities.
28. It says in any town, city, village that has less than
29. five hundred thousand population, that's in the Northeastern Illinois
30. Metropolitan Planning District, that the municipality
31. is exempt from the county rules regarding municipal
32. facilities and I ask passage.

33. PRESIDENT:

1. Is there any discussion? Senator Ozinga.
2. SENATOR OZINGA:
3. Question. How far outside of the municipality
4. will they be able to govern the plat...the subdivisions?
5. SENATOR LEONARD:
6. This has to do with what's inside the municipality.
7. PRESIDENT:
8. Senator Leonard. Senator Graham.
9. SENATOR GRAHAM:
10. Senator Leonard, I think was it not true that
11. the original purpose for the...in the Northeastern Illinois
12. Metropolitan Planning Commission, NIPC, was to provide
13. county-wide planning and so forth in northeastern Illinois?
14. Will this not, in fact, destroy that original purpose of NIPC?
15. SENATOR LEONARD:
16. No, Senator, it won't. This has nothing...the only
17. reason NIPC is mentioned, is to define the area. This is
18. not between municipality and NIPC. It is between
19. municipalities and the county government and it simply
20. says, if the city has a plat ordinance and the county
21. has a plat ordinance, the city's ordinance is germane
22. ...has jurisdiction.
23. SENATOR GRAHAM:
24. Was the Calendar then wrong? It says outside of a
25. municipality.
26. SENATOR LEONARD:
27. No, you've got to...you've got to read it. It's got
28. a...it's got a double negative half way down the page and it
29. says things that are not exempted. And basically what it
30. is saying is that the county generally has jurisdiction
31. over these things except these things that are listed
32. in the first part of this thing are now exempted.
33. SENATOR GRAHAM:

1. Gee, I was hoping it would destroy NIPC.

2. SENATOR LEONARD:

3. No, not that ambitious.

4. PRESIDENT:

5. Is there any further discussion? If not, the question

6. is shall House Bill 893 pass. Those in favor will vote

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

8. Have all voted who wish? Have all voted who wish?

9. Take the record. On that question the Ayes are 36,

10. the Nays are 4, 2 Voting Present. House Bill 893 having

11. received a constitutional majority is declared passed.

12. House Bill 897, Senator Knuppel. Read the bill.

13. SECRETARY:

14. House Bill 897.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Mr. Chairman and members of the Body. This amends

19. the Illinois Vehicle Code and does away with the requirement

20. of a card in the cab of each truck where it's an installment-

21. based purchase because it's necessary that the person who

22. purchased the license furnish a bond or certificate of

23. deposit and there's no need for the second card. The other

24. thing this does is removes the requirement of a hundred

25. dollar license for a pickup pulling a trailer. It raises

26. the requirement that it be a second division vehicle pulling

27. a trailer before the additional license of seventy dollars is

28. required on the trailer. Many, many farmers today have

29. these gooseneck trailers they pull which is strictly

30. farm machinery item and there is no reason that they should

31. be required in this instance to purchase the additional license

32. on the trailer. So that it's only when it's pulled by a second

33. division truck that it...that it would change it.

1. PRESIDENT:

2. Is there any discussion? If not, the question is shall
3. House Bill 897 pass. Those in favor 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
6. question the Ayes are 49, the Nays are none, none Voting
7. Present. House Bill 897 having received a constitutional
8. majority is declared passed. House Bill 898, Senator Rupp.
9. Read the bill.

10. SECRETARY:

11. House Bill 898.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Rupp.

16. SENATOR RUPP: .

17. Thank you, Mr. President. What this bill does is
18. that the collection fee which the Department of Revenue
19. charges for collecting the Municipal and County Retailers
20. and Service Occupation Tax was reduced from four to two
21. in 1974. The Municipal Use Tax was not included in that
22. Act and this bill conforms the collection fee for the
23. Municipal Use Tax. Most of the use taxes are collected on
24. property, usually automobiles which are purchased out of
25. State for use in Illinois and when are titled and registered
26. in Illinois. I ask a favorable roll call.

27. PRESIDENT:

28. Is there any discussion? If not, the question is shall
29. House Bill 898 pass. Those in favor will vote Aye. Those
30. opposed will vote Nay. The voting is open. Have all
31. voted who wish? Have all voted who wish? Take the record.
32. On that question the Ayes are 49, the Nays are none,
33. 2 Voting Present. House Bill 898 having received a

1. constitutional majority is declared passed. House Bill 901,
2. Senator Kenneth Hall. House Bill 90...Senator Hall, that
3. was amended this morning. House Bill 902, Senator Knuppel.
4. House Bill 905, Senator Rock. Read the bill.

5. SECRETARY:

6. House Bill 905.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President and Ladies and Gentlemen
13. of the Senate. House Bill 905 is a...creates a new Act
14. which is called the Right of Conscience Act. And what it
15. does essentially, is it would allow hospitals and medical
16. personnel the right not to participate in medical
17. procedures with which they are...with which they do not
18. agree in conscience. The bill was amended in committee
19. to provide that nothing in this Act shall be construed so as
20. to relieve a physician or other medical personnel from the
21. obligations under the law of providing emergency medical
22. care. You will recall that two Sessions ago, we did, in
23. fact, pass a Statute which created this right of conscience
24. for hospitals and medical personnel with respect to the
25. subject of abortion. This bill, frankly, is a little broader.
26. It includes other medical procedures such as sterilization,
27. or advice on family planning. And I would solicit
28. your favorable vote.

29. PRESIDENT:

30. Is there any discussion? Senator Maragos.

31. SENATOR MARAGOS:

32. Senator Rock, would you yield to a question?
33. How about the reverse situation where there is a Christian

1. Science participant or...who believes that...can they have
2. a right to refuse treatment or is the hospital in any
3. way involved in this because of the right of conscience of a
4. ...if a patient or the parent of the patient does not want
5. any services?
6. SENATOR ROCK:
7. No, they have that right currently and this Act does
8. not change that.
9. SENATOR MARAGOS:
10. Okay. Thank you.
11. PRESIDENT:
12. Senator Rock.
13. SENATOR ROCK:
14. I have already responded. Thank you.
15. PRESIDENT:
16. Senator Knuppel.
17. SENATOR KNUPPEL:
18. I think this was a very bad bill which has been made
19. very good with the amendment.
20. PRESIDENT:
21. Is there any further discussion? If not, the question
22. is shall House Bill 905 pass. Those in favor will vote
23. Aye. Those opposed will vote Nay. The voting is open.
24. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question the Ayes are 53, the Nays are 1, none
26. Voting Present. House Bill 905 having received a
27. constitutional majority is declared passed. House Bill 908,
28. Senator Regner. House Bill 927, Senator Kenneth Hall.
29. House Bill 930, Senator Davidson. Read the bill. Senator
30. Hall, do you wish to have 927 read? Read the bill. House
31. Bill 927.
32. SECRETARY:
33. House Bill 927.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Hall.

5. SENATOR HALL:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. House Bill 927 requires the crews on trains
8. in the Chicago and East St. Louis switching yards to move
9. a train blocking a railroad crossing when the crew has
10. been notified that an emergency vehicle is proceeding towards
11. a crossing that is blocked. The emergency vehicle must
12. be on the emergency mission. This bill has the support of the
13. Illinois Commerce Commission, the Illinois Railroad
14. Association and the local mode of unions involved in this
15. jurisdiction. This bill would not cost the railroads any
16. money for new equipment. Eight children in East St. Louis-
17. Allerton area have been burned to death in fires because
18. fire trucks could not cross a rail road crossings that the
19. trains were blocking. And one particular area in my
20. district, sixty-four trains a day go through there.
21. The railroad companies are using the East St. Louis area
22. as a switching yard. No punishment for blocking there
23. ...is included in this bill. I would ask your most favorable
24. support of this bill.

25. PRESIDENT:

26. Is there any discussion? If not, the question is shall
27. House Bill 927 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
30. that question the Ayes are 54, the Nays are none, none
31. Voting Present. House Bill 927 having received a constitutional
32. majority is declared passed. House Bill 930, Senator
33. Davidson. Read the bill.

1. SECRETARY:

2. House Bill 930.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate. This bill
9. does exactly what the synopsis says, so the notice will be
10. mailed out by the Board of Education to school board
11. candidates about mailing out that whole big package of
12. pamphlets and et cetera, if they're going to spend more than
13. a thousand dollars, they come in and get the application
14. and file and this is to save cost of the expense
15. on elections. I don't know of any opposition. Appreciate
16. a favorable roll call.

17. PRESIDENT:

18. Is there any discussion? If not, the question is shall
19. House Bill 930 pass. Those in favor 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 52, the Nays are
23. 2, none Voting Present. House Bill 930 having received
24. a constitutional majority is declared passed.
25. House Bill 931, Senator Regner. Read the bill.

26. SECRETARY:

27. House Bill 931.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Regner.

32. SENATOR REGNER:

33. Yes, Mr. President and members of the Senate. House

1. Bill 931 excludes clients in vocational rehabilitation
2. facilities from the definition of employee under the Fair
3. Employment Practices Act. These clients which are really
4. patients that are either mentally retarded, mentally
5. ill alcoholics, stroke patients and drug addicts
6. are really in the employ, if you want to call it that, of the
7. facility for a limited six to twelve months.
8. The supporter of the bill and the one that drafted it was
9. the Illinois Association of Rehabilitation Facilities.
10. It's a good bill and I'd urge a favorable roll call.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Well, I'm not sure that I understand the bill and
15. I may have some questions here that in response, Senator
16. Regner can answer. But, these rehabilitation groups,
17. as I understand it, make contracts with the institution.
18. If somebody is confined there and is a type of rehabilitation
19. work, however, these people can be injured on the job. In
20. fact, I had such an instance where a man fell off a truck
21. that he was working on, struck his head and died as
22. a result of that injury. Now, if you remove the identification
23. of an employee and I don't know that I understand this,
24. the explanation is not clear, but if he's not an employee,
25. he would not be covered by the Workmen's Compensation
26. Provision. This is what I'm afraid of. Do you have any
27. way of assuring me that changing this when these people
28. go out and I know these people are attempting to
29. help rehabilitate them, but they pay them a small amount of
30. money and this alone allowed this man's family and he had
31. ...he had a mental disorder, allowed this man's family to
32. qualify for Workmen's Compensation benefits.

33. SENATOR REGNER:

1. Yes, Senator Knuppel, what the exclusion is is just
2. under the Fair Employment Practices Act and the way I
3. understand it, it was so that they could operate without
4. the FEPC, using the term client under their rules and
5. regulations. Since that client has...has explained, it's
6. really work activity client or a person in therapeutic
7. day care program for whom the work is actually inconsequential.
8. But it wouldn't have any affect as far as Workmen's
9. Compensation or Unemployment Compensation is concerned.

10. PRESIDENT:

11. Is there any further discussion? Senator Netsch.
12. Senator Knuppel, have you concluded? Senator Netsch.

13. SENATOR NETSCH:

14. Might I ask the sponsor a question that I asked also
15. in committee...

16. PRESIDENT:

17. Indicates he will yield.

18. SENATOR NETSCH:

19. And I must admit I could never understand the answer
20. to it and I think I still don't. I can understand why
21. you do not want certain kinds of discrimination to be,
22. in effect, raised so that these people cannot be employed.
23. And that's perfectly acceptable. What I do not understand
24. is why the basic forms of discrimination which are the
25. coverage of the Fair Employment Practices Act, should be
26. allowed to be practiced against the people about whom
27. you are talking in this bill. In other words, race discrimination,
28. national origin discrimination, sex discrimination and so forth.
29. Why should those be fully exempted with respect to these
30. employees?

31. PRESIDENT:

32. Senator Regner.

33. SENATOR REGNER:

1. Senator Netsch, I'll tell you what I'm going to do,
2. I'm going to let the Illinois Association of Rehabilitation
3. Facilities answer your question and I'll withdraw the bill
4. from the record at this time.

5. PRESIDENT:

6. Take the bill from the record. House Bill 933,
7. Senator Mitchler. Read the bill.

8. SECRETARY:

9. House Bill 933.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Mr. President and members of the Senate. House
16. Bill 933 is an amendment to the Revenue Act of 1939.
17. What it does, it increases the existing real estate tax
18. exemption for disabled veterans or their unremarried widows
19. who qualify for Title 38 funds from the U.S. Veterans
20. Administration. It also extends the applicability of the
21. exemption to unmarried spouses of the disabled veteran.
22. Now, as it is now, it only applies to the unremarried
23. widows. The bill has been amended and I would ask for a
24. favorable roll call.

25. PRESIDENT:

26. Is there any discussion? If not, the question is shall
27. House Bill 933 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 51, the Nays are none, none Voting
31. Present. House Bill 933 having received a constitutional
32. majority is declared passed. House Bill 935, Senator
33. Bruce. Read the bill.

1. ACTING SECRETARY: (MR. FERNANDES)

2. House Bill 935.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Bruce.

7. SENATOR BRUCE:

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

9. Senate Bill 935 simply extends for two additional years, not
10. five as shown on the Calendar, the joint underwriting
11. association which dealt with malpractice insurance. It
12. was part of the package we put together to solve the need
13. for insurance in the malpractice area. It has not been
14. utilized but the Department of Insurance would like to extend
15. its life for two additional years.

16. PRESIDENT:

17. Is there any discussion? If not, the question is shall
18. House Bill 935 pass. Those in favor will vote Aye. Those
19. opposed will vote Nay. The voting is open. Have all
20. voted who wish? Have all voted who wish? Take the
21. record. On that question the Ayes are 48, the Nays are none,
22. none Voting Present. House Bill 935 having received
23. a constitutional majority is declared passed. House Bill
24. 936, Senator Bruce.

25.

26.

End of reel

27.

28.

29.

30.

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32.

33.

1. PRESIDENT:

2. Bill 939, Senator Carroll. House Bill 939, Senator
3. Carroll. Read the bill.

4. ACTING SECRETARY: (MR. FERNANDES)

5. House Bill 939.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, Mr. President and members of the Senate.
12. House Bill 939 authorizes credit unions to act as fiscal
13. agents to receive deposits for and from the United States,
14. State of Illinois, et cetera. The purpose of this is to
15. allow them to have withholding tax deposits until it's
16. time to pay the appropriate taxing agency and just have
17. the funds within their accounts until they transfer them
18. over. I would move the adoption, excuse me, I would move
19. for the passage by favorable roll call. I would try to
20. answer any questions.

21. PRESIDENT:

22. Is there any discussion? If not, the question is,
23. Senator Maragos.

24. SENATOR MARAGOS:

25. May I ask, do the credit unions have any insurance
26. similar to what the savings and loans and banks have,
27. pertaining to savings or funds desposited with them?

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. To my knowledge it is not mandated by law. No.

32. PRESIDENT:

33. Senator Maragos.

1. SENATOR MARAGOS:

2. Then what funds are we talking? Aren't these usually
3. the credit unions limited as to the membership to those
4. who work in a particular industry or company?

5. SENATOR CARROLL:

6. There are other, Senator Maragos, types of credit
7. unions. Some war organizations that had them in the past.
8. But, it's that type of concept. Some communities have
9. them.

10. SENATOR MARAGOS:

11. Membership or employment, I think would be...

12. SENATOR CARROLL:

13. Some type of membership, yes.

14. SENATOR MARAGOS:

15. All right. ...only thing is, I have some questions,
16. but I won't...

17. SENATOR CARROLL:

18. But you have some of these where these are employees
19. of the credit union itself, where instead of sending the
20. money to some other institution to hold until the time
21. to pay to the Federal Government as withholding tax, that
22. they just hold it within their own funds and then ship it
23. off at the appropriate time. All this does is to allow
24. them to be a fiscal agent and certain other activities.

25. PRESIDENT:

26. Senator Maragos. Oh, Senator Harber Hall.

27. SENATOR HARBER HALL:

28. Will the sponsor yield for a question?

29. PRESIDENT:

30. Indicates he will yield.

31. SENATOR HARBER HALL:

32. I wonder, Senator Carroll, what types of loans do
33. credit unions make that they would be wanting to sell...

1. SENATOR CARROLL:

2. Excuse me, I forgot, there was another section in
3. there that to discount mortgages made by credit unions,
4. mortgages on real estate or mobile homes. We did allow
5. a couple of years ago the credit unions to provide
6. mortgage monies to their members with certain limitations
7. thereon. They are looking in order to have the financial
8. ability to help more of their members to be able to discount
9. some of their paper, as other types of financial institutions
10. do so that they have more cash available to loan to other
11. members.

12. SENATOR HARBER HALL:

13. Well, that's...that's kind of what bothers me on these...
14. on the credit union...discounting loans. It would seem if
15. they were discounting loans that they had made to their
16. members in terms of what we ordinarily think of the purpose
17. of credit unions, it would seem that they would be
18. making higher than marketplace interest rates, if they
19. were able to then discount them and sell them.

20. SENATOR CARROLL:

21. No, I don't think that's the case at all, Senator
22. Hall. We have limited the interest they can charge just
23. like we have elsewhere. The idea of this is basically to
24. provide service to their members by utilizing what we call
25. the secondary market on mortgages and allow them if they can,
26. to discount them, to provide them with more liquidity in
27. order to service their members.

28. PRESIDENT:

29. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. Well, it seems to me, if I recall correctly that the
32. interest rates that we've permitted them to charge is twelve
33. percent per annum. Is that right on mortgages?

1. SENATOR CARROLL:
2. I don't recall that.
3. PRESIDENT:
4. Senator Ozinga.
5. SENATOR OZINGA:
6. What...under what rules or regulations are these
7. credit unions?
8. SENATOR CARROLL:
9. Under State law.
10. SENATOR OZINGA:
11. Which one?
12. SENATOR CARROLL:
13. The laws of Illinois, as well as some Federal laws.
14. SENATOR OZINGA:
15. Come now. You know better than that. The answer to
16. it is that these...these...these credit unions really are
17. ...are self-governing to a large extent with little privileges
18. added in and it looks to me like we're expanding one notch
19. at a time. Maybe we should just make it a full blown
20. financial institution and...and set up a set of rules like
21. the banks, the savings and loans, the mortgage bankers and
22. all of these. To me, this might be just a step in the
23. wrong direction by allowing this, it looks to me as though
24. we've expanded it about four or five different ways. Don't
25. you kind of agree with this?
26. SENATOR CARROLL:
27. Is that, I assume, a rhetorical question?
28. SENATOR OZINGA:
29. No. Do you or do you not agree that this is an
30. expansion that probably is just a little bit too far?
31. SENATOR CARROLL:
32. No, I do not agree.
33. PRESIDENT:

1. Senator Carroll, we are reaching the bewitching hour.
2. There are several other speakers on this bill. ...Would you
3. be willing to take this bill out of the record?
4. SENATOR CARROLL:
5. If that's the will of the Chair, of course.
6. PRESIDENT:
7. All right. Take the bill out of the record. Do we have leave to
8. go to the Order of House Bills, 1st reading? Leave is
9. granted. On the Order of House Bills, 1st reading, House
10. Bill 160, Senator Guidice. Read the bill.
11. SECRETARY:
12. House Bill 160.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDENT:
16. House Bill 2389, Senator Bloom.
17. SECRETARY:
18. House Bill 2389.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDENT:
22. House Bill 2412, Senator Coffey.
23. SECRETARY:
24. House Bill 2412.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDENT:
28. House Bill 2416, Senator Regner.
29. SECRETARY:
30. House Bill 2416.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. For what purpose does Senator Buzbee arise?
2. SENATOR BUZBEE:
3. Parliamentary inquiry, Mr. President. Excluding the
4. appropriation bills, which we see here in House Bills,
5. 1st reading. Those bills that are not appropriation
6. bills, in other words, our rules provide that the committee
7. action has...that had to be taken on bills of substantive
8. nature had to be completed by last week. How is it
9. possible for these bills to be heard at all? Given the
10. fact that we do have a committee system in the Senate.
11. PRESIDENT:
12. It is not possible under our existing Rules for them
13. to be heard in committee, but it is possible for a sponsor
14. to make a motion to put...to advance the bill to the Order
15. of 2nd Reading up until tomorrow when those other motions
16. are set.
17. SENATOR BUZBEE:
18. So that will take what, thirty votes to bypass committee?
19. PRESIDENT:
20. Correct.
21. SENATOR BUZBEE:
22. Thank you.
23. PRESIDENT:
24. Senator Rock.
25. SENATOR ROCK:
26. Thank you, Mr. President. With respect to the House
27. Bills on 1st reading, which were just read, I would like to
28. make the motion to discharge the Committee on Assignment of
29. Bills from further consideration of these bills and ask that
30. they be immediately referred to the Committee on Appropriations
31. I and that the Six Day Posting Notice for these appropriation
32. bills and all other appropriation bills coming across from the
33. House in the remaining days be waived so that these bills can

1. be heard in committee on Friday, Thursday, Friday and Satur-
2. day of this week.

3. PRESIDENT:

4. You've heard the motion by Senator Rock as to the
5. assignment of these bills and the waiver of the Six Day Notice
6. Requirement as to appropriation bills for the next three days.
7. All those in favor of the motion signify by saying Aye. Opposed.
8. The Ayes have it. The motion is adopted. For what purpose
9. does Senator Graham arise?

10. SENATOR GRAHAM:

11. Mr. President, I would like to suggest before my troupes
12. all leave for the Christian Science Reading Room that we'd
13. like to have a brief caucus with Republicans in Room 400
14. right after adjournment.

15. PRESIDENT:

16. For what purpose does Senator Carroll arise?

17. SENATOR CARROLL:

18. Thank you, Mr. President and members of the Senate. The
19. Calendar did not reflect that there will be a meeting tomorrow
20. morning of Appropriations I at 8:30 in Room 212. It
21. should have been stated on the Calendar. I think it was
22. scheduled on the agenda that the President had sent out
23. some time last week. But there will be a meeting...of
24. Appropriations I at 8:30 a.m. in Room 212.

25. PRESIDENT:

26. For what purpose does Senator Buzbee arise?

27. SENATOR BUZBEE:

28. Purpose of an announcement, Mr. President. The De-
29. partment of Mental Health and Developmental Disabilities
30. subcommittee of the Appropriations Committee II will meet
31. tomorrow morning at 8:30 for our fourth and final
32. subcommittee meeting before we decide what action to take
33. in...on Friday in committee. So I would like to remind all

1. the members of that. DMH AND DD subcommittee
2. of Appropriations Committee II that we will be meeting
3. tomorrow morning at 8:30 in Room 122-A of the
4. Capitol Building.

5. PRESIDENT:

6. A Message from the Secretary of State.

7. SECRETARY:

8. A Message from the Secretary of State by Eugene Callahan,
9. Assistant Secretary of State.

10. Mr. President - The Secretary of State directs
11. me to lay before the Senate the following message:

12. To the Honorable Members of the Senate, the 80th
13. General Assembly: I have nominated and appointed the following
14. named persons to the offices emunerated below, respectfully
15. ask concurrence in and confirmation of these appointments
16. by your Honorable Body.

17. PRESIDENT:

18. Executive Appointments. Is there any further business
19. to come before the Senate? If not, Senator Knuppel moves that
20. the Senate stand adjourned until twelve o'clock noon tomorrow.
21. All those in favor signify by saying Aye. Opposed. The Ayes
22. have it. The motion carries. The Senate stands adjourned.

23. SENATOR OZINGA:

24. Remember you Republicans, don't go to the reading room
25. yet. Christian Science Library. We got to caucus. Room
26. 400. Fifteen minutes or so. Let's go up now. Republican
27. caucus in Room 400. Immediately. Senators. Republican
28. caucus in Room 400. ...

29.
30.
31.
32.
33.