

80TH GENERAL ASSEMBLY

GENERAL SESSION

JUNE 22, 1978

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. The hour of nine having arrived the Senate will please
3. come to order. Our chaplain for today is the Reverend Tony
4. Ahlstrand, Executive Director of Plymouth Foundation, Chicago,
5. Illinois. Will our guests in the gallery please rise.

6. REVEREND ALHSTRAND:

7. (Prayer by Reverend Ahlstrand)

8. PRESIDING OFFICER: (SENATOR KENNETH HALL)

9. Reading of the Journal.

10. SECRETARY:

11. Monday, June the 19th, 1978.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Senator Johns.

14. SENATOR JOHNS:

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

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. You heard the motion. All in favor say Aye. Opposed Nay.
20. The motion is carried. Senator Johns.

21. SENATOR JOHNS:

22. Mr. President, I move that reading and approval of the Journals
23. of Tuesday, June the 20th and Wednesday, June the 21st in the year 1978 be
24. approved...be postponed pending arrival of the printed Journals.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. You've heard the motion. All in favor say Aye. Opposed Nay.
27. The Ayes have it. The Senate will stand at ease for a few moments.
28. For what purpose does Senator Soper arise?

29. SENATOR SOPER:

30. To make a motion. I move that we recess till two o'clock
31. this afternoon and give everybody a chance to have breakfast and
32. lunch.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Well, Senator I think we have a quorum present now so we
2. will be starting shortly.

3. SENATOR SOPER:

4. Well that's why I want to make the motion.

5. PRESIDING OFFICER: (SENATOR KENNETH HALL)

6. We'll get back to you in a few minutes, Senator Soper.

7. SENATOR SOPER:

8. Well, I got a motion on the Floor. Don't you recognize the
9. motion?

10. PRESIDING OFFICER: (SENATOR KENNETH HALL)

11. I never got a second to it, Senator.

12. SENATOR SOPER:

13. Well there's a second right there. Let's go.

14. PRESIDING OFFICER: (SENATOR KENNETH HALL)

15. All in favor say Aye. Opposed Nay. The Noes have it.

16. SENATOR SOPER:

17. Roll call.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. A Message from the Governor.

20. SECRETARY:

21. A Message from the Governor by Zale Glauberman, Director of
22. Legislative Affairs - Mr. President, the Governor directs me to
23. lay before the Senate the following message: To the Honorable
24. members of the Senate, the 80th General Assembly. I have
25. nominated and appointed the following named persons to the
26. offices enumerated below and respectfully ask concurrence and
27. confirmation of these appointments by your Honorable Body.

28. PRESIDING OFFICER: (SENATOR KENNETH HALL)

29. Executive Appointments.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. House Bills, 3rd reading. There are a number of bills which
32. at least in the opinion of some on the Floor are noncontroversial.
33. We will attempt to handle those first. Yeah, I think...we have to

1. wait for the full complement to bring them back from 2nd.
2. Senator Graham, you want to start us off? 2867. On the Order
3. of House Bills, 3rd reading, the bottom of page 6 on the Calendar.
4. House Bill 2867. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 2867.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER:(SENATOR ROCK)
10. Senator Graham.
11. SENATOR GRAHAM:
12. Yes, Mr. President...Mr. President and members of the Senate.
13. This is a noncontroversial bill in the area which it supports. It
14. provides for an extension of the Metropolitan Sanitary District
15. sewer into Palatine Township so that the national office of the
16. Square D Company can locate there. I ask for a favorable roll
17. call.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Is there any discussion? If not, the question is, shall
20. House Bill 2867 pass. Those in favor will vote Aye. Those
21. opposed will vote Nay. The voting is open. Have all voted who
22. wish? Have all voted who wish? Take the record. On that
23. question, the Ayes are 45, the Nays are 1. None Voting Present.
24. House Bill 2867 having received the constitutional majority is
25. declared passed. Senator Davidson on 2486. Top of page 4 on
26. the Calendar. House Bills, 3rd reading. House Bill 2486. Read
27. the bill, Mr. Secretary.
28. SECRETARY:
29. House Bill 2486.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER:(SENATOR ROCK)
33. Senator Davidson.

HB 2945
6-22-78
2nd Reading

1. SENATOR DAVIDSON:

2. Mr. President and members of the Senate. This bill is...
3. does what it says on the face of it. There was a conflict in
4. the Inheritance Tax Statute. It says one place when you file
5. your fee you pay the fee to the Circuit Clerk another place
6. said you paid it to the County Treasurer and he in turn paid
7. it to the Circuit Clerk. This bill is requested by the State
8. Treasurer's Office and the County Treasurer's Office. It
9. removes them from it and the fee is there. It's paid to the
10. Circuit Clerk as it should be. I ask for a favorable roll call.

11. PRESIDING OFFICER:(SENATOR ROCK)

12. Is there any discussion? If not, the question is, shall
13. House Bill 2486 pass. Those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all voted who
15. wish? Have all voted who wish? Take the record. On that question,
16. the Ayes are 49, the Nays are None. None Voting Present. House
17. Bill 2486 having received the constitutional majority is declared
18. passed. Senator Bruce, how about 2945. Yes, Senator Graham, for
19. what purpose do you arise?

20. SENATOR GRAHAM:

21. I rise for the purpose of making an announcement, if I have
22. leave please?

23. PRESIDING OFFICER:(SENATOR ROCK)

24. Your request is in order.

25. SENATOR GRAHAM:

26. Mr. President, your dear friend and mine and a friend of
27. all of us, if he has acted a little strange the last couple of
28. days he has a reason to do that. Grandpa Weaver just had a
29. beautiful red-headed baby grandson the night before last and
30. Weaver will be back on earth about in two more days. I think
31. we owe him congratulations.

32. PRESIDING OFFICER:(SENATOR ROCK)

33. Congratulations. Senator Bruce, 2945? On the Order of

1. House Bills, 3rd reading, House Bill 2945. Read the bill, Mr.
2. Secretary.

3. SECRETARY:

4. House Bill 2945.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Bruce.

9. SENATOR BRUCE:

10. Thank you, Mr. President and members of the Senate. Senator
11. Graham, I'm glad that he mentioned by name the person that was
12. acting strange around here. There's so many of my friends that
13. act strange, Senator, that I wouldn't have been able to identify
14. if you hadn't given Weaver's name. 2945 is a bill that has been
15. before the Senate and passed out of here, I think, 51 to nothing
16. last time. My House sponsor was dilatory and the bill remained
17. in the House Rules Committee. This is the bill that Senator
18. Weaver had some interest in. It relates to the University of
19. Illinois and other annuitants in the State Employees Group Insurance
20. Program and it insures that the annuitants that were inadvertently
21. knocked off by an Attorney General's opinion in March 31st of
22. this year are restored to the system and are covered along with
23. the survivor's of annuitants. The bill now has the approval of
24. the Department of Personnel and I'd ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? If not, the question is, shall House Bill
27. 2945 pass. Those in favor will vote Aye. Those opposed will
28. vote Nay. The voting is open. Have all voted who wish? Have
29. all voted who wish? Take the record. On that question, the
30. Ayes are 49, the Nays are None. None Voting Present. House Bill
31. 2945 having received the constitutional majority is declared
32. passed. Senator Merlo. Senator Sangemeister. On the Order of
33. House Bills, 3rd reading. On the top of page 4, House Bill 2447.

HB 2447
6/22

1. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 2447.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Sangmeister.
8. SENATOR SANGMEISTER:
9. Thank you, Mr. President and members of the Senate. As you
10. know for a long time in the State of Illinois the law was that
11. an illegitimate could inherit from its mother. This change in
12. the law will also allow an illegitimate to inherit from its father.
13. This bill has been backed by the Chicago Bar Association and by
14. the Illinois Bar Association and for those who may be concerned
15. about the paternity aspect of the bill I wish to assure you that
16. this bill sets up strict standards of evidence when determining
17. paternity for inheritance purposes after the father's death.
18. These strict standards will discourage fortune hunters and they
19. will also allow for the proof of heirship where there's not been an
20. acknowledgement during the father's lifetime so to put the thing
21. in focus an illegitimate can inherit from its father if there has
22. been an adjudication of paternity or if after his death there has
23. been a hearing by clear and convincing evidence. Be happy to
24. answer any questions and if not would request a favorable roll
25. call.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Is there any discussion? If not, the question is, shall
28. House Bill 2447 pass. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Take the record. On that
31. question, the Ayes are 50, the Nays are None. None Voting
32. Present. House Bill 2447 having received the constitutional
33. majority is declared passed. Senator Grotberg, page 10...page 10

1. on the Calendar. House Bills, 3rd reading. House Bill 3228.
2. Read the bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 3228.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER:(SENATOR ROCK)
8. Senator Grotberg.
9. SENATOR GROTBURG:
10. Thank you, Mr. President and members of the Senate. This is
11. the bill that merely transfers the function of keeping statistical
12. records for the study of juvenile delinquency from the Illinois
13. Delinquency Prevention Commission to the Illinois Department of
14. Law Enforcement. I'd ask for a favorable roll call.
15. PRESIDING OFFICER:(SENATOR ROCK)
16. Is there any discussion? Senator...Senator Maragos.
17. SENATOR MARAGOS:
18. Will the sponsor yield to a question?
19. PRESIDING OFFICER:(SENATOR ROCK)
20. The sponsor indicates he will yield. Senator Maragos.
21. SENATOR MARAGOS:
22. Has the Commission on Juvenile...the Prevention of Juvenile
23. Delinquency agreed to this or this being taken over because of the
24. Department of Law Enforcement's desires only?
25. PRESIDING OFFICER:(SENATOR ROCK)
26. Senator Grotberg.
27. SENATOR GROTBURG:
28. This is an agreed administration bill. The...the whole thing
29. has been worked out by both the commission and...and the Depart-
30. ment of Law Enforcement.
31. PRESIDING OFFICER:(SENATOR ROCK)
32. Senator Maragos.
33. SENATOR MARAGOS:

1. The reason I asked because this was specifically always
2. in the department, even in the old Juvenile Delinquency Commission
3. before it was emerged with the Department of Corrections. Now
4. this is going to be part of the Law Enforcement and...but if its
5. an agreed order I...an agreement between them I will not object
6. to it but it seems odd because this was supposedly these records
7. were supposed to be handled and kept rather secret and only for the
8. purposes of the juvenile delinquents in case they had any records
9. to try to prevent them and not to make them public records under
10. the...the Family Law Provisions of the State of Illinois but if it
11. was by agreement I guess I can't object to strongly but I had
12. some questions about it.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Yes, Senator...Senator, there...there's been a request...
15. Is leave granted to allow television filming? So ordered. Leave
16. is granted. Senator Mitchler.

17. SENATOR MITCHLER:

18. Thank you, Mr. President. I'll be the first on TV.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Good.

21. SENATOR MITCHLER:

22. I believe what...Senator Maragos is alluding to is the fact
23. that this is making a big change in what was the juvenile information
24. officer's file that I feel was a very effective manner in handling
25. juvenile delinquents at the local community level. They kept this
26. very confidential file and would share it with each other locally.
27. For example, a youngster twenty miles away would get in a little
28. problem he'd call up the home town police department to find out
29. what they had on the lad and they'd handle it locally. Now through
30. previous legislation and some changes in the Juvenile Code this
31. is being destroyed and I think its a step in the wrong direction
32. but the step is being taken and let's see how it works. It may
33. be back here that we revert back to the old system that I thought

1. was a very workable thing and I know the police officers in my
2. area, Captain George Kramer and the Batavia Police Department,
3. Vic Brant; former sheriff and probation officer in Kendall County
4. I worked very closely with them on this particular type of
5. juvenile...officer's information file but we'll support this.
6. This is the direction the administration is desired to go.
7. PRESIDING OFFICER:(SENATOR ROCK)
8. Any further discussion? Senator...Senator Ozinga.
9. SENATOR OZINGA:
10. Just a question of the sponsor.
11. PRESIDING OFFICER:(SENATOR ROCK)
12. Indicates he will yield. Senator Ozinga.
13. SENATOR OZINGA:
14. Have the personnel of this commission...department been
15. taken over by the...Grotberg...Have the personnel of the
16. Delinquency Commission been physically taken over by the Depart-
17. ment of Law Enforcement now?
18. PRESIDING OFFICER:(SENATOR ROCK)
19. Senator Grotberg.
20. SENATOR GROTBORG:
21. Not at this point in time. Not until we pass the bill.
22. PRESIDING OFFICER:(SENATOR ROCK)
23. Senator Ozinga.
24. SENATOR OZINGA:
25. My question is, they will be physically taken over?
26. SENATOR GROTBORG:
27. To my knowledge yes. That's your...
28. PRESIDING OFFICER:(SENATOR ROCK)
29. Any further discussion? Senator Collins.
30. SENATOR COLLINS:
31. Question of the sponsor.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. He indicates he will yield. Senator Collins.

1. SENATOR COLLINS:

2. Senator Grotberg, I haven't seen the bill in detail but
3. the confidentiality provisions that was under the old files on
4. the system are they preserved once the bill is transferred to
5. the Department of Law Enforcement?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator...

8. SENATOR COLLINS:

9. I'm concerned about who will have access to these records?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Grotberg.

12. SENATOR COLLINS:

13. I can't hear you.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Grotberg.

16. SENATOR GROTBURG:

17. If you'll just allow me to close to assure everybody including
18. Senator Collins. Everything remains the same. The file physically
19. is moving its jurisdiction from the Juvenile Delinquency Prevention
20. Bureau to the Department of Law Enforcement. Senator Mitchler...
21. Senator Mitchler, everything stays in tact. All the
22. confidentiality, all the relationships with the local police.
23. Everything. The file responsibility goes to the Department of
24. Law Enforcement which has a pretty nice way of handling things
25. confidentially and probably more so than anything that there is
26. in the State of Illinois so I assure you that nothing dangerous
27. is going to happen with the transfer of this responsibility and
28. I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Graham.

31. SENATOR GRAHAM:

32. Sir...Mr. President, thank you. I help clear this up a
33. little bit. All the people that remember the juvenile delinquency

1. file might remember the fact that I kept that thing alive two
2. years when it almost went out of extinction and through the
3. period of time that this very efficient and very effective
4. juvenile delinquency program has been operating it has been
5. relegated to the second shelf in the...in the...with respect
6. to the fact that the various departments have been unwilling
7. to put out the kind of funding that was necessary to keep it
8. going and make it a State-wide program. Now it was dying on
9. the vine and it's unfortunate that it was and I think to make it
10. a State-wide effective program the only way to do it then is to put
11. it under the Department of Law Enforcement and this is a State-
12. wide effective program, we hope, and let it proceed and they are
13. capable of keeping the confidentiality of this file which has
14. been going since 1963 when I started with an original appropriation
15. of sixty-nine thousand dollars and I ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any further discussion? If not, the question is, shall House
18. Bill 3228 pass. Those in favor will vote Aye. Those opposed
19. will vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question, the
21. Ayes are 52, the Nays are 1, 1 Voting Present. House Bill 3228
22. having received the constitutional majority is declared passed.
23. Senator Walsh, how about 3277? Last chance. 2714, Senator Regner.
24. Middle of page 5. House Bills, 3rd reading. House Bill 2714.
25. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 2714.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Regner.

32. SENATOR REGNER:

33. Mr. President and members of the Senate. What this bill does

1. is abolishes the Court of Claims Fund. The local government
2. law enforcement officers fund into local fire
3. protection personnel fund. Currently with the existence of these
4. special funds it necessitates transfers from General Revenue.
5. Then you have to make the appropriations and expenses from these
6. special funds so by eliminating these special funds and having
7. a direct appropriation which we already passed the direct
8. appropriation bill and it is in the...in the House would eliminate
9. these unnecessary transfers and I ask for a favorable roll call.
10. PRESIDING OFFICER: (SENATOR ROCK)

11. Is there any discussion? Senator Maragos.

12. SENATOR MARAGOS:

13. Senator Regner, I think this is a step in the right direction
14. but how are these organizations or the agencies going to be funded
15. then? Just like any of the other departments or the...how are
16. they going to be able to draw on their reserves if I may use the
17. term?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Regner.

20. SENATOR REGNER:

21. It would be a direct Appropriation like everything else,
22. Senator Maragos. We already passed that Appropriation bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Maragos.

25. SENATOR MARAGOS:

26. The...however the Appropriation...whatever they have been
27. doing now. Setting these funds aside without any direct
28. Appropriation or whether they have been earmarked or what? I
29. notice...Do they go on beyond any Fiscal Year now or...or they
30. if there's an overage, do they still stay in that fund? Is that
31. the reason why we want this sunset approach?

32. SENATOR REGNER:

33. Yes...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Regner.

3. SENATOR REGNER:

4. ...then what this would do then is make it like everything
5. else we appropriate on a direct Fiscal Year basis and we'll
6. appropriate every year and they'll just expend those funds so
7. we'll have better controls of it and we won't have those extra
8. funds sitting around.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any further discussion? If not, the question is,
11. shall House Bill 2714 pass. Those in favor will vote Aye. Those
12. opposed will vote Nay. The voting is open. Have all voted who
13. wish? Have all voted who wish? Take the record. On that
14. question, the Ayes are 48, the Nays are 1, 1 Voting Present.
15. House Bill 2714 having received the required constitutional
16. majority is declared passed. On the Order of House Bills, 3rd
17. reading at the top of your Calendar on page 2 is House Bill 15.
18. Senator Bowers. House Bill 15. House Bill 16, Senator Bowers.
19. House Bill 32, Senator Weaver.

20. SECRETARY:

21. House...House Bill 32.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Weaver. Could we take this out of the record for
26. just a moment with leave to come back to it? Leave is granted.
27. House Bill 157, Senator Johns. Read the bill.

28. SECRETARY:

29. House Bill 157.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Johns.

1. SENATOR JOHNS:

2. Mr. President, would it be out of order since this is a
3. package, 157 and 158, to take them in total discussion and then
4. vote on them separately?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Johns has asked that the two bills be discussed
7. and debated jointly and that the individual roll calls then be
8. taken. Is leave...granted to follow that procedure? Leave
9. is granted. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President and members of the Senate. I'm talking to
12. you this morning about what I call landmark legislation. It
13. deals with a problem called mine subsidence. Representative
14. Sissy Stiehl and Monroe Flinn and I and many others have worked
15. about three years in the development of this legislation. This
16. legislation makes insurance available to every person who needs
17. it to protect him from mine subsidence in the State of Illinois.
18. Now many of you have not come to the terms or realization to
19. grasp the fact that Illinois has coal under its boundaries totaling
20. eighty percent of its land masses. We are going to be faced
21. more and more with subsidence as coal becomes the single most
22. important source of energy. People are living in fear that their
23. homes will crack and crumble and be destroyed by mines subsidence
24. from mines that took place many, many years ago. Fifty, sixty,
25. seventy years ago. Now this does not cost the taxpayers of
26. Illinois any money. The money that pays for the repairs and
27. replacements up to fifty thousand dollars comes from premiums
28. paid into this fund by those...homeowners who choose to purchase
29. this insurance. It is not mandatory. It is strictly voluntary.
30. The Federal Government is looking at Illinois for the step that
31. it is taking here today towards passage of this bill. Other
32. states have communicated with me and the House sponsors on this
33. legislation. The insurance companies have worked closely with us

HB 157 & 158
Vandalabene
6/22/73

1. and they have amended this bill to meet their needs and to
2. allay their fears that they might be tagged with the cost of
3. this program. If there are any questions from the Body I
4. would be glad to try to answer them.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? Senator Vadalabene.

7. SENATOR VADALABENE:

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

9. As joint sponsor of House Bill 157 and 158 I rise in support of
10. this legislation also. As you recall I had similar legislation
11. in the Senate and Tabled my bills in lieu of 157 and 158 so that
12. we could go with one complete package of bills so that two bills
13. or two Senate...or Senate bills and House bills would not have
14. to be amended to satisfy all concerned people. Now Senator Gene
15. Johns has indicated about the subsidence problem and also about
16. the problems that may occur when the development of coal in
17. Illinois is begun on a full scale, however, I have witnessed in
18. my district and in Senator Hall's district what the subsidence
19. problem is and for us who knew...are not aware of what
20. subsidence means it means while you're sleeping in your house
21. the walls start cracking, the floors start cracking, the joists
22. start leaving, your pipes into your gas electric units start
23. busting and you don't know whether you're going to be alive the
24. next morning. Now let me briefly tell you what this legislative
25. ...package is designed to provide. At the present time it is
26. impossible for a property owner to get any type of coverage from
27. an Illinois or out-of-state insurance company. No State or
28. Federal funds are available to mine subsidence victims. They do
29. not even qualify for a special low interest loan and all the
30. programs are geared toward natural disasters and subsidence is
31. not so defined and during the research it was found that mining
32. rules and regulations in Illinois have not updated since 1911
33. and in the interest of the property owners in this State it was

1. felt that it was necessary that these regulations be reviewed
2. particularly in view of the fact that two-thirds of the State's
3. terrain is underlying coal. Now mine subsidence insurance program
4. is not designed nor intended to become a heavily subsidized
5. State operated program and rather the program is designed to
6. be operated through the existing insurance industry and the
7. cost borne by the policyholder. It is designed solely for the
8. purpose of granting assistance and assurance to the thousands
9. of people in Illinois who are living over abandoned underground
10. mines and realizing that start-up funds would be necessary in order
11. to insure viability we need this legislation and while
12. subsidence is a very serious problem affecting communities in
13. Central and Southern Illinois no easy solution exists and so my
14. colleagues on both sides of the aisle I would appreciate a
15. favorable vote in regard to House Bill 157 and 158. Thank you.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Davidson.

18. SENATOR DAVIDSON:

19. After that long speech all I want to say I'm in support
20. of this legislation being probably the town that has most of it
21. undermined anywhere in Illinois is Springfield. We used to have
22. fifteen operating coal mines within the city limits when it was
23. a lot smaller than it is now. This is excellent legislation.
24. Appreciate a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Well I've heard a lot about what this legislation does and
29. that it's not going to cost the taxpayers any money but it seems
30. strange to me that we would have to legislate unless it is...
31. unless there is going to be some State funds or Federal funds
32. involved because if the insurance industry wanted to come in and
33. write this I can't see any reason they wouldn't want to write it

1. so what I'm asking the sponsor is just where does the State of
2. Illinois get involved?
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Johns.
5. SENATOR JOHNS:
6. Well until an industry such as the insurance industry
7. takes the stance that we're making them take...How am I going
8. to speak up when I...well...Mr. President, I'm not...
9. PRESIDING OFFICER:(SENATOR ROCK)
10. Senator Johns is trying to answer the question.
11. SENATOR JOHNS:
12. Well, I certainly am.
13. PRESIDING OFFICER:(SENATOR ROCK)
14. Senator Johns.
15. SENATOR JOHNS:
16. Well, I'm sorry.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Johns.
19. SENATOR JOHNS:
20. Mr. President, I don't feel that I have to shout. These men
21. are all capable of listening if they want to listen. Well, I
22. could answer that in many ways. Well, if you don't like the
23. legislation you vote as you please which you always do. Now,
24. we have worked with the insurance industry. One of the things
25. that has bothered many of us as well as the insurance industry
26. is that there's not enough information available to the public
27. from the mining industry from old abandoned mines that...have
28. been worked out. There's no way that people could insure a
29. facility not knowing the ramifications of that policy because
30. many of these grounds have been undermined and nobody has the
31. maps. We want the...Institute for Environmental Policies will
32. also make a review of the existing extractions of coal, will
33. see that these are made public and give the insurance industry

1. a fair chance to appraise the cost of premiums. I don't think
2. that they should be forced to buy this right now until we get
3. more information. I'm...I'm a sensible man and I know that the
4. risks...the premium would be exceedingly high for our property
5. owners if they didn't have something to judge the premiums by
6. which they don't.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Well, Mr. President, that information is available. I have
11. ...I have had land that I sought to consider for subdivision and
12. I went to the Department of Mines and Minerals and that information
13. they have...they have maps over there and I'm just wondering, you
14. know, they're available to the insurance industry. They're
15. available to me. I wasn't in the Senate at that time. I could
16. find out where...whether this land was undermined or not. There's
17. something about this bill that I want...want an answer to a question.
18. What is this going to cost the State of Illinois and what are we
19. going to do with respect to when we get this information under-
20. writing it or something of that nature? What's the plan?
21. PRESIDING OFFICER:(SENATOR ROCK)

22. Senator Knuppel, have you concluded?

23. SENATOR KNUPPEL:

24. I've asked...I've asked another question...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Johns.

27. SENATOR KNUPPEL:

28. I've heard a lot of weaselwording. A lot of mumbling but I
29. haven't heard answers.

30. PRESIDING OFFICER:(SENATOR ROCK)

31. Senator Johns.

32. SENATOR JOHNS:

33. We're not all so amply endowed as a few but let me say this.

1. This is not going to cost the State of Illinois anything. It's
2. going to cost those that want the insurance. It's not mandatory.
3. It's strictly voluntary. The people, the Director of Insurance
4. will designate the counties that have to have the insurance
5. because they have been mined out. Then the people will purchase
6. the premiums. Then the premiums will go into the...to the fund and
7. they will pay for the reimbursements. Now, for example, in the
8. State of Pennsylvania out of, for example, ten thousand of policies
9. being sold only forty-six claims were...were made. Now this is not
10. going to cost the taxpayers. It's not intended to. It will not
11. cost them. It will cost only those people who owned the homes who
12. want the insurance.

13. PRESIDING OFFICER:(SENATOR ROCK)

14. Senator Knuppel.

15. SENATOR KNUPPTEL:

16. Mr. President, it's unbelievable to me that we have to pass
17. legislation and we didn't have to pass it to get insurance
18. companies to write title insurance, to write life insurance, to...
19. write health insurance. There's something here that I don't under-
20. stand and more than that I can't understand the need for insurance
21. if in the State like Pennsylvania as...much mining as they've had
22. if they only had forty-six claims. Now, this sounds like the old
23. deal and I've never seen it fail. The two fellows that stood up
24. here and spoken on it...on it and I love them both. They're both
25. Democrats but they're the two biggest Robin Hoods in this legislature.
26. They're...they're always here...they're always here with their hands
27. out and...and I don't see this bill as being either necessary unless
28. somebody is trying to get the Government down the road here for
29. something and that's the reason I can't support it. I've seen too
30. many of these bills and only once Senator Hickey came in here once
31. looking like...looking like Vadalabene from...from up in Rockford
32. but generally these people are here and there's something and I
33. don't understand. We don't need legislation for insurance companies

1. to write life insurance, title insurance, health insurance, any...
2. automobile insurance. There's something wrong with this and you
3. can go to the Department of Mines and Minerals despite what they
4. tell you and you can find out if you're interested in a particular
5. piece of land. I just had a secretary that was interested in buying
6. a piece of land out north of town here and I told her to go over
7. there and find out. Walnut Hill, part of it has been undermined.
8. I just don't think that this bill and what's planned here. We're
9. going to get into something and...and we're told it isn't going
10. to cost us anything but I'll be damned if I've ever seen that
11. bill that we've passed that didn't cost us anything. We don't
12. need it if it isn't going to cost us anything. There's no free
13. lunch and I'm going to have to vote against it.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Mr. President and members of the Senate. I think we're
18. confusing two bills that although related in subject matter are
19. somewhat different. House Bill 157 as I read it has been amended
20. to have the Institute of Environmental Quality conduct a study
21. of the mines subsistence in Illinois. To my knowledge they do not
22. have a line item Appropriation to conduct this study and I think
23. that our Appropriation to the Institute of Environmental Quality
24. ...has line items so that we can have some control over what they
25. study because we can put study after study in to that agency
26. and they can run up a big bill for the taxpayer. Now, that's
27. what we're considering now, House Bill 157. When you get to
28. House Bill 158 I think you'll get into some of the problems
29. that Senator Knuppel is alluding to but, am I correct, Senator
30. Johns? This is merely for the Mines Subsistence Study Act,
31. which directs the Institute for Environmental Quality to conduct
32. a study and report back whether it's sometime in 1979 to the
33. General Assembly and the Governor on the...the problems that we

1. have so not to...construe the two there's no Appropriation
2. to my knowledge to the Institute of Environmental Quality to
3. do this study. Now, if they're going to find this money in-
4. house, okay, but somewhere along the line they're going to
5. have to make an Appropriation to the institute to conduct this
6. study. How much I don't know. Maybe Senator Johns can answer
7. that.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is that a question of Senator Johns?

10. SENATOR MITCHLER:

11. Yes.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. He indicates he will yield. Senator Johns.

14. SENATOR JOHNS:

15. Pardon me, Senator Mitchler. Go over that last bit again.

16. I was reading something right here. . Would you please? About...

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Senator Johns, the question was, to my knowledge there's
21. no Line Items Appropriation to the Institute of Environmental
22. Quality to conduct this study and it's practice that we do
23. give them Line Items Appropriations so that they conduct...can
24. conduct studies. Now what will this study cost? Is there going
25. to be an Appropriation somewhere amended into their Appropriation?
26. if this legislation passed or where they going to get the funds
27. and how much will they need to conduct this study?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Johns.

30. SENATOR JOHNS:

31. It's a very good question, Senator Mitchler and the sponsor
32. in the House hasn't indicated to me what it will cost. I can see
33. that it would be minimal because this is in line with their duties

1. and responsibilities and I imagine all they have to do is compile
2. it with staff help.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President and members of the Senate. This,
7. obviously, is legislation that has a great deal of interest in
8. a particular area of the State. Some of us in other parts of
9. the State don't really quite comprehend so I want to say to the
10. sponsors I am going to be supporting it because I defer to your
11. better knowledge and in return I sometimes hope that you'll give me
12. the same consideration. There is, of course, a question...a
13. question that has been plaguing me and that is while this is
14. undoubtedly a problem that has generated over a long period of
15. time what provisions, if any, are being taken to prevent a
16. continuation or an extension of the problem as the result of
17. current mining? What can we do or what can the mines do that
18. will keep those...those channels...those tunnels from ever
19. collapsing in the future?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, I think I can...if Senator Johns will yield, I think
24. I can answer that question.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Johns.

27. SENATOR JOHNS:

28. If you read the bill...the institute shall also review
29. the laws and rules and regulations of other governmental units
30. which are designed to prevent mine subsidence. Now, Senator
31. Berning, having lived in the coal fields all my life and knowing
32. that each day we are faced with new subsidence in Southern
33. Illinois...we just had the third one on a major highway, you

1. cannot prevent the...subsidence that will occur in these
2. abandoned mines. You see. But now in the future they're
3. using new types of...of extraction of coal where they use
4. a larger pillar of coal to remain standing and they're
5. using all kinds of roof bolts and so forth and they're not
6. doing as they used to do in the old days just taking all
7. they could, pulling out and letting it come in.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Joyce. For what purpose...

10. SENATOR JOYCE:

11. Thank you...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. ...for what purpose does Senator Vadalabene arise?

14. SENATOR VADALABENE:

15. Yes, I want to further answer Senator Berning's question
16. in regard to what is being done in future subsidence. Senator...
17. Senator Berning, where's Senator Berning? Okay. Governor
18. Thompson signed his first bill as ~~Governor~~ of the State of Illinois
19. which was Senate Bill, I think my...178, which was the Ingress-
20. Egress legislation to let...to let the different construction
21. firms through a Federal program to go into these abandoned
22. mines and these present mines and with a air compressor device
23. they have...come in with and...and the projects are going on
24. right now in Maryville and in St. Clair County where they
25. take these gob piles that you and I know them as slack piles and
26. with air pressure they're pumping down into these abandoned
27. mines and...and into these present mines Federal monies in
28. the tune of four million dollars and they claim under this
29. procedure which was going on in Pennsylvania that there will
30. possibly be a subsidence of not more than two inches on...on
31. any future coal mining operation below. They're...they're
32. going to the use of the slack pile which will take the
33. acidity off the top of the ground...it's an environmental issue

1. getting rid of that gob and also filling these caverns in the
2. mines below and, Senator Knuppel, in regard to your Robin Hood
3. over there, you know, you just make a hell of a lot of noise
4. over there but you...there's no handout here. This will be
5. assessed to the...policyholders in the thirty-seven counties
6. between four to five dollars a premium and...after November
7. 1 of '79 any subsidence that occurs after that, the insurance
8. company does not have to issue any policies so there's some
9. safeguards for the insurance companies in here and please,
10. Senator Knuppel, come down to Madison and St. Clair County
11. and see how those...poor people are living every night with
12. their houses splitting in half.

13. PRESIDENT:

14. Senator Joyce.

15. SENATOR JOYCE:

16. Thank you, Mr. President. In regard to the thing about
17. where you'd know where the shafts are underground. That
18. isn't always the case because in the late 1800's when they
19. were mining these and doing the shaft mining they didn't always
20. go just where they were supposed to go. They went where the
21. coal was easy to dig and where they could get it out easily and
22. that's where they went. Now, right across the road from where
23. I live and I live in a...a place where there's a lot of old
24. shaft mines. There's also a strip mine. Now, they went in
25. there and dug and they hit all kinds of shafts that were not
26. supposed to be there so they don't know where they are. You
27. can't go to the Mines and Minerals and find out exactly where
28. all of these shafts are. They went where it was the easiest
29. to dig so I'm in support of this legislation wholeheartedly.

30. PRESIDENT:

31. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Just to say, Mr. President and fellow Senators that for

1. those counties that have not had active coal mining operations
2. you better be prepared for this problem. If you think you're
3. not interested in it, you may be shortly, because the large
4. coal companies and fuel companies have leased many, many
5. thousands of acres of land under previously unproductive coal
6. areas so I think it's something all of us ought to be interested
7. in and I recommend a vote in favor.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. I just wanted to rise very briefly, Mr. President, to say
12. that as previous speakers have indicated this is a major, major
13. problem and it will continue to become more of a major problem
14. in Senator Knuppel's district and everywhere across the State
15. as we do more and more underground mining. Hopefully the problem
16. has been taken care of now but some of these mines as they get
17. older and older and older we have highways that...that fall into
18. the...fall into a hole overnight. We have homes that fall into
19. a hole overnight. School buildings. It's happened in Senator
20. Johns' district. One particular school building has fallen
21. twice and this is legislation that's been worked on for a
22. long time. We need it and I think it's a good bill and we
23. ought to support it.

24. PRESIDENT:

25. Senator Johns may close the debate.

26. SENATOR JOHNS:

27. Mr. President, I'm not here for handout. There's no money
28. in this for anybody. I resented that. I...at least I don't
29. have my tongue out half the time but let me tell you this...I'll
30. tell you this, this is for people...this is for people, if you
31. just be courteous for once and let somebody speak. This is for
32. people who live in fear of the holocaust of mine subsidence.
33. Just imagine yourself being in your home and having purchased it.

1. You can groan and moan all you want to but when it happens to
2. you it's...it's just something that...that you have never
3. anticipated. You've heard about it and you thought it couldn't
4. happen to you and then when it does you and your family are...
5. could be financially ruined and forced into bankruptcy because
6. the real estate values fall just drastically and nobody wants to
7. buy that house or anything in the neighborhood. This insurance
8. is vital to these people. Not just to Southern Illinois but to
9. eighty percent of the land of Illinois where coal could be mined
10. and I ask for a favorable roll call.

11. PRESIDENT:

12. The question is, shall House Bill 157 pass. Those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is
14. open. Have all voted who wish? Have all voted who wish? Take
15. the record. On that question, the Ayes are 50, the Nays are 1,
16. None Voting Present. House Bill 157 having received the
17. constitutional majority is declared passed. House Bill 158.
18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 158.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. The question is, shall House Bill 158 pass. Those in favor
25. will vote Aye. Those opposed will vote Nay. The voting is
26. open. Have all voted who wish? Have all voted who wish? Take
27. the record. On that question, the Ayes are 51, the Nays are
28. 3, None Voting Present. House Bill 158 having received the
29. required constitutional majority is declared passed. House Bill
30. 236. House Bill 297, Senator Knuppel. House Bill 384, Senator
31. Guidice. House Bill 1068, Senator Ziomek. House Bill 1088,
32. Senator Kenneth Hall. House Bill 122...1226, Senator Graham.
33. For what purpose does Senator Knuppel arise?

1. SENATOR KNUPPEL:

2. Well, I've got a couple of bills on there. I think they've
3. been considered for pay raises. I don't want to take something
4. that people ought not to have back up there. Maybe we ought to
5. just Table those bills.

6. PRESIDENT:

7. Well, you'll have an opportunity to do that at a later point
8. in the Session, Senator. Senator Graham on House Bill 1226.
9. House Bill 1270, Senator Berman. House Bill 1436, Senator Clewis.
10. House Bill 1470, Senator Lemke. House Bill 1533, Senator Kenneth
11. Hall. House Bill 1803, Senator Davidson. House Bill 2105, Senator
12. Demuzio. House Bill 2219, Senator D'Arco. House Bill 2256,
13. Senator Clewis. House Bill 2359, Senator Chew. House Bill 2428,
14. Senator Rhoads. Read the bill.

15. SECRETARY:

16. House Bill 2428.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. House Bill 2428 amends the State...Employees Group
24. Insurance Act. It provides that State money will not be used
25. for elective abortions where the noncontributory portion is
26. paid...the money is paid by the State. In Fiscal Year 1978
27. so far there have been twenty-five abortions which were paid
28. for by public employees...performed for public employees who
29. had State paid group...group health insurance. In Fiscal Year 1977
30. there were two hundred and sixty-five. In Fiscal Year '76
31. a hundred and forty-seven. In '75 ninety-nine and in '74 one
32. for a total of five hundred and thirty-seven abortions to date
33. which were paid for by State taxpayers money. The principle

1. established by the General Assembly last year in overriding
2. the Governor's Veto on House Bill 333 was that State tax
3. money would not be used for this purpose. This bill provides
4. that we will be putting State employees on the same basis that
5. we have Public Aid recipients with respect to that very important
6. policy and I urge a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Carroll.

9. SENATOR CARROLL:

10. If the sponsor will yield to a question? He indicates he
11. will.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. He indicates he will yield. Senator Carroll.

14. SENATOR CARROLL:

15. Senator Rhoads, how do you distinguish between those where
16. the employee is also making family coverage payments? How do
17. you distinguish between the State portion and the employee
18. portion of the premium dollar?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. If the policy is paid for totally by the State, if you
23. contribute nothing that's what this bill affects.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Carroll.

26. SENATOR CARROLL:

27. And for those who have family coverage and even if the
28. employee were receiving an abortion and the State were paying
29. part of the premium the State would have to...the insurance
30. policy would have to pay for it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. That is correct.

2. PRESIDING OFFICER:(SENATOR BRUCE)

3. Senator Carroll.

4. SENATOR CARROLL:

5. So that really all you're doing is discriminating against
6. those who don't have family coverage even though the State portion
7. is paying one and not paying the other because on one the State
8. pays for the employee and...and the employee pays for the rest
9. of the coverage in which case it would be covered but if the
10. employee only is paying...if it only the employee is covered
11. and the State is paying then you say that they cannot have this
12. procedure.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Rhoads.

15. SENATOR RHOADS:

16. No, if the employee elects to pay more...the employee can
17. still opt for contributory coverage but if...if the employee
18. pays no part of it then State tax dollars would not be
19. used for that purpose.

20. PRESIDING OFFICER:(SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. Well, that's basically what I said. In one case the State
24. is paying for the employee coverage and in the other case the
25. State is paying for the employee coverage. The difference is
26. that in the case of the employee who's also covering other
27. members of his family if the employee elects this procedure
28. then it's all right but if the employee did not have family
29. or did not elect to include the family and pay for that
30. additional coverage then the employee...that could be working
31. side by side then that employee would not be allowed to have
32. this type of procedure done at the expense of the insurance
33. company in which the State is paying the premium. You...you're

1. absolutely discriminating against the employee who does not
2. cover the family even though two employees working side by
3. side could have the same procedures done both of whom the
4. State is paying the premium for that employee one would be
5. covered and one would not. It seems to me absolutely
6. ridiculous, additionally, as I think we all know that the
7. coverage itself is a fringe benefit of employment rather than
8. a State payment so I...I just...I think on both grounds, one,
9. that it's totally discriminatory and other it just doesn't
10. make sense. I think it's a bad bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Soper.

13. SENATOR SOPER:

14. Thank you, Mr. President. Senator Rhoads, would you
15. answer a few questions? How...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates he will yield. Senator Soper.

18. SENATOR SOPER:

19. ...How many cases does this cover? Have you got any
20. statistics on it? What do we cover with this? How much
21. money is involved or what?

22. PRESIDING OFFICER:(SENATOR BRUCE)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Yes. I read the...statistics in my opening statement.
26. Of a total of eight hundred and sixty abortions which have
27. been paid for by State Group Health Insurance in the last
28. four Fiscal Years of those eight hundred and sixty, five
29. hundred and thirty-seven have been paid for through the...
30. those employees who are not contributing any money at all to
31. the health insurance...to their health insurance coverage.
32. Now Senator Carroll seems to be confusing the issue here. We're
33. ...I'm talking about the noncontributory portion here, Senator.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Soper and could you break up the caucuses behind

3. Senator Soper. I'm sure he's having difficulty hearing. Senator

4. Soper.

5. SENATOR SOPER:

6. Yes, thank you. Now what will it cost us to regulate and

7. supervise this thing that you want to put through?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rhoads.

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12. (END OF REEL)

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1. SENATOR RHOADS:

2. Well, we all...the department already has those statistics
3. broken out. I...there was no fiscal note. I can't imagine
4. much financial impact for the regulation of this. They
5. already know who is covered and who has the optional portion.
6. The employee still has the option of still getting an extra
7. insurance policy if they want to for...for covering an abortion...
8. an elective abortion.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Soper.

11. SENATOR SOPER:

12. Well, on the five hundred in the last four years, would...
13. what did it cost the State of Illinois or cost the...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. Six hundred and fifty-seven dollars per abortion on the
18. average.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Soper.

21. SENATOR SOPER:

22. Must be going to high class places. But, I was just
23. wondering how many employees you have to add to supervise this
24. or if there...if you tell me it won't cost anything again.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. I can't see how it could because they now have to examine
29. each voucher.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Soper.

32. SENATOR SOPER:

33. Well, it's one of those free deals we get again.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? Senator Collins.

3. SENATOR COLLINS:

4. Question of the sponsor.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Indicates that he will yield. Senator Collins.

7. SENATOR COLLINS:

8. Senator...Senator Rhoads, I'm a little confused. Are you
9. saying that for each coverage under State Employees Group
10. Insurance policy the State pays a specific amount for the
11. various types of...of medical services?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Well, there are...there are...yes, there are certain
16. employees for whom the State pays everything. But you can add
17. dependents and...and contribute to the group health insurance
18. plan.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Collins.

21. SENATOR COLLINS:

22. ...my understanding that abortions or...or whatever coverage
23. is determined by the total policy, by the insurance company
24. and...and...and the State...what is coverage and you would pay
25. the same amount anyway. Are you talking about the premiums or
26. are you talking about a part of a medical...medical service?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rhoads.

29. SENATOR COLLINS:

30. I mean how would you distinguish it? I...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. We're talking, Senator, about the noncontributory portion
2. of the policy. Now, if...the bill is only eleven lines long
3. and it's very simple to read and straightforward. I don't understand
4. your...your problem with it. We're talking about those people
5. who do not contribute. Those who are...who are paid for totally
6. by the State, who have a free ride at State expense. Now,
7. what...what's your question? What's your problem?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Collins.

10. SENATOR COLLINS:

11. My question was are you saying that the State...those
12. persons who don't have...you know, the State is paying all the
13. premium, that they would reduce the premium by deleting the
14. ...the coverage of abortions from that?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. No, I'm not saying that. I'm saying that the State Group
19. Health Insurance Program would not pay for an abortion for
20. those people who do not contribute anything to the program,
21. for those people who are...who have all of their health coverage
22. paid for by the State.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator...Senator Collins, further questions? Senator
25. Lemke. Senator Donnewald.

26. SENATOR LEMKE:

27. Mr. President, fellow Senators. We have approached a problem
28. which was called to our attention by the great news media when
29. we passed 333. They accused us of not treating ourself as the
30. people we were..we were treating under 333. This bill is in
31. answer to that. But let's give you some statistics over the time
32. that the State got involved with paying for abortions. In
33. 1974, they had one abortion. In each year since it has doubled.

1. In '75, it's gone up to ninety-nine, '76, a hundred and forty-
2. seven, '77, two hundred and sixty-five, and when '78 comes, it
3. will probably be the total of five hundred and thirty-seven...
4. will probably be in '78. Each year this grows and it's a
5. monstrosity. I was accused, as Senator Mitchler and many
6. of us Senators who voted for 333, of not doing this for ourself
7. and yet getting the protection in allowing it. Well, I see
8. nothing in the news media now saying that we're doing this
9. and doing it and treating ourself the same way we treated
10. those under 333 'cause the news media hasn't got the guts
11. to print the truth on this issue. We have newspapers that
12. would sell their soul to get an ad so people can get an abortion
13. for butcher clinics. They take their money from anybody and
14. yet they haven't got the guts to say what we're doing here with
15. this bill and I see the so-called liberals running around now
16. and trying to sidetrack this issue when it's them that brought
17. up this issue and brought it to our attention and we made a
18. study and found out what's being done in this State and this bill
19. is in answer to them. And let it be explained to the people in
20. this State that we in the Senate here treat ourself as we
21. treated those under 333 and said that we will not use State
22. dollars for abortion, for Public Aid recipients and we're saying
23. here we will not use State dollars under group insurance
24. for abortions, for ourselves or members of our families.
25. 'Cause we are against the principle of abortion and it's taking
26. a benefit away from me as well as everybody else. But this is
27. a benefit I don't want and I didn't ask for. And we and my
28. people aren't going to pay for it. We want this amendment on
29. 'cause we want to be treated just like anybody else that we
30. treat with our vote on this anti-abortion issue. And we want
31. to stop this monster that's growing in this State and it's growing
32. big and I'm sorry to see it grow from one to two hundred and
33. sixty-five in four years. It keeps doubling and tripling and

1. going along. I urge an Aye vote on this issue because this is
2. vital to us as far as the people that are...care about those
3. children that are being innocently slaughtered and I hope the
4. news media prints that the year the State Senate also voted to
5. cut this benefit out of their provision as they accused us of
6. keeping it and cutting it away from...from those Public Aid
7. recipients. So, I urge an Aye vote and I think we all should
8. vote for this in answer to this and give it back to...where it
9. should be.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bruce.

12. SENATOR BRUCE:

13. Well, I wonder if the sponsor would yield to a question?
14. In the...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Indicates he will.

17. SENATOR BRUCE:

18. In the legislation, you indicate that this will only
19. apply to the noncontributory portion of any program for group
20. insurance. Can you explain to me what portion of the group
21. insurance program is not...is noncontributory?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Senator Bruce, I don't know whether we're...the employee
26. can still opt for that coverage if the employee is willing to
27. pay for it. I cannot say it any simpler than that. But if the
28. employee's health insurance is totally covered by State money,
29. then that particular permissive use of that funds...for an
30. elective abortion would not be permitted and I cited you the
31. example of five hundred and thirty-seven such surgeries were
32. performed in the last four fiscal years. Now, this bill is
33. only nine to ten lines long. What...what is it that you don't

1. understand about it?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Bruce.

4. SENATOR BRUCE:

5. I guess the problem is, Senator, I've dealt with the
6. group insurance program since 1971 and July 1st of 1972,
7. Governor Ogilvie signed into legislation a seven dollar
8. per month per employee grant when we raised the premium
9. some one hundred percent. I don't think that there's any
10. portion of the program that's noncontributory. I don't
11. think that you can involve yourself in the private contracts
12. between insurance company and private carriers. And for that
13. reason, your legislation is defective and probably unconstitutional.
14. I don't think that you can say to the carriers in this State,
15. the seven of them that offer a group program, that no part...
16. that they cannot contract with private employees of the State
17. of Illinois and that because we give seven dollars a month to
18. that program, we...they cannot include in that contract an,
19. individual contract between the insurer and the State employee
20. coverage for abortions. Maybe you can. Whatever you want to do,
21. but I think that your legislation is defective and when it
22. describes the program as noncontributory...the only noncontributory
23. program that we presently have is the life portion and I don't
24. know how you're going to handle that since for the past four
25. years, we've given four cents per thousand per month per employee
26. back as a credit. I would say that that is noncontributory
27. and I therefore, even the life portion has some State contribution.
28. So, I think what you've done is...is say to both the private
29. carriers, the public carriers, the public employees and the
30. dependents which they pay one hundred percent on but are reduced
31. because of a rebate that all of it is void and I think for that
32. reason, it's defective because you have not properly defined what
33. is "noncontributory."

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Rhoads may close.

3. SENATOR RHOADS:

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

5. I'm sure we'll be seeing this legislation again because it's the
6. kind of bill that the Governor typically vetoes. Senator
7. Bruce's objections obviously aren't based on what he feels
8. is the defect in the legislation. They're based on the larger
9. issue involved. This is a simple straightforward bill so that
10. the State will be consistent in its policy that State tax
11. dollars will not be used for the purpose of paying for
12. elective abortions. Those contracts that we have with the
13. health insurance companies can be changed, they can be
14. renegotiated. They certainly have been in the past and the
15. Senator knows that. I'd urge the adoption of this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? The question is on the adoption of
18. House Bill 2428. Those in favor vote Aye. Those opposed
19. vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question the
21. Ayes are 35, the Nays are 12, 1 Voting Present. House Bill
22. 2428 having received a constitutional majority is declared passed.
23. For what purpose does Senator Mitchler arise?

24. SENATOR MITCHLER:

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

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. State your point.

28. SENATOR MITCHLER:

29. Mr. President and members of the Senate. In the President's
30. gallery the center section, is a group of students from
31. Kendall County that are taking a summer program in government and
32. legislative activity. Their teacher is one that has been down here
33. on numerous occasions with groups of students from the junior
high school in Oswego where he's a permanent teacher, Mr. Tom

1. Fletcher, and they're also accompanied today by Victor France
2. who is the probation officer for Kendall County in the
3. 16th Judicial Circuit and also the to be elected sheriff
4. of Kendall County. I'd like to have them rise and be recognized
5. by the Senate. It's a very fine group of students and a very
6. industrious and intelligent leader. Please rise.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Will our guests please rise and be recognized by the
9. Senate.

10. SENATOR MITCHLER:

11. Mr. President, if I may add for the benefit of the
12. group, Tom Fletcher, the instructor, has been a longtime
13. Democrat, a very active one, in Kendall County which...which
14. is...you know, it...really...really takes a lot of perserverance
15. to year after year be a Democrat. However, he is a born
16. again Republican and he declared himself as a candidate
17. for the county board and believe it or not, he won by one
18. vote but then they had a recount and he lost by three votes.
19. But, Tom is a very good friend of many of you down here bringing
20. his students down, but we want to recognize that for Tom in
21. his first attempt at political office.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Clewis sought recognition.

24. SENATOR CLEWIS:

25. I'll yield.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Really, we're in the last two weeks and these long
30. diatribes of running the...the people running for reelection
31. by introducing people from the balcony, do those of us who don't
32. do that, have to endure it? It's a violation of the rules.
33. Some of us do not impose on other people that way. Some of us
aren't candidates for reelection. We understand why it's done,

1. but it's an imposition and it's...it's something that ought not
2. to be done in these, the closing two weeks.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. I would just remind the members that the President
5. has requested along with the Minority Leader that we limit
6. our introductions to our friends in the galleries to school
7. groups in the remaining days of the Session. Senator Clewis.

8. SENATOR CLEWIS:

9. Mr. President and members of the Senate. I rise on a
10. point of personal privilege. Had I been in my seat where
11. I belonged, on the last bill which is a very important bill,
12. Senator Lemke's House Bill 2428, I would have been...Rhoad's
13. bill, I'm sorry...I'm sorry, Mr...Senator Rhoads. The point
14. is, though, that I do want to be recorded as an Aye vote and
15. I apologize for not being in my seat.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The record will so indicate. House Bill 2436, Senator
18. Guidice. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 2436.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Guidice.

25. SENATOR GUIDICE:

26. Thank you, Mr. President and members of the Senate.
27. What this bill...in regards to is the scavenger sales.
28. Currently, owners of delinquent property may bid at a scavenger
29. sale and it affects...it raised the ten year accumulation of
30. debt. This won't change if this bill is passed. What we are
31. changing here is from ten years to five years. What we're looking
32. for is to prevent the abandonment and demolition in the
33. various properties while there is still a chance that the
34. properties are salvagable. After ten years, this...this property

1. ...as the taxes and...become delinquent, these properties are
2. abandoned, they're subject to vandalism. A lot of children
3. play in these buildings and on these properties and we feel
4. that we can get them back on the rolls sooner if we...we
5. move by allowing this...the Statute to be brought to five years.
6. So, looking for support on this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion or debate? The question is shall
9. House Bill 2436...Senator Hynes.

10. SENATOR HYNES:

11. Mr. President, I rise to speak very briefly in support of
12. this bill because it is a very simple one but I think it is
13. vital. And it is simple because it's...it reduces the
14. period for the scavenger sale from ten years to five years.
15. It is vital because it is going to end up saving substantial
16. amounts of money for local governments and for the taxpayers
17. especially in urban areas, and more importantly, it is going
18. to help with the revitalization of our cities. At the present
19. moment, many of these parcels of property are tax delinquent.
20. They are unused and in fact, are unusable and this will
21. reduce by five years the period of time necessary to get
22. these properties back on the tax rolls and make them usable
23. and I think it's an extremely important piece of legislation
24. and would urge your support.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Senator Berning.

27. SENATOR BERNING:

28. Just a question of the sponsor and I'm apologizing
29. for not having read the bill. Does this in any way interfere
30. with the redemption process?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Guidice.

33. SENATOR GUIDICE:

1. Not at all. Everything is the same except it's a five
2. year Statute as opposed to a ten year.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Berning. Further questions?
5. The question is: shall House Bill 2436 pass. Those in
6. favor vote 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 56, the Nays
9. are none, none Voting Present. House Bill 2436 having
10. received a constitutional majority is declared passed.
11. House Bill 2490, Senator Knuppel. House Bill 2491,
12. Senator Knuppel. House Bill 2549, Senator Mitchler.
13. Read the bill, Mr. Secretary.
14. SECRETARY:
15. House Bill 2549.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Mitchler.
20. SENATOR MITCHLER:
21. Mr. President and members of the Senate. This bill
22. transfers the administration of the POW and MIA Dependent
23. Scholarship Program from the Illinois State Scholarship
24. Commission to the Illinois Department of Veterans Affairs
25. in keeping with our transferring of the veterans and their
26. dependent's scholarships to the Department of Veterans
27. Affairs to the Illinois State Scholarship Commission. I'd ask
28. for a favorable roll call.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there further...is there discussion? The question is
31. shall House Bill 2549 pass. Those in favor vote Aye. Those
32. opposed vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question
34. the Ayes are 56, the Nays are none, none Voting Present.

1. House Bill 2549 having received a constitutional majority is
2. declared passed. House Bill 2555, Senator Guidice. Senator
3. Guidice on the Floor? House Bill 2582. House Bill 2600,
4. Senator Knuppel. House Bill 2605, Senator Egan. Read the bill,
5. Mr. Secretary.

6. SECRETARY:

7. House Bill 2605.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Egan.

12. SENATOR EGAN:

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

14. This bill will change the penalty for those taxpayers
15. who refuse to file a personal property tax schedule or
16. swear or affirm to the validity of the content by increasing
17. the cost of the tax itself rather than the assessment.
18. The bill passed favorably out of the Committee on Revenue
19. with no dissent and I know of no opposition and I ask for your
20. favorable consideration.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Senator Soper.

23. SENATOR SOPER:

24. Thank you, Mr. President. Senator Egan, does this change
25. the...this change the proposition if you don't file a return
26. they add fifty percent for nonfiling to the valuation of the
27. property...right, as assessed by the...by the assessor, right?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Egan.

30. SENATOR EGAN:

31. Yes, that's correct. It...it changes the...the penalty from
32. the increased assessment to the increased tax. It's...it's...the
33. end product is the same but the method is different.

1. PRESIDING OFFICER: (SENATOR BRUCE

2. Senator Soper.

3. SENATOR SOPER:

4. Now, if you say the end product is the same, but the
5. assessment is different, why do you need the bill?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Egan.

8. SENATOR EGAN:

9. Well, if...if you have...if you gathered together all of those
10. who fit within this category, all of those who do not file,
11. and add those assessed valuations together, the increase in the
12. assessed valuation is...is the end product under the existing
13. law under the...with the bill...the assessed valuation will
14. not change. The total assessed valuation for any given
15. community will not change. But, the...the penalty will still
16. exist.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Soper.

19. SENATOR SOPER:

20. Yes, but if...if the assessor says that your assessed
21. valuation...your property is say a hundred thousand and he
22. adds fifty percent to the penalty, that makes it a hundred and
23. fifty thousand. It's common practice when you go in
24. and you...and you go into court and you show that the
25. ...the assessment was wrong, immediately they take off the
26. fifty percent penalty. So, you...you go in and then the
27. assessed valuation is judged and you get a...you get a bill
28. and that bill is what the court judges as your personal
29. property plus your...plus the court costs and so forth.
30. Now, under your bill, if you went into court, and you...you
31. got the proper assessed valuation and the tax went
32. on, then you would add fifty percent to that tax bill. In
33. other words, if you ended up with a three hundred dollar tax
bill, you would add a hundred and fifty dollars for...for a

1. penalty. Under the old method, there wouldn't be that kind of a
2. penalty. So, what you're really doing is taking the assessed
3. valuation and reducing it in the counties and making the
4. collection larger by fifty percent on those who don't file,
5. right?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Egan.

8. SENATOR EGAN:

9. Not really. The end result is exactly the same as
10. exists today with the exception that the roles do not inflate
11. ...it's not an arbitrary inflation, actually it is, but it's
12. a false inflation and the...and the penalty still remains.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Soper.

15. SENATOR SOPER:

16. Well, that...that...that's not true, Senator Egan, because
17. the penalty is added after the taxes are judged by the court
18. according to your bill. You add fifty percent, that's what
19. you say. You change it from the assessed valuation to a charge
20. on the...on the...on the final judgment of the court.

21. So, if you're trying to help somebody by avoiding the penalty,
22. you're sure putting them in a box.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. No, that is not true, Senator Soper. The...the penalty
27. is the same. It's the...it's the...the...the process by
28. which you arrive at the figure that differs.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well, Senator...Senator Soper, perhaps some of the other
31. gentlemen ought...Senator Soper.

32. SENATOR SOPER:

33. If what you say is true, that it's the same, then why do you

1. need the bill?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan...the second time.

4. SENATOR EGAN:

5. Well, because, Senator Soper, we have to penalize

6. those who fail to file a return. This is the penalty...

7. the penalty is the same. The way we arrive at that figure

8. is different.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right. Senator Maragos then Senator Glass. Senator Maragos.

11. SENATOR MARAGOS:

12. I think, in rising in support of this bill, that

13. it should be noted that why...what Senator Egan is attempting

14. to state here, I believe, is that by custom and usage

15. the...the...the assessors reduce...or the courts reduce the

16. assessment when you bring them valid evidence at the time

17. of the hearing as to what the actual assessment should be based

18. on income tax return and other corroborative evidence. What...

19. why this is needed, Senator Soper and members of the Senate,

20. is because it will give a more accurate extension of the court

21. of the assessment records upon which other school aid formulas

22. and other assistance can be given to the State and these

23. extensions of these tax records are not inflated as was pointed

24. out by Senator Egan. In other words, if you have a property

25. that's worth a hundred thousand and because you did not file

26. your personal property tax or capital stock tax return and they

27. assess you a hundred and fifty thousand dollars, when you

28. go into hearing you knock off the fifty thousand. But now...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. May we have some order, please. Senator Maragos.

31. SENATOR MARAGOS:

32. By the present laws, the assessor does that. He has the right

33. to do that, but it's a really inflated and false assessment.

By...however the penalty will stay there, and therefore, anybody

1. who wants to take advantage of the law, will not be able to
2. take it because the penalty still will be applied on the
3. tax and not on the assessment and I think this is a good bill and
4. a much needed bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Glass.

7. SENATOR GLASS:

8. Well, I...I think Senator Maragos explained the need for the
9. bill. Under the present law, assessments are inflated.
10. And school districts correctly recognize that because
11. their state aid payments are made on the basis of an inflated
12. assessed valuation. They want to get rid of that fifty
13. percent. And so that's what this bill does and Senator
14. Berman has a similar bill taking a little different
15. approach. I...I think the theory here is that the fifty
16. percent penalty, whether it's on the tax or the assessment
17. can be forgiven by the court and...and reduced at the time of
18. settlement.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Hynes.

21. SENATOR HYNES:

22. Mr. President, I believe Senator Soper may have
23. misinterpreted the bill. I think this is a very important bill
24. and it's very important for the taxpayers. This will eliminate,
25. as Senator Glass pointed out, the distortion that exists
26. with respect to the personal property tax. Right now, we have
27. a system that simply is not workable insofar as the State
28. School Aid Formula is concerned. This bill will clarify that
29. problem and I think it ought to be passed.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? Senator Shapiro.

32. SENATOR SHAPIRO:

33. Mr. President, will the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates that he will yield. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Senator Egan, what is the...and you may have said this
5. earlier, but I was carrying on a conversation over here and
6. did not hear all of the debate, what is the impact to the State
7. as far as increased State aid is concerned? As I read
8. the bill, the fifty percent penalty is an increase in
9. ...a fifty percent increase in valuation which raises the
10. local assessed valuation and reduces the amount of State aid.
11. Now, if we remove the fifty percent extra evaluation, that
12. means there's going to be an increase in State aid. Do you
13. have any idea what the figure is?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Egan.

16. SENATOR EGAN:

17. I don't have a figure, Senator. It will, however, increase
18. the aid and that's why the school boards have endorsed the
19. ...the bill. I...I'll get a figure for you if you want.
20. But you can estimate it in your own mind. I just...I haven't
21. done it.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further discussion? Senator Davidson.

24. SENATOR DAVIDSON:

25. Yes, Senator Egan, this...you say you could get a
26. figure since this will change the formula aid and amount of
27. money that will be going to Chicago school system or any
28. other school system that this applies to, I would like
29. before we vote on it, a projection of that...that cost,
30. because as this bill is written, and it would pass and the Governor
31. would sign it, you're getting the best of both worlds. You're
32. reducing your assessed valuation and consequently the State's
33. contribution will go up. Then the district is going to get

1. the fifty percent penalty that's added onto the tax bill and you're
2. going to get the additional local funds. You're kind of running
3. a...here and I'd like for you to take this out of the record
4. and give me a cost on...on it before you get it to 3rd reading.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Berman, did you seek
7. recognition? Senator Berman.

8. SENATOR BERMAN:

9. I think that it should be recognized that although we're
10. talking about a change in the local assessed valuation,
11. because you're shifting the penalty away, that your
12. largest personal property taxpayers, especially in Cook County,
13. do, in fact, file schedules. All your utilities, your railroads,
14. your...your large corporations do. And I think that you will
15. find...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Excuse me, Senator Berman. I think Senator Davidson's
18. objection is he cannot hear you. Can we take our caucuses off
19. the Floor?

20. SENATOR BERMAN:

21. What I was saying Mr. President...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Berman.

24. SENATOR BERMAN:

25. What I was saying Mr. President, is that I think you
26. will find that your largest taxpayers, the taxpayers that
27. represent the greatest portion of...of the taxes that are
28. assessed do, in fact, file schedules. Everyone of the large
29. corporations, the utilities, they all file their schedules.
30. What you find is the little guy is oftentimes the one who
31. doesn't file and I think that that probably applies across
32. the State without...percentagewise without exception. So, I don't
33. think there's going to be any significant variation
between counties. If you have large personal property taxpayers

1. they know how to prepare those schedules. They know how to
2. file them. They have their accountants putting it together so
3. that they, in fact, don't wind up with any kind of penalties.
4. All this is being done, is, in my opinion...will not have a
5. very substantial change under the school aid formula
6. at all, but will rather reflect proper levels and when you
7. take the State as a whole, you will find that there's
8. probably no variation but you will have more honest
9. evaluations of your personal property tax.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nimrod. Senator Soper, I have you on the list for
12. the second time around.

13. SENATOR NIMROD:

14. Mr. President, a question of the sponsor.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield. Senator Nimrod.

17. SENATOR NIMROD:

18. Senator Egan, do...as a means of understanding a little
19. bit more about the fiscal impact of this particular bill,
20. and in committee or anywhere else, do we have
21. a...an amount that is indicated as to the false assessed
22. valuations that exist as a result of this bill? In other
23. words, let's take a person that hasn't...that hasn't
24. filed it for five years. Each year, his assessed...each year
25. his bill goes up by fifty percent. He starts off with a
26. thousand dollars and next year it's two, it's four, it's
27. eight, pretty soon the assessed valuation is ten thousand.
28. What you want to do is shift that penalty each year as the
29. amount of money onto the tax. I understand that. But, if we
30. knew what amount of money we were shifting in assessed valuation
31. as a result of this, I think it's important that we have some
32. effect on it. What happens after you file the first year if you
33. file again...you get back to your original. But as long as you
don't file that keeps increasing by fifty percent. And that

1. keeps accruing. And now, there's several...that's been accruing
2. to and I just wonder what that fiscal impact would be after
3. all these years.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, well, the penalty increases yearly. There's a lawsuit
8. filed every year and the penalty is so recorded. As soon as that
9. lawsuit is attended to, the penalty is reduced automatically
10. just as it is added automatically. What we're doing, Senator
11. Nimrod, is reducing the assessed valuation...we're not
12. reducing it, we're keeping it at the same level and just
13. increasing the penalty. Now, what you're asking is how much
14. assessed valuation in terms of dollars is increased as a result
15. of the fifty percent automatic increase and I might...as I told
16. Senator Shapiro, I don't have a figure, but you can
17. estimate how many delinquent taxpayers there are in the
18. category. You add that to the inflated assessed valuation for
19. any community including Springfield, every one of your
20. communities. And nobody is getting any increase any different
21. than anybody else. But the fact is that for the School Aid
22. Formula, you have a true and correct amount of assessed valuation.
23. As a matter of fact, Cook County, Senator...Cook County, lost
24. money because of the current situation...because of the
25. current penalty provision. We're just trying to correct that.
26. It will correct it not only for Cook, it will correct it for
27. Springfield, it will correct it in Cicero, in Berwyn and
28. we'll have a true and correct picture in the resulting School
29. Aid Formula distribution.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Senator Egan, a person that files but does not pay, is that
same penalty assessed against the individual as it is if he hadn't

1. filed?

2. SENATOR EGAN:

3. Well, a lawsuit is filed by the State's Attorney and
4. the penalty is, under this bill, will be fifty percent of the
5. tax increase rather than the assessed valuation. The resulting
6. penalty is the same.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Yeah, my question was, is the...is it the same
11. penalty for those who file and for those who do not file?
12. In other words, if you file and don't pay, is the penalty
13. the same as though you had not filed at all?

14. SENATOR EGAN:

15. Oh, I...no. It is not the same. This penalty is assessed
16. automatically for those who do not file or do not
17. swear or affirm to the validity of the filing.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. All right. Then the penalty for those who do file
22. but do not pay, do we know what that is?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. Well, I think that the...the...the level is the amount of
27. ...of the tax assessed as a result of the schedule that's filed.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Buzbee. Senator Berman, I'll put you on the list for
30. the second round. Senator Egan yields to Senator Berman for the
31. purpose of answering the question of Senator Nimrod.

32. SENATOR BERMAN:

33. Senator Nimrod...Senator Nimrod, in answer to your question,
if a person files a schedule and doesn't pay a tax, the...the...

1. penalty is one percent a month.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Buzbee. Senator Schaffer. Senator Schaffer.

4. SENATOR SCHAFFER:

5. Mr. President, I won't pretend to understand the School
6. Aid Formula but I will pretend to understand at least,
7. that the things that this Body does affect it. I have a
8. suspicious feeling that the Chicago fox is in the chicken house again.
9. And I would be very reluctant to vote for this bill until
10. I see some financial figures of the ramifications. People in
11. my district don't go to court to pay their taxes, they just do it.
12. They don't play games. Oh, there are obviously a couple.
13. But I have a feeling that a computer printout from the
14. appropriate authority might reveal some very interesting
15. things and you know this is the kind of thing after each
16. Session, we get a letter from a school board about six months
17. from now saying did you know that you did this and such
18. and I'd like to keep those letters to a minimum and
19. until I am assured that this is not going to be a clever way of
20. readjusting the School Aid Formula, Senator Egan, you'll pardon
21. me if I'm just a little cautious.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Does any Senator wish to speak on this a first time?

24. Senator Soper.

25. SENATOR SOPER:

26. Thank you, Mr. President. I'm not against getting a true
27. assessed valuation. But I say this, that if when you go to
28. court, and the judge assesses the...the true bill as far as
29. the personal property tax is concerned and he said now, you owe
30. a thousand dollars but you failed to file and your penalty is
31. five hundred, fifty percent, then the taxpayer must pay fifteen
32. hundred dollars according to this bill. You took...you took
33. your assessed valuation, you reduced it. If you later went in
and paid on the assessed valuation, then the tax would be the

1. same if you had a fifty percent penalty or if you went...if you
2. went to court and...and the judge said that that was a true
3. valuation but the...the...the additional fifty percent and
4. the assessed valuation went down, then your tax would be the
5. same. But your assessed valuation would be lower. So,
6. in...in reality, those that would pay on a bill with the increased
7. assessed valuation would show the true amount of the assessed
8. valuation under the school formula that should be assessed. But
9. under this bill, they wouldn't show the true amount if the
10. final bill was the same by adding fifty percent to the
11. assessed valuation without the additional penalty. So, I say
12. this. We should find out what happens to that fifty percent
13. when it's distributed to the schools and how they can account...
14. or the municipalities that receive aid from the State, and
15. why that aid wouldn't be decreased because of the fact that you've
16. got the fifty percent and your valuation went down at the same time.
17. So you've got...you've got a double edged sword here. I wish
18. you would...when you bring these things up, you tell the true
19. reason for these things, not say it's the same and
20. that it doesn't mean anything. It does mean something.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? Senator Egan may close the debate.

23. SENATOR EGAN:

24. Thank you. Senator Soper, I do indeed want to
25. be honest with you although there is the Chicago fox in the
26. chickencoup, it's...let me just tell you, Senator Soper, that it
27. will benefit the town of Cicero and the town of Berwyn in their
28. educational system as well as it will benefit Springfield as
29. well as it will benefit the Chicago fox in the chickencoup,
30. Senator. Let me just reiterate that all we're doing is establishing
31. a true level of assessed valuation of property for the use of the
32. School Aid Formula in each and every community in the State.
33. The problem is addressed not differently for Chicago than any other

1. place in the State. I want to just say that the school boards
2. have endorsed the bill. Ed Red has said that they will support
3. the bill entirely. I know of no opposition. And I ask for
4. your favorable consideration.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Well, Senator Soper, Senator Egan is closing. Well,
7. under our rules, Senator, it's just not allowed. I don't know
8. how to tell you. Senator Soper.

9. SENATOR SOPER:

10. All right. I like that deal about the fox in the chicken-
11. coup but you know, when you put...you manipulate figures
12. and you don't give us the true costs, it's the outlying
13. districts, too, that take a rap on this thing, so let's
14. get it together. I want Chicago and Cicero and Berwyn and
15. Stickney and Lyons and everybody else to get the true amount
16. of money, but let's...let's do it right.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Egan to close the second time.

19. SENATOR EGAN:

20. There is not boogiemans in the bill, Senator. I ask for
21. your favorable consideration.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is shall House Bill 2605 pass. Those in
24. favor vote Aye. Those opposed 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 31, the Nays are 10,
27. 12 Voting Present. House Bill 2605 having received a constitutional
28. majority is declared passed. For what purpose does Senator
29. Vadalabene arise?

30. SENATOR VADALABENE:

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

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. State your point.

1. SENATOR VADALABENE:

2. Yes, seated in the President's gallery is a group of
3. students from the American Legion sponsored Girls State...the President
4. of the Senate, Jeanine Huffman from Lovestock Park, and the
5. party leaders of the Illinois State Girls Staff is Gail
6. Gurdley from Waukegan and Debbie Merin from St. Charles,
7. Illinois and their chaparone, Mrs. Louise Umpher from
8. Champaign and I wish they would stand and be recognized
9. in the President's gallery.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Will our guests please stand and be recognized.
12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. I don't do this very often, but
15. last night I had the privilege of installing the Senators at
16. Illinois Girls State in Jacksonville, that's my third year there,
17. and I'm becoming a regular. They're going to invite
18. me to be there all week next year perhaps, but there are some
19. other girls from Girls State that are in the back of the
20. gallery and I'd like for them to stand and be recognized.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Would they please stand and be recognized by the Senate.
23. Senator Maragos, for what purpose do you arise?

24. SENATOR MARAGOS:

25. Having voted on the prevailing side of Senate Bill...
26. I mean House Bill 2605, I move that...for it...be reconsidered.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Maragos has moved to reconsider the vote by which
29. 2605 was passed. Senator Hynes. Senator Hynes moves to Table.
30. All in favor of Tabling say Aye. Opposed Nay. The Ayes have it.
31. The motion to reconsider is Tabled. Senator Philip, for what
32. purpose do you rise?

33. SENATOR PHILIP:

1. Point of personal privilege.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. State your point.

4. SENATOR PHILIP:

5. Mr. President. In the south gallery we have visiting us from

6. the great State of California where they just passed Proposition

7. Thirteen, Senator Harber Hall's sister. She is nothing

8. like Harber, I've been told, but her name is Janice Hall Bardello

9. and she's here with her daughters Dorthea, Amy, Judy,

10. Holly and their son, Matthew. I wish they would please rise

11. and be recognized by the Senate.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Would they please stand and be recognized by the Senate.

14. House Bill 2619, Senator Collins. For what purpose does Senator

15. Knuppel arise?

16. SENATOR KNUPPEL:

17. Now, I just want to say one thing and that's please,

18. I don't want to waste time raising the question of the rules everytime

19. something happens, but this is getting old.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Collins, the Secretary informs me there's an

22. amendment. Did you wish to recall this bill? Or did you...why

23. don't you take it out of the record for a moment?

24. All right. With leave, we'll return to this bill as soon as there's...

25. Senator, if you would take a look at it and we'll get back to this

26. in a moment. House Bill 2628, Senator Knuppel. Read the bill,

27. Mr. Secretary.

28. SECRETARY:

29. House Bill 2628.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Knuppel.

1. Mr. President and members of the Body. A very simple
2. bill. It amends the abortion law to provide a penalty for the
3. sale of any fetus or part thereof. Illinois had previously
4. prohibited the use thereof, for the use...for any reason
5. including scientific research, laboratory or any other
6. kind of experimentation. What has happened is we have people
7. who are using aborted fetuses as paperweights and for sale,
8. advertisement in journals and otherwise and there are catalogs
9. where you can purchase parts of fetuses, half a fetus for seventy-
10. six dollars, et cetera. This is an abhorrent practice and I would
11. ask that we add the penalty for so doing and prohibiting both
12. the use and the sale of any fetus. The law previously had...had
13. prohibited the use, but there was no penalty involved.
14. I submit this is good legislation. It's legislation in keeping
15. with the sensibilities and the feelings of those of us
16. who are opposed in the first place to abortion, but in any event.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Berning.

19. SENATOR BERNING:

20. Question of the sponsor. I...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates that he will yield. Senator Berning.

23. SENATOR BERNING:

24. I see the penalty is guilty of a Class 1 felony. Now,
25. I have to beg your indulgence. Does this allow the judge
26. to set a fine or...there is no...no fine involved and how do you
27. establish that?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. The penalties for a Class A felony are spelled out in the
32. ...in the Act that classifies these things. I don't know
33. just exactly what the penalty on a Class 1 felony is. However,

1. whatever it is, the judge could move within those limits of what
2. a Class 1 felony is and if he wanted to assess a fine or
3. extend probation...something of this nature, I assume that he
4. could.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Berman.

7. SENATOR BERMAN:

8. I want to merely...Mr. President, I want to point out to
9. the Body that what you are doing here is imposing a felony
10. penalty in a section of the Statute that never existed before
11. for the use of fetuses for any purpose including proper
12. medical purposes, you are imposing a Class 1 felony.
13. I think that might be, as far as I'm concerned, much farther
14. than is necessary in this kind of a situation. I'm urging
15. a no vote on this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further discussion? Senator Knuppel may close.

18. SENATOR KNUPPEL:

19. Mr. President, the use has already been forbidden. All
20. this bill does is also forbid the sale and add a penalty and
21. I ask for a favorable roll call. I find it horrendous that
22. an aborted fetus can be put in a paperweight and sold or sold
23. for any purpose.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee, Senator Knuppel was closing.
26. All right. The question is shall House Bill 2628 pass.
27. Those in favor vote Aye. Those opposed vote Nay. The voting
28. is open. Have all voted who wish? Have all voted who wish?
29. Take the record. On that question the Ayes are 49, the Nays
30. are 3, 1 Voting Present. House Bill 2628 having received the
31. constitutional majority is declared passed. House Bill 2619,
32. Senator Collins. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 2619.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Collins.

6. SENATOR COLLINS:

7. Mr. President and members of the Senate.

8. House Bill 2619 is an attempt to address the alleged

9. abuses of the...over the use of Title 1 funds in the City

10. of Chicago. The bill is designed to insure a more equitable

11. distribution of the Title 1 monies to Title 1 eligible students.

12. In recognition of the fact that the Title 1 monies does, in fact,

13. impact on the total School Aid Formula, the bill attempts

14. to address the issue in three separate ways. The first in order

15. to protect all of the students and...and the fact that we are

16. concerned about the amount of money for education for all

17. students. The bill is simply asking for a three year phase

18. in of the...of the Title 1 funds. It also recognizes the

19. problem by merely suggesting that .357 of the Title 1 dollars

20. be restricted for the use of Title 1 students and that the

21. money would follow those students. It also has the hold harmless

22. provision in it to insure that there is no drastic decrease

23. in the amount of funds for each student at each center.

24. The issue has been well debated over the past two years and I

25. will ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

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

28. 2619 pass. Those in favor vote Aye. Those opposed vote Nay.

29. The voting is open. Have all voted who wish? Have all voted

30. who wish? Take the record. On that question the Ayes are

31. 46, the Nays are 4, 2 Voting Present. House Bill 2619 having

32. received a constitutional majority is declared passed.

33. House Bill 36...2636, Senator Johns. House Bill 2642, Senator

Bloom. Read the bill, Mr. Secretary.

1. SECRETARY:

2. House Bill 2636.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Bloom.

7. SENATOR BLOOM:

8. Thank you. Bill does what the Synopsis says it does.

9. It's to provide signalization across War Memorial Drive
10. connecting Monroe Avenue School and Von Stueben School.

11. I'd appreciate a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The question is shall House Bill
14. 2642 pass. Those in favor vote Aye. Those opposed vote Nay.
15. The voting is open. Have all voted who wish? Have all voted
16. who wish? Take the record. On that question the Ayes are
17. 48, the Nays are none, 2 Voting Present. House Bill 2642
18. having received a constitutional majority is declared passed.
19. House Bill 2648, Senator Demuzio. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 2648.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Thank you, Mr. President. House Bill 2648 does authorize
28. the sale of the president's house at the Illinois School for the
29. Deaf in Jacksonville. It requires that the Director of Administrative
30. Services to sell the house at the highest responsible bidder at
31. a public auction provided that the bid is not less than the
32. appraised fair cash market value. The State purchased this
33. building and property in 1951 for approximately twenty thousand

1. dollars. The building has not been used for the last fifteen
2. months because the new superintendent is residing in
3. other private quarters. As a result, the...he made that decision,
4. I guess, based upon the fact that the upkeep and maintenance
5. costs were...were too expensive. So, now the House has indeed
6. been vacant for the last fifteen months. It is no longer on
7. the...it hasn't been on the tax rolls since its inception.
8. If the house is sold, the money will be...will go into the
9. fund as directed by an amendment that Senator Moore put on the
10. bill that would provide that the...the money would be spent
11. for a television decoder for captioning television
12. programs at the Illinois School for the Deaf in Jacksonville.
13. And I would ask for your favorable support.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there debate? Senator Mitchler. Senator Mitchler.

16. SENATOR MITCHLER:

17. Thank you, Mr. President and members of the Senate.
18. Just a question. The president is no longer occupying the
19. president's house at the Illinois School for the Deaf and he's
20. living in other quarters. Does the State pay for his rent
21. in other quarters?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. I...I don't know the answer to that...to that question.

26. I...I assume not.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler. Further discussion? The question...the
29. question is shall House Bill 2648 pass. Those in favor vote
30. Aye. Those opposed 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 52, the Nays are none, none
33. Voting Present. House Bill 2648 having received a constitutional

1. majority is declared passed. House Bill 2653, Senator
2. McMillan. Senator McMillan on the Floor? House Bill
3. 2663, Senator Harber Hall. And your sister is listening,
4. Senator.
5. SECRETARY:
6. House Bill 2663.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Harber Hall.
11. SENATOR HARBER HALL:
12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. This bill creates a Bloomington Civic Center
14. Authority whereby the City of Bloomington would be entitled
15. to form and plan for a civics center in that city in accordance
16. with previous past Statutes. I might say this about the
17. Bloomington Civic Center, the city ordered a feasibility
18. study made and in addition to the other normally required
19. analyses of such a program, they came up with a feasibility
20. in respect to financial viability. And in...in the report
21. they say this about the Bloomington plan. National Feasibility
22. Corporation concludes that a civic center complex complete
23. with a two hundred and twenty unit lodging and dining
24. facility as may be located in the City of Bloomington, Illinois,
25. would represent a sound and economically feasible venture.
26. I have full faith in this feasibility study and I would suggest
27. that the modest amount of money involved with the one in
28. Bloomington would almost guarantee success. If there are any
29. questions regarding this bill, I'd be glad to answer them.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Is there discussion? Senator Vadalabene.
32.
33.

1. SENATOR VADALABENE:

2. Yes, there's a lot of discussion, Mr. President and
3. members of the Senate. My first question is this, Senator
4. Harber Hall, how are you going to vote on this bill?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Harber Hall.

7. SENATOR HARBER HALL:

8. Senator, I...I will be very pleased to join with
9. what is an overwhelming majority. I think you're referring
10. to how I have voted on some other civic center measures.
11. And I have to be very honest and straightforward and say
12. that originally as conceived, I did not concur with the
13. State of Illinois being involved with civic centers.
14. However, the majority ruled in that case and it is now
15. a policy of the State and I would suggest that Bloomington
16. might well fit into that policy.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator...Senator Vadalabene.

19. SENATOR VADALABENE:

20. Yes, Senator Harber Hall, if it wasn't for the funding
21. mechanism of that bill of which you voted against, would
22. you be up before the Senate asking for...to get your hand
23. in that cookie jar now?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Harber Hall.

26. SENATOR HARBER HALL:

27. I admire...I admire the brave attitude of the Senator
28. who's just spoken because he...he advanced the...the
29. suggestion originally that the State become involved
30. with funding civic centers. I would not be in that position.
31. I would not have put forward the suggestion that it was
32. the proper function of this State. So he is to be...he
33. is the one that has received the due credit for the

1. program and all those who favor it and...and benefit
2. from it, including the citizens of Bloomington, I hope,
3. can thank him. The only thing I have to say is, I
4. support the citizens in my district who apparently want
5. this and therefore I will vote for it.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, I don't need any compliments from Senator
10. Harber Hall, I, you know, I don't want...had him
11. tell me today how great I am when he killed my civic
12. center in Edwardsville, Illinois. You know, you know,
13. I heard about Judas, you know, I heard about the
14. disciples and I heard about, you know, traitors, you
15. know, in a Bible, but here I'm standing on the Floor
16. of the Senate and I'm seeing one here on earth. You
17. know, and I'm going to vote for Harber Hall's bill.
18. How do you like that. I'm...I'm in total support
19. of it. But you know yourself, Senator Hall, that you
20. done me an injustice. All of you who are getting
21. your hands in that cookie barrel, and God made me
22. live long enough to see you get your hand in that
23. cookie jar and I hope that you remember this and I'm
24. going to be like Senator Mitchler, shame on you,
25. Harber Hall, shame on you, Senator Hall, shame on you,
26. Senator Hall.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator Harber Hall
29. may close the debate.

30. SENATOR HARBER HALL:

31. You know, Senator Sam, this reminds me, many years
32. ago when there was a Federal...when there became a
33. Federal program for supporting farmers, my granddaddy
34. said he didn't want any part of it. I could never

1. understand it. He wouldn't take that Federal money, but
2. eventually in the last days of his life, he said, oh well,
3. everybody else gets it so I'll join in, I'll take the
4. Federal payments for not growing and this and that and
5. the other thing. That's what happened with the civic
6. center, I think it's a viable project in Bloomington.
7. I still have questions about whether the State should
8. get involved in projects of this nature because not
9. the entire state will be able to participate, but it is
10. a policy of this State, that...that Legislature in
11. due deliberation pass and therefore I...I have to now
12. join with the majority.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is shall House Bill 2663 pass. Those
15. in favor vote Aye. Those opposed vote Nay. The voting
16. is open. Have all voted who wish? Have all voted who
17. wish? Take the record. On that question the Ayes
18. are 42, the Nays are 4, 5 Voting Present. House Bill
19. 2663 having received a constitutional majority is
20. declared passed. For what purpose does Senator Hynes
21. arise?

22. SENATOR HYNES:

23. For the purpose of an announcement, Mr. President.
24. I'd like to try to outline the schedule for the next
25. couple of days. As you are no doubt aware the House...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. May we have your attention please. Mr. President.

28. SENATOR HYNES:

29. As you may know, the House, in accordance with
30. the annual tradition...with its annual tradition in
31. June, has not yet sent us all of the bills we need
32. to complete our work and so several appropriation
33. bills are still in the House and we have not yet had

1. an opportunity to consider them in our committees and
2. that therefore may result in some delay in terms of
3. Appropriations I and II completing their work prior
4. to our deadline. It may be necessary to put that deadline
5. over one day, if...if the bills are not here. But in
6. order to accommodate the work load that we have and
7. to be prepared to handle those bills when they arrive,
8. we have revised the schedule somewhat and I would
9. like to outline it for the next two days, at least,
10. and I would urge you to make plans to be here this
11. weekend. We will continue on 3rd reading until noon,
12. we will then adjourn until 2:30. Appropriations II,
13. which had been scheduled for 2:00 p. m., will be
14. moved up to 1:00 p. m. The chairman has now rescheduled
15. it to 1:15 p. m. So we will adjourn...recess at noon, Appropriations
16. II at 1:15, Session at 2:30 and then we will work on
17. bills that are on 3rd reading that...members wish to
18. bring back to 2nd for purpose of an amendment. We will
19. go the the Order of 2nd for amendments and advance bills
20. to 3rd and then we will try to get back to 3rd reading
21. to consider some additional bills and we will go to
22. the Order of Resolutions. There are three or four members
23. who have asked that their resolutions be called and they
24. will have that opportunity this afternoon. It is our
25. hope that we can conclude our work today at a reasonable
26. hour, in the area of 7:00 o'clock, perhaps a little
27. earlier. We're going to be somewhat flexible on that.
28. It will depend on how quickly we move and...and how much
29. business we can take care of. So that's the schedule
30. for today. Tomorrow morning the Session will begin at
31. 9:00 o'clock and we will work on the Calendar all day
32. until we find out the status of the appropriation bills,
33. if they are here, and we have the opportunity, we will
34. schedule meetings of the appropriations committees

1. during the day tomorrow with...with announcement from
2. the Floor. If not, they will have to meet on Saturday
3. and we will have to...to suspend our rule and move it
4. over until Saturday. So that's the schedule for the
5. next two days and...and tomorrow, at the earliest
6. possible moment, we will announce the weekend schedule.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Hynes, on Friday did you also intend to
9. call the Motions in Writing? Senator Hynes.

10. SENATOR HYNES:

11. Yes, the Motions in Writing have been scheduled
12. for Friday and they will be called tomorrow.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Okay. For what purpose does Senator Soper arise?

15. SENATOR SOPER:

16. Thank you, Mr. President. On a point of personal
17. privilege. I want to make an announcement. From now
18. on you'll have to buy your own newspaper. I don't
19. mind getting it back like this, but when you start
20. to wrap fish and your lunch in it, I resent that.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. For what purpose does Senator Davidson arise?

23. SENATOR DAVIDSON:

24. Point of personal privilege.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. State your point.

27. SENATOR DAVIDSON:

28. Mr. President, since the Senate will possibly adjourn
29. by 7:00 o'clock this evening, so individuals are remaining
30. over, I would like to invite those who have not participated
31. in seeing Triple A Ball, part of them which went into the
32. Major Leagues last week. The Redbirds, Springfield Red-
33. birds, are playing at home this evening at 7:30 at Lanphier

1. Park. All those who are also Muni Opera fans, amateur
2. actors, Sweet Charity is playing at the Muni Opera site
3. at 8:30 and you can get your tickets at the box office.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Well, Gentlemen, let's...let's get back to the
6. business of...House Bill 2695, Senator Lane. House Bill...House
7. Bill 2749, Senator Weaver. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 2749.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Weaver.

14. SENATOR WEAVER:

15. Thank you, Mr. President. This bill does just as
16. the synopsis states, it would keep seriously needed
17. dollars from being transferred out of the downstate
18. Public Transportation Fund, thus enabling those
19. downstate transit districts to provide additional
20. services, also to capture Federal funds. If there's
21. any discussion, I'd be happy to answer any questions
22. any member might have.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is shall House
25. Bill 2749 pass. Those in favor vote Aye. Those opposed
26. Nay. The voting is open. ...All those voted who wish?
27. Take the record. On that question the Ayes are 52, the
28. Nays are none. House Bill 2749, having received a
29. constitutional majority is declared passed. House Bill
30. 2754, Senator Guidice. House Bill 2763, Senator Weaver.
31. Read the bill, Mr. Secretary.

32. SECRETARY:

33. House Bill 2763.

HB 2775
3rd reading
6/27/78

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Weaver.

5. SENATOR WEAVER:

6. Thank you, Mr. President. Again it does just as the
7. Calendar states. It allows that the Industrial Development
8. Authority to include equipment as part of that which they
9. may make loans on. If there's any discussion, I'll be
10. happy to try to answer any questions.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? The question is shall House
13. Bill 2763 pass. Those in favor vote Aye. Those opposed
14. Nay. The voting is open. ...All those voted who wish?
15. Take the record. On that question the Ayes are 49, the
16. Nays are 5, House Bill 2763 having received the constitu-
17. tional majority is declared passed. House Bill 2767,
18. Senator Demuzio. House Bill 2775, Senator Rock. Read
19. the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 2775.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. House Bill 2775 is an amendment to the Criminal
29. Code and would create and make a Class IV felony for one
30. who snatches or conceals a child within this State in
31. violation of a Court order. The bill was amended yesterday
32. to include as an affirmative defense that the person who
33. removed the child from this State or concealed that child,

1. had prior to the time of such removal or concealment obtained
2. a court order or has within seventy-two hours of said
3. removal has submitted the child to the jurisdiction of
4. a court within this State. The subject of child snatching
5. is one that we are all painfully aware of and this is a
6. legitimate, I think, attempt to curb that and provide
7. some legal redress for those parents who have been or have
8. seen their children be snatched or otherwise concealed
9. from them. I would request a favorable roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Question of the sponsor, Mr. President.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Indicates he will yield.

16. SENATOR BUZBEE:

17. Does...does this mean that, let's say that in the
18. case of a divorce settlement that the court rules that
19. the child is in the custody of...of the mother and then
20. at some point the father, contrary to court order, picks
21. up the child and takes it out of State or takes it
22. anywhere, for that matter, that that parent, that father
23. is then could be considered a Class IV felon?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. SENATOR ROCK:

27. Yes, with two qualifications, one, that the child is
28. under fourteen years of age and secondly, that the
29. neither affirmative defense is available to that father.
30. Namely, that he had...had obtained previously a court
31. order or secondly that within seventy-two hours he did,
32. in fact, submit the child to the jurisdiction of the
33. court.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, I have observed that the courts are not omnipotent.

5. I do not advocate the breaking of the law, however, some

6. judges are just plain outright stupid and...I...I can

7. understand that a bereaved parent might at times, perhaps,

8. act in an illegal manner and get their child and go some-

9. where else with their child and I don't...as again, I

10. do not advocate that...that any illegal moves, but I

11. don't see why we ought to make that parent a felon

12. because he or she has taken their own child and...and

13. we're going to call them a criminal now because they

14. have done that and I...I just...in some cases, in fact,

15. it's...it's for the child's benefit and so I just...I

16. ...I could not favor this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rock.

19. SENATOR ROCK:

20. Yes, just in response to that. I...I think Senator

21. Buzbee's fear is...is, can be allayed. The...I think the

22. essential reason for that classification as a Class IV

23. felon. We are not in any way restricting the power of

24. the court to punish for contempt. So that, if, in fact,

25. something is done in violation of court order, obviously

26. the person is subject to citation for contempt and that

27. has not changed. I think the major thing here or the

28. major thrust of the bill, is that this will now become

29. an extraditable offense. Previously or currently, the

30. fact is that the law enforcement officials just simply

31. are hamstrung. They have no way to go across State

32. lines and bring a child back. By virtue of this kind

33. of action, this is now...extraditable offense and hopefully

1. the law enforcement officials can pursue these people.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Do we have leave for Station WGN to take pictures in...
4. of...of people in the Gallery. Leave is granted. Senator
5. Leonard.

6. SENATOR LEONARD:

7. Yes, I'd like to do two things. One, **speak for this**
8. bill and I don't want any confusion to...for there to be
9. any confusion about the poor mother that...or the...the
10. grieving parent that breaks the law and takes the child
11. back. We're talking about situations here where the
12. child is not in the parent's custody because of a court
13. decision. We have had several incidents in our area.
14. It is quite apparent that the civil remedy does not
15. suffice. We had a classic incident within the past
16. years which the husband was murdered by the wife's
17. boyfriend. She then turned State's evidence, sent
18. him off to jail. There was an insurance policy, she
19. was not convicted, collected the insurance and lived
20. off of it for several years. When the insurance ran
21. out she came back, the children by that time were on
22. Aid to Dependent Children. And she came back, picked
23. up the children and lived with the children for several
24. years. And the civil remedy was really inadequate
25. to deal with her. Now, that's...that's the most flagrant
26. dramatic example, but there are others. This is a very
27. necessary bill, it simply means that people will obey
28. the law and you can come back to the court and if there's
29. a...something inadequate in the previous decision, you
30. can reconsider it. Now those are my comments on the
31. bill. I have talked to the sponsor and I would ask leave
32. of this Body also to be considered a cosponsor on this
33. bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Do we have leave? Leave is granted. Senator Knuppel.

3. SENATOR KNUPPEL:

4. All I can say is that I cannot think of a more traumatic
5. experience than for a mother or a father, for that matter,
6. who's been awarded custody of the children and by an
7. appropriate court order to come...come home and find out
8. that their children have disappeared, are in Florida or
9. someplace else with a person who may be suffering from
10. mental illness. We just recently had the case in Rockford.
11. These are the kind of people who sometimes violate these
12. things. I think it's good legislation, it's something
13. that should be passed. People who take children, hide
14. them, take them out of State, the expense involved,
15. all of these things dictate that this ought to be the
16. law of the State of Illinois.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Glass.

19. SENATOR GLASS:

20. Thank...thank you, Mr. President. I'm also going
21. to support the bill. I think...I would, however, point
22. out to Senator Rock one concern that I have with it
23. and that is this that the bill provides that this felony
24. may...may be charged and a person may be guilty of a
25. felony. If...one person has been awarded by court
26. order of any court that at the time of the award had
27. jurisdiction over the person of the child. If that
28. custody award is made then if there's child snatching
29. the person who performs the child snatching may be...
30. may be guilty...guilty of a felony. Occasionally, you
31. get into an interstate jurisdictional battle and there
32. may, in fact, be courts of different states awarding
33. custody of a child. And I...I would just suggest at

1. this time that...that would emphasize the need for the
2. Uniform Child Custody Act about which I've spoken to
3. Senator Rock and regarding which he doesn't want to
4. affix to this bill, but I...I do submit, Senator, that
5. that can be a serious problem with a bill even under
6. the language and the way it's written and I would hope
7. you'd comment on that.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Thank you, Mr. President. I think that it is a good
12. bill and I think the amendment probably helps it. The
13. only thing that I think ought to be said because I...I
14. have a feeling there might be some misconception about
15. it. I noticed that Senator Rock had made the comment
16. that the...one of the main purposes of this change
17. is to make it an extraditable offense. That would allow
18. law authorities in one state to reach the parent who
19. has taken the child out of state without any justification
20. and in violation of a custody court order. I don't think
21. it's quite accurate, however, to say that it inevitably
22. means that the child, him or herself, would be brought
23. back, because the child is not going to be extraditable.
24. And I suppose that there could still be a problem in
25. the return of the child even though pursuant to an
26. indictment and an extradition order, the parent might
27. be brought back to the original state. If I'm wrong
28. about that, Senator Rock...I...am I right in...in or
29. wrong in...in my interpretation of that, or did you
30. hear me?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Well you...you stated a conclusion which I did not
2. state.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Is it correct, Senator Rock, that even if the parent
7. is subject to...the parent who has taken the child "illegally"
8. out of the State is subject to an extradition order that
9. it does not inevitably mean that the child, him or herself,
10. will be brought back to the original state along with the
11. parent who is then pursuant to a...an arrest order, I assume,
12. arrest warrant?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

16. Well...I...that's the conclusion you have drawn. We
17. are dealing, however, as a practical matter, with children
18. under the age of fourteen and I would assume that while the
19. child is not subject to that extradition order, he would,
20. in fact, follow along with daddy or mommie or whoever is
21. being hauled back.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Netsch.

24. SENATOR NETSCH:

25. I don't think it is always true that that would be
26. the case. There could be relatives, grandparents or
27. something who with whom the child would stay. And I
28. assume there's some trauma involved in having a child
29. brought back with a parent who is presumably maniacaled
30. and in custody of a law enforcement officer at that
31. point. I mention that only because I don't think the...
32. the impact of the bill ought to be oversold. Nevertheless,
33. I think it is a...a reasonable proposal and will support it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Sangmeister.

3. SENATOR SANGMEISTER:

4. Thank you, Mr. President, members of the Senate. I
5. don't think the bill needs any more support from what I've
6. heard, but to allay the fears of some, I would presume the
7. mechanics on this will be that when the aggrieved mother
8. or father, whichever may be the case, comes to the State's
9. Attorney, I would certainly think that that State's
10. Attorney would first take a good look to see whether the
11. original court order in the contempt proceeding might be
12. a much better way to go and only under dire circumstances
13. we'll use this to indict, if necessary, to extradite or
14. whatever may be and I would certainly think they would
15. use good discretion. I do think this makes good law
16. and should be passed.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Rock may close.

19. SENATOR ROCK:

20. Thank you, Mr. President. I think what the comments,
21. certainly of Senator Sangmeister in support of this bill.
22. I would seek a favorable roll call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The question is shall House Bill 2775 pass. Those
25. in favor vote Aye. Those opposed Nay. The voting is open.
26. Have all those voted who wish? Take the record. On that
27. question the Ayes are 50, the Nays are 3. House Bill 2775,
28. having received a constitutional majority is declared passed.
29. We will go to the order of 2745. Senator Bruce was presiding.
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 2745.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, Mr. President. This bill will allow municipalities
6. to issue Revenue Bonds to finance a portion of the water extension
7. to a particular part of a municipality or area without or
8. outside a municipality and to retire those bonds from
9. Revenues derived solely from the new area. The identical
10. authority presently exists with sewer service to particular
11. areas with and without a municipality and this would require
12. a backdoor referendum as is presently required for the issuance
13. of Revenue Bonds for sewerage extensions. I'd ask for a
14. favorable roll call.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Is there any discussion? Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President. I'd like to ask the sponsor
19. a question.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Indicates he will yield. Senator Berning.

22. SENATOR BERNING:

23. Is this bill 2745, in any way corollary or complimentary
24. to another bill that is pending here someplace that it provides
25. for annexation of a facility and I'm assuming that what you're
26. providing here, a water supply system, can be located beyond
27. the municipalities lines and is the objective to establish
28. the facility and then come back and annex?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

32. No, it has absolutely nothing to do with Senator Donnewald's
33. bill, absolutely not. I don't want to get into annexation of
34. water systems. This just says that if the city that arose

1. in my district, Woodlawn, which is a town that adjoins the
2. City of Mt. Vernon has already extended or agreed to extend
3. sewerage service. They were going to extend water service.
4. Bond Council says you can't do it because you...you cannot
5. add the City of Woodlawn to pay off the Revenue bonds
6. even through you're going to extend service to them. You
7. can with your sewer bonds, but not with the water bonds.
8. All this says is if you can extend sewer service, you can
9. also extend water service and you can assess the City of
10. Woodlawn the amount necessary to retire those particular
11. Revenue bonds, just like we do with sewer extentions.
12. Does have...has absolutely nothing to do with Senator
13. Donnewald's excellent bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? If not, the question is shall
16. House Bill 2745 pass. Those in favor will vote Aye. Those
17. opposed will vote Nay. The voting is open. Have all voted
18. who wish? Have all voted who wish? Take the record. On
19. that question the Ayes are 48, the Nays are 3, none Voting
20. Present. House Bill 2745, having received a constitutional
21. majority is declared passed. Senator Donnewald.

22. SENATOR DONNEWALD:

23. Yes, as to the next...am I up next?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Yes. On the Order of House Bills 3rd reading, House
26. Bill 2787. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 2787.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Donnewald:

33. SENATOR DONNEWALD:

34. Yes, Mr. President and members of the Body. This is

1. that excellent bill and what it does is permit some
2. municipality to an ex noncontiguous territory owned by
3. the municipality that contains a water treatment plant.
4. Now there's several communities throughout the State
5. that have this problem and the conditions of the bill
6. are that the municipality owned the territory before
7. ...January 1, '78 and that the water treatment plant
8. or reservoir was operating prior to January 1, '78.
9. This is the case in several communities throughout the
10. State and...it would be a **great** help to the municipalities
11. in those areas to control their reservoir and I would
12. appreciate a favorable roll call.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President, members of the Senate.
17. I can recognize that there probably is a problem in
18. certain areas, but I want to point out to the membership
19. that if we proceed to establish a precedent of annexation
20. of noncontiguous territory, it would appear to me that
21. we are totally violating the concept of annexations. The
22. question of annexation has been under severe criticism for
23. even such deviousness as annexing a narrow strip or a
24. roadway in order to get two additional area to become
25. a part of a...a municipality. Now if we are to say in
26. this now narrow instance of a water supply system
27. that it's okay to annex, whether it's justified or not,
28. we will have established a precedent that it appears to
29. me can only do violence to the whole concept of municipalities
30. and municipal government. Annexation implies contiguousness.
31. And for that reason, Mr. President, I think this bill either
32. ought to be defeated or deferred until such time as annexation
33. agreements can be worked up to include the territory between

1. the boundary line and the proposed annexation.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Senator Graham.

4. SENATOR GRAHAM:

5. Senator Donnewald, a question please.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield, Senator Graham.

8. SENATOR GRAHAM:

9. I think by answering this question, I think you

10. already have, but let's run it by them again real slow.

11. This is to deal with property that was owned previously

12. to January 1st, 1978. It's for the specific purpose of

13. water supply units only. This would...in this law, as

14. you've constructed it would prevent any land grab thing

15. by any...municipality...that might present some

16. fears in the minds of some. It's very specific, is that

17. not true?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Donnewald.

20. SENATOR DONNEWALD:

21. I...I would answer yes to all of the points made.

22. I did...I did address myself to those points in my

23. opening statement.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Question of the sponsor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield. Senator Rhoads.

30. SENATOR RHOADS:

31. Senator Donnewald, I have no objection to what you're

32. trying to accomplish here for the very...for these very

33. limited purposes. But with respect to the newly annexed

1. noncontiguous territory where the water reservoir is, what
2. rules then apply to...to that territory with respect to
3. taking in people who may be adjacent to that property
4. if they are surrounded on three sides. Could this be used
5. by the municipality to annex additional territory to the
6. noncontiguous territory.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Donnewald.

9. SENATOR DONNEWALD:

10. Well, in response to that, I think Senator Graham
11. just covered that. It...it would prohibit the following
12. annexation of any further annexation to the annexed non-
13. contiguous territory.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Glass.

16. SENATOR GLASS:

17. One...one question of the sponsor, if he will yield.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates that he will yield. Senator.

20. SENATOR GLASS:

21. Senator Donnewald, how far away from the corporate
22. boundaries of the municipality is this water or treatment
23. plant?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Donnewald.

26. SENATOR DONNEWALD:

27. I think it's...I'm advised that it's about two or
28. three miles, Senator.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Glass. Further discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32. Mr. President, I rise in adamant opposition to this
33. bill. And I have a personal reason, probably a conflict

1. of interest. I don't know...I now hereby declare my conflict
2. and I intend to vote. This bill will allow the City of
3. Carbondale and some other cities throughout the State, a few
4. cities, to place the mile and a half zoning around their
5. city water supply. It so happens the City of Carbondale's
6. water supply is five miles south of Carbondale. I happen
7. to live within a mile and a half of that lake. Now, we
8. had in our little rural township, we had a contractual
9. arrangement with the City of Carbondale to provide fire
10. protection to us. We were told by the city some two
11. years ago, we will no longer provide fire protection to
12. you at any price. They also told the Carbondale Township
13. Government the same thing. At no price will we provide
14. this fire protection to you and now they want to come
15. and tell me, they're going to zone and they're going to
16. tell me I live five miles out of town, and they're going
17. to tell me how, what I can build or what I can or cannot
18. do with my property. Now, there was once a party held
19. in Boston, where they dumped a lot of tea, it was over
20. an issue of taxation without representation. I submit
21. to you that we have by, and I'm not sure if it was
22. by legislative or judicial fiat established they principle
23. several years ago when we allowed cities to zone a mile
24. and a half outside of their city limits anyhow. But
25. now to come in and say we're going to let you go five,
26. ten or fifteen miles outside of town and we're going
27. to let you zone for a mile and a half around that and
28. we're going to tell you every structure that you may or
29. may not build. I have nine acres out there that I've
30. worked very, very hard for, I've paid a lot of money
31. for it. My neighbors there are very resentful of the
32. City of Carbondale wanting to tell us what we can do
33. with our property. I was hoping we could work this

1. out. I know the sponsors are trying to correct a problem.
2. I have no malice against either of them. But I have a
3. lot of malice against the City of Carbondale telling me
4. what I can do on my property or telling my neighbors, who
5. are farmers, what they can do on their property, when
6. we live five miles south of the Carbondale city limits.
7. Now, I tried to call my mayor yesterday or the mayor of
8. Carbondale to tell him of my opposition to this bill
9. and fortunately he was out of town. So I have not
10. communicated my opposition to anybody in city hall, but
11. the City of Carbondale has more city planners on its
12. payroll than the City of St. Louis does. I don't
13. particularly want those planners coming out there and
14. telling me what I'm going to do. And I was hoping Senator
15. Donnewald would hold this bill a while longer, but he
16. didn't and if I have ever been opposed to any bill
17. since I've been in the Legislature in the six years that
18. I've been here, this is it. It's a horrible concept and
19. let me tell you, any of you folks who live outside of town,
20. if you were caught in these same kind of switches, you
21. would have the same kind of adamant feelings that I have.
22. Thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further debate? Senator Philip.

25. SENATOR PHILIP:

26. Yeah, would the sponsor yield for a question?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield. Senator Donnewald, a question
29. from Senator Philip.

30. SENATOR PHILIP:

31. Thank you, Mr. President. Not only the...the question
32. of zoning, but we have a situation in here where the City
33. of Springfield happens to own Lake Springfield, which you
34. know has some very nice fine homes around the lake. I'm

1. assuming, if this became law, that those homes around
2. that lake would probably be entitled to the corporate
3. tax and that you would have people up there paying the
4. municipal tax rate who would not be getting water, sewer,
5. police protection, et cetera. I'd like to have that
6. question answered.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Donnewald.

9. SENATOR DONNEWALD:

10. The question as to whether they would be taxed. Is
11. that...was that the question, Senator?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Philip.

14. SENATOR PHILIP:

15. The question is, Senator, that Lake Springfield is
16. owned by the City of Springfield. If that would be
17. annexed, I am assuming that they could also put the
18. municipal tax rate on Lake Springfield residents, which
19. would might be water, fire protection, police protection,
20. et cetera, which they would not be receiving those services.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well I...I'm going to defer to Senator Davidson, because
23. I think he's familiar with the Springfield, but what, may
24. I say that the Springfield Lake is a ninety-nine year lease
25. arrangement for the people that live on the border or the
26. edges of the lake, but Senator Davidson, I would defer to
27. you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Philip.

30. SENATOR PHILIP:

31. That doesn't make it...a bit of difference about the
32. lease. They still pay taxes, those people out therearound
33. the...the lake and they don't have the services,very honestly.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Well, I'll answer that and then I had a question I
5. wanted to ask either Senator Buzbee or Senator Donnewald.
6. But, first off, the Lake Springfield is owned by the city.
7. All the water, the lake, is annexed to the City of Spring-
8. field 'cause it's contiguous. Any person who lives on the
9. lake may or may not annex to the city if they desire by
10. petition. And if they are annexed to the city, the city
11. does collect the corporate tax, but in turn they must
12. furnish fire and police protection. If a sewer is
13. available they may or may not attach to the sewer if
14. they desire, 'cause all of them have a septic tank which
15. must meet the EPA standards. Now with the new EPA standards
16. and the new sewer construction that's going on, in the
17. very near future, all of them will be on sanitary sewer
18. because due to the increased population, the...the
19. septic tank fields are no longer meeting EPA standards.
20. The question I'd like to ask Senator Buzbee...Senator
21. Buzbee or Senator Donnewald, if they know, is...does
22. Jackson County have a County Zoning Ordinance?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. No, they do not, Senator Davidson. If they did, that
27. would be fine. I have representation on the County Board.
28. I do not have representation in the Carbondale City Council.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Well that was the question I was going to ask because
33. that county zoning is a mile and a half, doesn't exist anyway.

1. It's under the authority of the county.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Berning.

4. SENATOR BERNING:

5. Well, thank you, Mr. President, members of the Senate.

6. I would just like to point out why, in my opinion, this,

7. as it now is presented to us, cannot prevail. And let

8. me refer you to Mr. Webster, annex says, to attach, to

9. bind to, to join together materially. Will I submit

10. that annexation is intended solely for the purpose of

11. adding to an existing entity and to attempt, for whatever

12. laudable cause, to designate an acquisition out beyond

13. the reaches of a municipality as an annexation is on

14. the face of it, totally indefensible.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President and members of the Senate. A suggestion

19. to the sponsor that as a result of conversation with

20. several of the Senators in this area, apparently this

21. legislation is to take care of a specific case in your

22. district. Is that not true, Senator Donnewald?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Donnewald.

25. SENATOR DONNEWALD:

26. Well not only in my district, in many districts

27. throughout the State, I think there are six in number that

28. I am advised, there may be even more than that.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Well the suggestion that they asked me to put to you,

33. if this legislation could be passed, that those conditions

1. could be taken care of and then we would repeal the
2. legislation after we took care of those, so it wouldn't
3. be an ongoing thing that could be probably used to
4. violate what we have always held sacred and that is
5. the annexation procedure. I think we have no objection
6. to taking care of these instances where you enumerate
7. that there's a need to be taken care of.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. In...in response to that, it isn't ongoing at all.
12. As I stated in my opening statement, Senator, it only
13. applies to those particular bodies, lakes and...and
14. treatment plants that were in existence as of January 1, '78.
15. Anything new, it could not and would not apply to. Now, I...
16. go ahead, excuse me, does that response answer your question?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Donnewald may close.

19. SENATOR DONNEWALD:

20. Very briefly, this applies, members of the Senate,
21. only applies to counties that do not have county zoning.
22. And...the...those counties and those alone. Now, we've
23. had the situation, the problem in the area in which I
24. serve where the water supply is not contiguous to the
25. ...to the city itself of pollution by people living in
26. the surrounding areas and this becomes a very, very, very serious
27. problem and that...that is mainly the reason for this legislation.
28. And I would indeed urge a favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is shall House Bill 2787 pass. Those in
31. favor vote Aye. Those opposed vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that...the sponsor has asked that further consideration

1. of House Bill 2787 be postponed. The bill will be placed
2. on the Order of Postponed Consideration. House Bill 2790,
3. Senators Johns and Lemke. Senator Johns, shall we...you
4. and Senator Lemke ready? Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 2790.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Johns.
11. SENATOR JOHNS:
12. Mr. President, I'd like leave of the Body to take
13. 2790 and 14...7, House Bill 1470 as a package and vote
14. separately.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Is there leave to consider House Bill 1470 at
17. the same time? Leave is granted. Will the Secretary
18. please read House Bill 1470.
19. SECRETARY:
20. House Bill 1470.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. For what purpose does Senator Walsh arise?
25. SENATOR WALSH:
26. Well, I...I don't think the gentleman is the Senate
27. sponsor of 1470.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Well, Senator Lemke is the sponsor of that legislation.
30. Senator Lemke.
31. SENATOR LEMKE:
32. Senator Johns is a joint sponsor with me on this and
33. I agree to Senator Johns' proposal, so. 'Cause considering
34. the same topic, we did it yesterday with the amendments,
35. I think they should both be considered at the same time

1. and vote it, 'cause they're the same subject matter...potholes.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Walsh, I think these bills are both known
4. affectionately as the pothole bills.

5. SENATOR WALSH:

6. Oh, I...I just didn't see Senator Johns' name on the
7. Calendar. He is a joint cosponsor of the...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Yeah, yeah. Senators Johns and Lemke on 2790 and...and
10. Lemke and Vadalabene on 14 and Johns on 1470. For what
11. purpose does Senator Knuppel arise?

12. SENATOR KNUPPEL:

13. Well, as I understood it, at 12:00 o'clock we were
14. going to recess for lunch and these bills when we get
15. into them, if they're the pothole bills, they're going
16. to take a lot of time. I...at this time, I'd move
17. we'd recess until 2:30.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to recess. All in favor say Aye.
20. Opposed Nay. The Noes have it, the motion to recess
21. is lost. For what purpose does Senator Carroll arise?
22. There's been a request for a roll call on the motion to
23. recess until 2:30. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open. Have all
25. voted who wish? Have all voted who wish? Take the record.
26. On that question the Ayes are 24, the Nays are 32. The
27. motion to recess is lost. On the Order of House Bill 2790
28. and House Bill 1470. ...Bills have been read. May we have
29. some order, please. Senator Johns is recognized.

30. SENATOR JOHNS:

31. Good...good afternoon, Ladies and Gentlemen of the Senate.
32. We're now in the ballpark, one...one member left. The establish-
33. ment of the emergency pothole repair is very necessary to meet

1. the demands of many...municipalities and townships and cities.
2. It's a thirty million dollar package, it will be borrowed
3. from the General Revenue Fund and given to those people and
4. then to repay this borrowed funds, one fifteenth presently
5. taken off the top of the Motor Fuel Tax Collections and
6. deposited in the Road Fund will be transferred instead
7. into the General Revenue Fund until the payback is complete.
8. Almost two and a half million dollars a month is currently
9. being transferred and deposited in the Road Fund from the
10. one fifteenth off the top, so to speak, allocation. Thus
11. in about twelve months, the General Revenue Fund would be
12. repaid, it's thirty million dollars. The thirty million
13. will be distributed within thirty days to each municipality,
14. county and township or road district on the basis of the
15. existing Motor Fuel Tax Distribution Formula which was set
16. into motion into Fiscal Year 1976 by House Bill 1593. The
17. distribution of the thirty million by that formula is
18. 34.82 percent to the State, which gives it 10.45 million.
19. Thirty-two percent to municipalities, 9.6 million, 11.91
20. to downstate counties, 3.57 million, 10.91 to Cook County,
21. about 3.27 million, 10.36 to townships and road districts,
22. 3.11 million. There's virtually no red tape in this program
23. and the local districts of government will need to keep only
24. accurate records on the distribution of the funds. I would
25. ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? I have Senators Schaffer, Coffey,
28. Sommer and Regner in that order. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Mr. President, this proposal and in all candor, the
31. Governor's proposal are absolutely amazing to me. I come
32. from a district that covers parts or all of five counties,
33. many municipalities, townships, county governments. I haven't

1. received one letter, one phone call or one word from any
2. local official saying they're having any problem. Not one,
3. not even a hint, and I've asked them and they look at me
4. like well, what are you talking about. And I come from the
5. northernest part of the State where the weather is cold and
6. we get as much snow as anyone else. I'll defer to Senator
7. Davidson on sleet this year at least. I'm absolutely
8. amazed, you know, we've run around here, those of us in
9. the political process and we've issued our press releases
10. and our formulas and our big promises, but you know, thank
11. God for local government, because while we're busy down here
12. posturing, you know what the people back home been doing,
13. they filled the potholes, they worked, they got out in the
14. trucks and they filled the holes and they filled them with
15. patch. Thank God that they know how to shovel asphalt
16. up north because down here we shovel something of an entirely
17. different nature.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Coffey.

20. SENATOR COFFEY:

21. Mr. President and members of the Senate. I rise in opposition
22. to this bill and for several reasons. One, is that I really
23. don't think it's an answer to the problems and our local
24. townships and counties and municipalities, returning some
25. thirty million dollars back to...to local government when
26. it's going to create an additional problem when the State
27. loses that revenue of paying back two and a half million
28. dollars every month for the next twelve to fifteen months.
29. It's going to create a problem for them on the matching
30. funds even though that we've been told by some of the other
31. members on the other side of the aisle it won't. It will,
32. it will create a...a definite problem for DOT. There's
33. another problem with that bill that...if this money is
34. not used after six months that it will be not returned

1. back to DOT but returned back to General Revenue and all
2. of you know from both sides of the aisle that we certainly
3. are not over blessed with finances in the Department of
4. Transportation. I haven't...I've talked with the township or
5. the County Superintendents of Highways, which says that
6. this bill does not address itself to the problems in
7. our local counties, at least in my district. I've talked
8. to the President of the Superintendent of Highways which
9. says that it does not address itself to the problems. So
10. let's don't fool ourselves with a bill like this. Let's
11. don't let a bill that's political pass through this Body
12. just to give someone something to campaign on. I think
13. we need to look at the road programs in this State and
14. the problems and face them head on. This is not the answer
15. and I'd ask for you to oppose this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sommer. Senator Regner.

18. SENATOR REGNER:

19. Question of the sponsor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Regner.

22. SENATOR REGNER:

23. Senator Johns, did you say in your opening statement that
24. this will help all local governments?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Johns.

27. SENATOR JOHNS:

28. I said it would help local governments, not all.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Regner.

31. SENATOR REGNER:

32. Why does a candidate for Governor in an election year
33. propose to discriminate against certain units of local

1. government?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Johns.

4. SENATOR JOHNS:

5. Well, some local governments have not levied a tax
6. which would make them eligible for the Motor Fuel Tax
7. Formula.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Regner.

10. SENATOR REGNER:

11. Do you suppose that they have a pothole problem too?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Johns.

14. SENATOR JOHNS:

15. Well all I can tell you, it's...it's not doing anything
16. anymore than the Governor is trying to do.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Regner.

19. SENATOR REGNER:

20. I didn't say I supported his either. But I think it's
21. a terrible bill and I think it discriminates as it...the current
22. formula does, but to propose a special appropriation, a special
23. program to continue discrimination against certain units of
24. local government I think is deplorable and I think the bill
25. should be defeated.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Shapiro.

28. SENATOR SHAPIRO:

29. Well, Mr. President and Ladies and Gentlemen of the Senate.
30. These two bills have to be the worst legislation that's come
31. before us this year. I think if the sponsors of the bill would
32. take a look at, particularly...1470, they would find out that
33. almost immediately after the transfer is made from General

1. Revenue fund to the road fund, that the road fund has
2. to start paying back the money the first of the month.
3. Almost immediately because the bill takes effect immediately.
4. The law takes effect upon the effective date of the bill and
5. in addition as was pointed out...as was pointed out by Senator
6. Regner some thirty-nine road districts would not receive
7. one single dime, some of the smallest cities and townships
8. have received less than a hundred dollars and in addition
9. with the transfer of this money out for non...Federal funded
10. programs the State would lose approximately seventy million
11. dollars in Federal funds. I say that the...point out to
12. you that the bill is of no consequence. It will do more
13. harm than it will do good and both bills should be defeated.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Glass.

16. SENATOR GLASS:

17. ...You, Mr. President, Ladies and Gentlemen of the
18. Senate. To elaborate on what Senator Shapiro and others
19. have said. This is, in fact, a raid on the...on the road
20. fund. This money is coming out of the State Road Fund
21. and what is the condition of that fund. I think we
22. all know the condition of it, it's inadequate. It's...
23. we cannot afford to take thirty million dollars out of
24. the road fund and those people in the Senate, I don't
25. see Senator Hickey on the Floor right now, who...who
26. say that road fund money ought to be going to Route 51
27. and those in western part of the State complaining about
28. their roads and urging the State to do more. How can
29. you vote for a bill like this that takes thirty million
30. dollars out of the road fund for...for a purely political
31. purpose. I think that's purely and simply what this bill
32. involves and I would urge a No vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Lemke.

2. SENATOR LEMKE:

3. Being a...Mr. President and fellow Senators, this
4. is a program, I don't know if it's political or not.
5. I know it costs me eighty dollars for a new tire and
6. a...and a rim when I broke that and I think it costs
7. every taxpayer in...in this State money every time he
8. hits a pothole and has to get a rim fixed and the tire
9. ...replaced. Now, I don't know why they said this
10. is political when the Governor recognized the fact that
11. potholes should be repaired in this State and he wants
12. to appropriate seventy-one million dollars, this only
13. calls for thirty million. But I...I just can't under-
14. stand the thinking. Do you mean to tell me the Republicans
15. Party wishes every car owner that drives to pay the
16. possibility of eighty dollars or ninety dollars to
17. repair rims and tires, that their posing this kind of
18. tax on them. It's terrible. I don't know what you'd
19. want to do. Why don't you get on the program and help
20. people instead of start taking money away. If you want
21. to put thirty...nine schools...thirty-nine more
22. road districts in the bill, why don't the Republican
23. Party do it. Now we hear about the road fund. We have
24. a Director of the Department of Transportation that
25. can't even estimate what it's going to cost here and
26. there, it has to come in an emergency bill because
27. they're threatening to lay off public employees, high-
28. way workers and things from the Department of Trans-
29. portation. I don't know how you can get an accurate
30. reading from that department. I don't know, maybe the
31. Governor is ill-advised, but he found seventy-one million
32. dollars, maybe there's some more in there. But I think
33. this is a good program and I think every taxpayer in...and

1. every guy that drives a car in this State thinks it's a
2. good program because it's them that have to pay for
3. the repair of their tire or the replacement of their
4. tire. So I urge that we all support it and I think
5. it's the Republican Party who wants to make this a
6. partisan issue. They're the ones that are trying to
7. defeat this because the Governor's program can't get
8. out. This is a Democratic initial program to help
9. people and the Republicans who should help people
10. should and not be against this bill on a partisan
11. basis. They're the ones that have made this a partisan
12. issue, we didn't. We're only trying to help drivers
13. of automobiles save money. So I urge you all to
14. reconsider your vote on the other side of the aisle
15. because it's you that are...going to look bad, not us.
16. We're helping people, maybe you're not, so just consider
17. that. I urge an Aye vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg.

20. SENATOR GROTBURG:

21. Thank you, Mr. President. As regards the former
22. speaker, it's my understanding that yesterday that
23. that particular site of the aisle of this Chamber defeated
24. the amendment to put the township, the end that we were
25. talking about. And I would also remind everybody that
26. the DOT budget even though it's late in the House will
27. be here and they've already had a hundred and ten amend-
28. ments for our favorite projects on that. The Governor
29. will have to decide what happens to all of our board
30. that goes on it. Secondly and thirdly then, I would
31. only say that when these bills go to the Governor and
32. they'll probably pass, but he will probably wait till
33. he gets to July 31st, I believe, or something to sign

1. them and he'll veto them and they we got to override it.
2. Have you ever tried filling potholes in January, February,
3. March and early April 'cause that's exactly what's going
4. to happen to the pothole bill in the State of Illinois.
5. In the meantime local government as previous speakers
6. said, have got it all taken care of. There are a marvelous
7. group of engineers saying God, they don't work for the
8. politicians, but they're just out there filling potholes
9. as they'd always done. Nobody has asked for it and I
10. cannot vote for a bill that not even the bureaucracy
11. wants. It's a perfect opportunity to vote No and make
12. friends all over. I urge a No vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Mitchler.

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End of Reel

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1. SENATOR MITCHLER:

2. Mr. President and members of the Senate. Senator Schaffer
3. made some remarks about the people back home accomplishing their
4. task and taking care of the potholes. Who created this crisis
5. in potholes? We know...we have these potholes every year but
6. for some reason or other this became a political pothole knocking
7. it back and forth and as Senator Grothberg pointed out if this
8. bill does pass the Governor has indicated he'd veto it. You
9. won't come back until after the election in November and then
10. you...you...if you do override the Governor you'll be trying to
11. repair the potholes next year and they will have all been repaired.
12. Now, if you're really worried about people who drive automobiles
13. and right here in the Capital city in Springfield don't worry
14. about a crisis in potholes you try getting over these railroad
15. tracks and you go hump, hump, hump and you're lucky if you don't
16. lose your tailpipe and everything else in doing it so if you're
17. worried about people driving cars that's the place to start and
18. take the money out of the Road Fund and fix up these railroad
19. crossings. Boy, if this was in my district I'd sure do something
20. about it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? Senator Johns may briefly
23. close.

24. SENATOR JOHNS:

25. All right, very briefly. First, these people that are out
26. fixing these potholes they're doing so knowing damn well they're
27. short of money and they're hoping we'll get it for them. If we
28. pass this bill today the Governor can sign it tomorrow we can
29. get to work. The refunds that will be taken out are gradually
30. over a year they're put back in. A hundred and twenty million
31. dollars in the fund by June the 8th right now. John Kramer
32. said in a press release just a few days ago it will take two
33. years to repair these potholes. I urge a favorable roll call,

1. Mr. President.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is on the passage of House Bill 2790. Those
4. in favor vote Aye. Those opposed vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 30, the Nays are 24,
7. None Voting Present. House Bill 2790 having received the
8. constitutional majority is declared passed. Senator Glass has
9. requested a verification of the affirmative vote. Will those...
10. will the members please be in their seats. Will the members
11. be in your seats. The Secretary will call those who voted in the
12. affirmative.

13. SECRETARY:

14. The following voted in the affirmative: Berman, Bruce,
15. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Demuzio,
16. Donnewald, Egan, Guidice, Kenneth Hall, Johns, Joyce, Ziomek,
17. Lane, Lemke, Leonard, Maragos, Merlo, Netsch, Newhouse, Rock,
18. Sangmeister, Savickas, Vadalabene, Washington, Wooten, Mr.
19. President.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Glass do you...question the presence of any
22. member?

23. SENATOR GLASS:

24. Senator Newhouse.

25. PRESIDING OFFICER:(SENATOR BRUCE)

26. Senator Newhouse is at Senator Collins desk. Senator Glass...

27. SENATOR GLASS:

28. Senator Guidice here?

29. PRESIDING OFFICER:(SENATOR BRUCE)

30. Senator Guidice is at his seat.

31. SENATOR GLASS:

32. Senator...oh, Collins. Senator Netsch.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Netsch is at her desk.
2. SENATOR GLASS:
3. Is Senator Merlo here?
4. PRESIDING OFFICER:(SENATOR BRUCE)
5. Senator Merlo is at his desk. Do you question the presence
6. of any other member, Senator Glass? The roll call has been
7. verified. The Ayes are 30, the Nays are 24, None Voting Present.
8. For what purpose does Senator Rock arise?
9. SENATOR ROCK:
10. Having voted on the prevailing side I move to reconsider
11. the vote by which...
12. PRESIDING OFFICER:(SENATOR BRUCE)
13. The motion is to reconsider. Senator Wooten moves to
14. Table. All in favor say Aye. Opposed Nay. The Ayes have it.
15. The motion to reconsider is Tabled...1470 has been read a 3rd .
16. time. Is there discussion? Those in...it has been read a 3rd
17. time. Those in favor will vote Aye. Those opposed will vote
18. Nay. The voting is open. Have all voted who wish? Have all
19. voted who wish? Take the record. On that question, the Ayes
20. are 30, the Nays are 24, None Voting Present. House Bill 1470
21. having received the constitutional majority is declared passed.
22. Senator Johns...Senator Johns moves to reconsider the vote by
23. which House Bill 1470 passed. Senator Lemke moves to lay that
24. motion on the Table. All in favor say Aye. Opposed Nay. The
25. Ayes have it. The motion to reconsider is Tabled. For what
26. purpose does Senator Hynes arise?
27. SENATOR HYNES:
28. Mr. President, I move that the Senate...
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Hynes, could we just get one committee report in?
31. SENATOR HYNES:
32. All right.
33. PRESIDING OFFICER:(SENATOR BRUCE)

1. Is there leave to go to the Order of Committee Reports?

2. Leave is granted. Committee Reports.

3. SECRETARY:

4. Senator Carroll, Chairman of the Appropriations I Committee
5. reports out the following House Bills: 2540, 3235, 3395 with the
6. recommendation Do Pass. House Bills 2529, 2843, 2851, 2857,
7. 2870, 2911, 2979, 2981, 2985, 2986, 2987, 2988, 2989, 3124,
8. 3392 and 3368 with the recommendation Do Pass as Amended.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Buzbee. Buzbee. Senator Buzbee.

11. SENATOR BUZBEE:

12. Announcement, Mr. President. Appropriation II Committee
13. will now meet at 1:30...1:30 instead of the originally announced
14. time. 1:30 in Room 212.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President. Also by way of announcements, I
19. was off the Floor when Senator Hynes made his announcement concerning
20. potential meetings of the Appropriations Committee and I just want
21. it clearly understood that that does not apply to Appropriations I
22. ...Senator Hynes...Senator Hynes...Senator Hynes. Just wanted to
23. announce that Appropriations I will deal with any bills that come
24. before us before sundown on Friday. We cannot meet after sundown
25. on Friday to deal with money bills. It's in violation of my
26. religion to handle any money on the Sabbath.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further announcements? Senator Hynes. Gentlemen, if you
29. would listen to the President, you may...he has a slight change...

30. SENATOR HYNES:

31. No...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. ...in our schedule. Senator Hynes.

1. SENATOR HYNES:

2. Well, in...in view of the hour I would suggest that the
3. recess be until the hour of 3:00 o'clock so that Appropriations
4. II has ample time to consider the bills that are in that Committee
5. so I would move we stand in recess until the hour of 3:00 o'clock.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to recess until 3:00 o'clock. All in favor
8. Aye. Opposed Nay. The Senate stands in recess until the hour
9. of 3:00 o'clock.

10. (RECESS)

11. (AFTER RECESS)

12. PRESIDING OFFICER: (SENATOR ROCK)

13. The hour of three having come and gone the Senate will
14. reconvene and be in order. Will those not entitled to the Floor
15. please vacate. The Secretary informs the Chair that there are
16. fourteen amendments pending with respect to fourteen House Bills
17. on 3rd reading. If those sponsors wish to have the bills returned
18. at this time for the purpose of offering amendment please inform
19. ...so inform the Secretary. Senator Regner, how about on the
20. Secretary's Desk, your joint resolution? Is that handleable?
21. Okay. Yeah, for those who don't know, I'm told...I'm reliably
22. informed that the House is again debating the ratification of
23. the Equal Rights Amendment so that's where most of the member-
24. ship is. All right. Ring the bell, Mr. Sergeant-at-Arms, please.
25. We will proceed to the Order of the Secretary's Desk. Resolutions.
26. On the bottom of page 16 on the Calendar, Senate Joint Resolution
27. 95. Senator Regner.

28. SENATOR REGNER:

29. I think the Secretary has an amendment on the Desk.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Mr. Secretary.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Regner.

1. PRESIDING OFFICER : (SENATOR ROCK)

2. Senator Regner.

3. SENATOR REGNER:

4. Mr. President and members of the Senate. This is the
5. Senate Joint Resolution that was offered last week regarding
6. defaulted loans that the...were guaranteed and the State
7. Scholarship Commission was involved. The amendment I have here
8. was suggested by the Auditor General and what it does, it...
9. the original resolution called for a management audit of the
10. defaulted accounts and the suggestion made by the Auditor
11. General was to perform a management audit of the Illinois
12. Guaranteed Loan Program and also with special attention to the...
13. the defaulted accounts and he figured it...tighten it up a
14. little and they also could...at the same time audit the
15. implementation of recommendations made over a year ago to the
16. Scholarship Commission and I would move the adoption of Amendment
17. No. 1 to Senate Joint Resolution 95.

18. PRESIDING OFFICER:(SENATOR ROCK)

19. Senator Regner has moved the adoption of Amendment No. 1
20. to Senate Joint Resolution 95. Is there any discussion? All
21. those in favor signify by saying Aye. All those opposed. The
22. Ayes have it. The amendment is adopted. Do you wish now to
23. consider the adoption of the joint resolution? All right. On
24. the Order of the Secretary's Desk. Resolutions. Bottom of page
25. 16. Senate Joint Resolution 95, Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members of the Senate. This is, as I
28. said, in introducing the amendment this is the joint resolution
29. directing the Auditor General to perform the management audit
30. of the...Illinois Guaranteed Loan Program with special emphasis
31. on the defaulted accounts and also the State employees that are
32. shown on the listings as having defaulted. As I mentioned when
33. we had the Appropriation Bill for the Scholarship Commission there

1. was some seventeen thousand default accounts with over four
2. hundred of them being State employees totaling about seven
3. million dollars and I think it's an excellent resolution and
4. we should pass it directing the Auditor General to perform this
5. special audit and make the recommendations to the commission and
6. to the General Assembly.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right. Senator Regner has moved the adoption of Senate
9. Joint Resolution 95. Is there any discussion? Do we wish for
10. a roll call on this? All those in favor signify by saying Aye.

11. All those opposed. The Ayes have it. The resolution is adopted.

12. All right. On the Order of House Bills. With leave of the Body

13. we'll go now to House Bills, 3rd reading. These are the bills

14. that are to be recalled for purpose of an amendment. All right.

15. Senator Merlo, are you ready on 3151? On the Order of House

16. Bills, 3rd reading, House Bill 3151. Senator Merlo seeks leave

17. of the Body to return House Bill 3151 back to the Order of 2nd

18. reading for purpose of an amendment. Is leave granted? Leave

19. is granted. On the Order of House Bills, 2nd reading, House

20. Bill 3151. Mr. Secretary.

21. SECRETARY:

22. Amendment No. 2 offered by Senator Wooten.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Thank you, Mr. President. This bill affords us an opportunity

27. to correct something done by inadvertence last year. We passed

28. the bill restricting the sale and lease of park property to

29. other units of Local Government. In putting that language in

30. we also affected the language that...permitted the exchange of

31. property or comparable property and this has worked a considerable

32. hardship on the park districts. They were going to come in here

33. next year to request some relief from that, however, there are

1. a couple of cases where they would like to get this done
2. immediately so this amendment simply says that park districts
3. are permitted to exchange land with anybody. Units of land
4. are about the same...to give you one case that's pending right
5. now there's a building that inadvertently was put two feet on
6. the park property so they want to swap another strip of property
7. to keep from having to move the building. If there's no objection
8. I would...I request the adoption of this amendment to House Bill
9. 3151.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Wooten has moved the adoption of Amendment No. 2
12. to House Bill 3151. Is there any discussion? All those in
13. favor signify by saying Aye. All those opposed. The Ayes
14. have it. The amendment is adopted. Any further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. 3rd reading. Senator Rupp. On the Order of House Bills,
19. 3rd reading, House Bill 3225. Senator Rupp seeks leave of the
20. Body...to return House Bill 3225 back to the Order of 2nd reading
21. for purpose of an amendment. Is leave granted? Leave is
22. granted. On the Order of House Bills, 2nd reading, House Bill
23. 3225. Mr. Secretary.

24. SECRETARY:

25. Amendment No. 3 offered by Senator Rupp.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Rupp.

28. SENATOR RUPP:

29. Thank you, Mr. President. What this does is just merely in...
30. add in these words "the Federal Safe Drinking Water Act." What
31. we did when we listed the Clean Water Act and left out the
32. Federal Safe Drinking Water Act wording and I ask that this
33. amendment be adopted.

HB 2842
6/22/73
Rupp

1. RESIDING OFFICER: (SENATOR ROCK)
2. Senator Rupp has moved the adoption of Amendment No. 3
3. to House Bill 3225. Is there any discussion? All those in
4. favor signify by saying Aye. All those opposed. The Ayes
5. have it. The amendment is adopted. Any further amendments?
6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR ROCK)
9. 3rd reading. On the Order of House Bills, 3rd reading,
10. House Bill 2842. Senator Vadalabene seeks leave of the
11. Body to return House Bill 2842 back to the Order of 2nd
12. reading for purpose of an amendment. Is leave granted?
13. Leave is granted. On the Order of House Bills, 2nd reading,
14. House Bill 2842. Mr. Secretary.

15. SECRETARY:
16. Amendment No. 2 offered by Senator Berning.

17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Vadalabene.

19. SENATOR VADALABENE:
20. Yes, thank you, Mr. President. I would like at this
21. time to...to have leave to Table Amendment No. 1 to
22. Senate Amendment No. 1 to House Bill 2842.

23. PRESIDING OFFICER: (SENATOR ROCK)
24. All right. Senator Vadalabene having voted on the
25. prevailing side seeks to reconsider the vote by which
26. Amendment No. 1 to House Bill 2842 was adopted. Is there
27. any discussion? All in favor signify by saying Aye. All
28. opposed. The Ayes have it. The vote is reconsidered.
29. Senator Vadalabene now moves to Table Amendment No. 1 to
30. House Bill 2842. All those in favor signify by saying Aye.
31. All those opposed. The Ayes have it. The amendment is
32. Tabled. Further amendments?

33.

1. SECRETARY:
2. Amendment No. 2 offered by Senator Berning.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Berning.
5. SENATOR BERNING:
6. Thank you, Mr. President and members of the Senate.
7. Amendment No. 2 is essentially the same as Amendment No. 1 with
8. one little correction so as to make it more effective and
9. applicable and there is a total agreement between the Senate
10. sponsor and me. I know of no disagreement and I would ask
11. approval of Amendment No. 2, Mr. President.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Berning has moved the adoption of Amendment No. 2
14. to House Bill 2842. Is there any discussion? Senator Bruce.
15. Senator Bruce on Senator Hynes' mike, please.
16. SENATOR BRUCE:
17. I wonder if Senator Berning can just explain the difference
18. between the two amendments? I don't...looking at the second
19. amendment doesn't appear to differ greatly from the amendment we just
20. Tabled.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Berning.
23. SENATOR BERNING:
24. Yes, the Amendment No. 1 which was Tabled was restrictive
25. insofar as the sale of alcoholic liquors to members. The last
26. phrase of the last line says "to members of the organization."
27. This, of course, would preclude a church or school from holding
28. a fund-raising function and inviting the public and this is
29. what we do not want to eliminate so by striking the words
30. "members of the organization" we make it eligible for the public.
31. PRESIDING OFFICER:(SENATOR ROCK)
32. All right. Senator Berning has moved the adoption of
33. Amendment No. 2 to House Bill 2842. Is there any discussion?

1. All those in favor signify by saying Aye. All those opposed.
2. The Ayes have it. The amendment is adopted. Any further
3. amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. 3rd reading. Senator Davidson on 1803. On the Order
8. of House Bills, 3rd reading, House Bill 1803. Senator
9. Davidson seeks leave of the Body to return House Bill 1803
10. back to the Order of 2nd reading for purpose of an amendment.
11. Is leave granted? Leave is granted. On the Order of House
12. Bills, 2nd reading, House Bill 1803. Mr. Secretary.

13. SECRETARY:

14. Amendment No. 2 offered by Senator Bloom.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bloom.

17. SENATOR BLOOM:

18. Thank you, Mr. President. This amendment would add down-
19. state teachers. I've cleared it with the...Senator Egan and
20. the sponsor of the bill. I'd move its adoption.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Bloom has moved the adoption of Amendment No. 2
23. to House Bill 1803. Is there any discussion? All those...
24. Senator Berning.

25. SENATOR BERNING:

26. Just a question. When you say includes, in what way?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Bloom.

29. SENATOR BLOOM:

30. It adds...adds them to the...they have to put in a half
31. a percent contribution. Thank you.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? If not, Senator Bloom has moved the

1. adoption of Amendment No. 2 to House Bill 1803. Senator Bruce
2. on Senator Hynes' mike.

3. SENATOR BRUCE:

4. ...the downstate teachers. In the amendment, Senator
5. Bloom, it seems to say one percent on page 2, line 25. One
6. percent of each salaried payment. I just wondered since the
7. university employees were at a half percent...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Bloom.

10. SENATOR BLOOM:

11. See they increased it from a half. It's up a...one half
12. a percent to one percent the way staff explains it to me. Okay.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. Senator Bloom moves the adoption of Amendment
15. No. 2 to House Bill 1803. Any further discussion? If not,
16. all those in favor signify by saying Aye. All those opposed.
17. The Ayes have it. The amendment is adopted. Any further
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. 3rd reading. Senator Bruce, for what purpose do you arise?

23. SENATOR BRUCE:

24. Yes, that bill was supposed to be shown as Davidson-Bruce.
25. I don't know...we've made that motion a couple...two or three
26. times. I'd like to have the Calendar reflect that sooner or
27. later.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. The Secretary assures me it will be done. On the Order of
30. House Bills, 3rd reading, House Bill 3220. 3-2-2-0. Senator
31. Weaver seeks leave of the Body to return House Bill 3220 back
32. to the Order of 2nd reading for purposes of an amendment. Is
33. leave granted? On the Order of House Bills, 2nd reading, House

1. Bill 3220. Mr. Secretary.

2. SECRETARY:

3. Amendment No. 1 offered by Senator Weaver.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Thank you, Mr. President. This House Bill 3220 seems to
8. be drawing flies. I have an amendment here that Senator...I
9. should say Representative McClain would like for me to put
10. on it that...and Senator Leonard has one also. This...amend-
11. ment would authorize the use of an assumed corporate name.
12. There would be control in the practice of this by filing an
13. application with a fee by the corporation to the Secretary of
14. State. I don't think, really, the...the old law of 1847 has
15. been enforced. This would allow corporations to use assumed
16. names in their advertising. Not necessarily corporate name
17. under which they're organized. If there's any questions, I'll
18. try to answer them.

19. PRESIDING OFFICER:(SENATOR ROCK)

20. All right. Senator Weaver has moved the adoption of
21. Amendment No. 1 to House Bill 3220. Is there any discussion?
22. Senator Bowers.

23. SENATOR BOWERS:

24. Will the sponsor yield to a question?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Indicates he will yield. Senator Bowers.

27. SENATOR BOWERS:

28. Well, I'm curious as to the purpose of this. I understand
29. what you're saying now. We got a corporation who can now
30. advertise and do business under an assumed name. Do they follow
31. the Assumed Name Act and file and all that sort of thing and
32. ...what's...what's the purpose of it?

33. PRESIDING OFFICER:(SENATOR ROCK)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Senator Bowers, as I understand this, the law of 1874 is
4. virtually unenforceable. It prohibits a corporation from advertising
5. under any name other than that by which it is incorporated or other-
6. wise authorized by a law. This would allow a corporation that had
7. maybe had been merged into another corporation to advertise their
8. assumed name only after filing the total ownership of that assumed
9. name or that advertising name with the Secretary and filing a fee
10. so that anyone having any doubt about who this corporation is
11. can check with the Secretary of State. At one central place in the
12. State it will be identified and the consumer will know who the
13. owner of the corporation is that has advertising under a so-called
14. assumed name or a partial name of the corporation.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bowers.

17. SENATOR BOWERS:

18. Does the use of that assumed name carry with it the same
19. protection as the corporate name? That is to say, can anyone
20. else in the State use that name after they have filed it with
21. the...with the Secretary of State's Office? If...if the answer
22. to that question is no then I've a second question which would
23. be what about an individual who would file with the county clerk
24. under the assumed name and use that same name? What's the controls
25. on the use of the name?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Weaver.

28. SENATOR WEAVER:

29. Well, maybe this answers it, Senator. A new section to the
30. BCA set...the procedures and requirements for such election...
31. such assumed name may be the same or deceptively similar to a
32. name of any Illinois corporation or foreign corporation authorized
33. to...transact business in Illinois or to any registered or reserved

1. corporate name and the officer of the corporation must file
2. an application with the Secretary together with the fee. The
3. Secretary of State issues a...certificate authorizing the use
4. of the name if such name complys with this Section and the
5. rights to use the name...is revoked if the corporation fails
6. to pay its annual assumed fee plus a penalty fee of sixty days,
7. et cetera, so it would be up to the Secretary of State to
8. determine whether or not this assumed name may be infringing
9. on some other registered corporate name in this State.

10. PRESIDING OFFICER:(SENATOR ROCK)

11. Senator Bowers.

12. SENATOR BOWERS:

13. Well, Mr. President, I'm not sure whether I am opposed to
14. this or not. I can think of an awful lot of problems and it
15. just seems to me to put an amendment like that on at this late
16. stage of the game without any kind of public hearings could
17. cause some problems. We're talking about an assumed name. I
18. assume a corporation could have fifty assumed names. That is...
19. I guess there is no limitation. It seemed...you know, I...I
20. can think of some problems. I'm not sure they're problems at
21. all but it does seem to me to be a kind of a vast departure from
22. the laws that exist today and I think it happens to be the
23. wrong time of the year to approach something like that and I
24. would oppose the amendment, I believe, unless...pardon. Well,
25. that doesn't make it right.

26. PRESIDING OFFICER:(SENATOR ROCK)

27. Any further discussion? All right...Senator Weaver has
28. moved the adoption of Amendment No. 1 to House Bill 3220. All
29. those in favor signify by saying Aye. All those opposed. The
30. Ayes have it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. Amendment No. 2 offered by Senator Leonard.

33. PRESIDING OFFICER:(SENATOR ROCK)

1. Senator Leonard.

2. SENATOR LEONARD:

3. This is an amendment that deals with problems facing
4. corporations when there is a death on the board of directors and
5. presently it is necessary to call a new meeting of the stock-
6. holders to pick the directors. If you have a large corporation
7. you can come into a situation where, literally, hundreds of
8. thousands of dollars are spent to call the new board meeting to
9. find a replacement. This law says that a replacement may be
10. picked...may be appointed by the board to fill the term until
11. the next meeting of the shareholders and it...it simply lets
12. corporations fill vacancies without going to undue, unnecessary
13. expense. I've talked...explained this to leadership on both
14. sides of the aisle. I don't think there's anyone inconvenienced
15. by this and there certainly are people that benefit and I would
16. hope that it would be accepted.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Leonard has moved the adoption of Amendment No. 2
19. to House Bill 3220. Is there any discussion? If not, all those
20. in favor signify by saying Aye. All those opposed. The Ayes
21. have it. The amendment is adopted. Any further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. 3rd reading. On the Order of House Bills, 3rd reading,
26. House Bill 2946. It's at the bottom of page 7. House Bill
27. 2946. Senator Berman seeks leave of this Body to return House
28. Bill 2946 back to the Order of 2nd reading for the purpose of
29. an amendment. Is leave granted? On the Order of House Bills,
30. 2nd reading, House Bill 2946. Mr. Secretary.

31. SECRETARY:

32. Amendment No. 1 offered by Senator Glass.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President and Ladies and Gentlemen. This
4. amendment would provide that the Special Education Tax which
5. would be for building purposes may be used for any special
6. education purposes. The amendment provides that the tax shall
7. not be included in the operating rate of the district and that
8. the district shall not be eligible for reimbursement for special
9. ed building purposes unless the entire Act...tax authorizing
10. ...this Section is levied and utilized for building purposes.
11. So that it...it basically, I think that...that explains it. I'd
12. be happy to answer any questions and urge...move for its adoption.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Glass has moved the adoption of Amendment No. 1
15. to House Bill 2946. Is there any discussion? Senator Sommer.

16. SENATOR SOMMER:

17. It's a question, Senator Glass. Is this that old eight year
18. Building Tax that was put on without a referendum and now every
19. year we have somebody who wants to make that a permanent tax
20. without a referendum and contravention of the agreement that was
21. made when it was first put on that it would expire in eight years?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Glass.

24. SENATOR GLASS:

25. Well, I...I can't answer yes to all that 'cause I don't
26. think there was any agreement that contravention of which is
27. involved in the bill. But yes, this is a...the bill itself
28. before this amendment deals with a Special Education Tax which
29. was an eight year tax. The bill takes off the eight year limit
30. and allows the tax to remain and be used for Special Education
31. purposes.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Sommer.

1. SENATOR SOMMER:

2. I submit that this is just another tax increase without
3. a referendum and if you want to vote for it you can. I'm
4. not going to and I'm going to ask that we call the roll.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. A roll call has been requested. Senator Glass has moved
7. the adoption of Amendment No. 1 to House Bill 2946. Further
8. discussion? Senator Bruce.

9. SENATOR BRUCE:

10. I would just alert to the members that this is exactly
11. the bill we killed three years ago, two years ago, one year
12. ago. It's back on amendment and Senator Glass, you've gone
13. beyond, I think, when you have now allowed the...revenue raise
14. by the tax to be used for construction and maintenance of...
15. administrative facilities. That is stricken from the language
16. in its original...you could not have used the money...on page
17. 2 you've stricken that language which I assume means that you
18. can now use it for cost of construction or maintenance of
19. administrative facilities separated from Special Ed facilities
20. and for that reason...the reason is as Senator Sommer said we
21. said that we would have this in effect for eight years then
22. it would go away and it seems like it just keeps staying on and
23. on and on. Thank you.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. All right. Senator Berman.

26. SENATOR BERMAN:

27. Well, thank you, Mr. President. I would point out that the
28. amendment is a...in form a technical amendment to language that's
29. already in the bill and I would suggest that if the bill is
30. going to pass or fail on the issues raised by Senator Sommer and
31. Senator Bruce the amendment ought to be put on anyway because
32. the extension of the tax is already in the bill as it came over
33. from the House so I think that the issues are raised are really...

1. should be directed on 3rd reading so that we either pass the
2. bill or don't pass the bill but if it passes it ought to be
3. in proper form and that's why I had agreed to have this amend-
4. ment put on. It...if the bill...if the amendment fails and the
5. bill passes it will not do the job that the Senate would intend
6. it to do if it passed so I would suggest that the amendment be
7. put on and the opposition be directed to the bill on 3rd reading
8. after we have a chance to change some minds.

9. PRESIDING OFFICER:(SENATOR ROCK)

10. Any further discussion? All right. Senator Glass has
11. moved the adoption of Amendment No. 1 to House Bill 2946. All
12. those in favor signify by saying Aye. All those opposed. The
13. Ayes have it. The Amendment is adopted. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER:(SENATOR ROCK)

17. 3rd reading. And on the Order of House Bills, 3rd reading,
18. House Bill 384. Senator Guidice seeks leave of this Body to
19. bring House Bill 384 back to the Order of 2nd reading for the
20. purpose of an amendment. Is leave granted? On the Order of
21. House Bills, 2nd reading, House Bill 384. Mr. Secretary.

22. SECRETARY:

23. Amendment No. 2 offered by Senator Berning.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Berning.

26. SENATOR BERNING:

27. Mr. President, I think the proper procedure is for Senator
28. Guidice to ask leave of the Body to reconsider the vote by which
29. Amendment No. 1 was adopted and then move to Table that. Amendment
30. No. 2 will replace Amendment No. 1 and is updated.

31. PRESIDING OFFICER:(SENATOR ROCK)

32. Yes, Senator Leonard, for what purpose do you arise?

33. SENATOR LEONARD:

1. May I ask leave of this Body to be put on as a cosponsor on
2. 3279?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. You may indeed. You've heard the request. Is leave
5. granted? So ordered. Senator Guidice, did you hear Senator
6. Berning's suggestion about the Tabling of Amendment No. 1?
7. All right. On the Order of House Bills, 2nd reading, House Bill
8. 384. Senator Guidice having voted on the prevailing side
9. moves to reconsider the vote by which Amendment No. 1 was
10. adopted. Is there any discussion? If not, all those in favor
11. signify by saying Aye. All those opposed. The Ayes have it.
12. The vote is reconsidered. Senator Guidice now moves to Table
13. Amendment No. 1 to House Bill 384. All those in favor signify
14. by saying Aye. All those opposed. The Ayes have it. The
15. amendment is Tabled. Further amendments?

16. SECRETARY:

17. Amendment No. 2 offered by Senator Berning.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Berning.

20. SENATOR BERNING:

21. Yes, thank you Mr...President. Amendment No. 2 is an
22. update of the objective of Amendment No. 1 but with the
23. passage of time Amendment No. 1 was no longer able to accomplish
24. the objective which is simply to bring the election process for
25. the election of trustees in one little village in Lake County
26. into conformity with their...their objective to put the trustees
27. on a one-half board election every two years. Under the existing
28. law because of an earlier referendum they are now faced with the
29. election of one trustee, one year and five in the next year and
30. they'd like to get out from under that. Amendment No. 2 will
31. accomplish this and I...unless there are questions I'll appreciate
32. the House...the Senate's action to adopt Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning has moved the adoption of Amendment No. 2
2. to House Bill 384. Is there any discussion? If not, all those
3. in favor signify by saying Aye. All those opposed. The Ayes
4. have it. The amendment is adopted. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER:(SENATOR ROCK)

8. 3rd reading. On the Order of House Bills, 3rd reading,
9. House Bill 2219. Senator D'Arco. Middle of page 3 on the
10. Calendar. 2219. Senator D'Arco seeks leave of the Body to
11. bring back House Bill 2219 to the Order of 2nd reading for the
12. purpose of an amendment. Is leave granted? On the Order of
13. House Bills, 2nd reading, House Bill 2219. Mr. Secretary.

14. SECRETARY:

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

16. PRESIDING OFFICER:(SENATOR ROCK)

17. Senator D'Arco.

18. SENATOR D'ARCO:

19. Thank you, Mr. President. Amendment No. 1 would...allow
20. any member of the General Assembly to transfer his credit time
21. from various pension systems into the General Assembly Pension
22. System and the employer contribution would be transferred along
23. with that time and I would move for its adoption.

24. PRESIDING OFFICER:(SENATOR ROCK)

25. Senator D'Arco has moved the adoption of Amendment No. 1
26. to House Bill 2219. Any discussion? Senator Glass.

27. SENATOR GLASS:

28. A question of the sponsor if he will yield, Mr. President.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. He indicates he will yield. Senator Glass.

31. SENATOR GLASS:

32. Senator D'Arco, I...I did understand the part about transferring
33. credits into the General Assembly but who...and I did not understand

1. from your explanation who would be eligible to do this? Any
2. State employee or...or who...who may do it under the amendment?
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator D'Arco.
5. SENATOR D'ARCO:
6. It amends six employee pension systems, the Chicago
7. Municipal, Cook County, forest preserves, Chicago laborers,
8. Chicago park employees and the Chicago Sanitary District.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Rhoads.
11. SENATOR RHOADS:
12. Senator D'Arco, will you yield for a question?
13. PRESIDING OFFICER:(SENATOR ROCK)
14. He indicates he will yield. Senator Rhoads.
15. SENATOR RHOADS:
16. Senator, is...is...is there somebody in particular you
17. have in mind to this amendment?
18. PRESIDING OFFICER:(SENATOR ROCK)
19. Senator D'Arco.
20. SENATOR D'ARCO:
21. I can't think of anybody in particular. I know the...
22. I know...I know...I know that the Pension Commission reviewed
23. this legislation and I know that Senator Egan is eager to speak
24. on this legislation.
25. PRESIDING OFFICER:(SENATOR ROCK)
26. Senator Rhoads.
27. SENATOR RHOADS:
28. Well, just at the conclusion of the debate I...I would
29. request a roll call on the amendment. Thank you.
30. PRESIDING OFFICER:(SENATOR ROCK)
31. Further discussion? Senator Egan.
32. SENATOR EGAN:
33. Yes, Mr. President and members of the Senate. This proposal

1. if you can recall a year ago in the closing hours of the...the
2. Session very late at night this proposal was one of many that
3. was attached to a bill that got so heavy with amendments that
4. it sunk but this particular proposal has the endorsement of
5. the commission. We have deliberated upon it. It is inclusive
6. of systems that are not now included that other systems have
7. the same priority with and I commend it to your favorable
8. consideration, Senator Rhoads. It's...it's...it's a good
9. amendment.

10. PRESIDING OFFICER:(SENATOR ROCK)

11. Any further discussion? Senator Bruce.

12. SENATOR BRUCE:

13. Thank you, Mr. President and members of the Senate. This
14. is the same amendment. I would alert the membership to the fact
15. that not only are active members of the General Assembly allowed
16. to have service credits from the various systems brought in but
17. under the Section, page 5, any member of the General Assembly
18. Retirement System, any present member. That would include, I
19. think, people like perhaps Fred Selke. We've talked about this.
20. Anyone who participates in our system would also be able to
21. transfer in...I...just seems to me that we see this amendment
22. in the last ten days.This is the last ten day Amendment we
23. always see when they cannot get this thing through committee
24. the last couple of days I...would point out there's going to
25. be two other amendments to this very good bill and perhaps,
26. we're going to good this one to death again.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. Any further discussion? Senator D'Arco you wish...may
29. close the debate.

30. SENATOR D'ARCO:

31. Well, number one, this does not apply to people like Fred
32. Selke because it amends various Chicago pension systems and
33. the Chicago pension systems are not objecting to it. Right now

1. you can transfer your credit time from those systems into the
2. General Assembly Pension Fund. All this says is that the
3. employer contribution portion of the contribution will be
4. transferred along with that credit time that you've established
5. in these various pension funds. It's not of catastrophic
6. importance. In fact, the IMRF Pension System already allows
7. for the transfer of credit time and the employer's portion of
8. the contribution to be transferred along with that credit time
9. so we're just putting this in conformity with the IMRF Pension
10. Article along with the State Employees Pension Article so it's
11. not...I'm not trying to put something over on you guys and there's
12. ...this isn't something that's not fair or equitable and I need
13. a vote. A favorable vote.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator D'Arco has moved the adoption of Amendment No. 1
16. to House Bill 2219. A roll call has been requested. Those in
17. favor will vote Aye. Those opposed will vote Nay. The voting
18. is open. Have all voted who wish? Have all voted who wish?
19. Take the record. On that question, the Ayes are 26, the Nays
20. are 12, 1 Voting Present. Amendment No. 1 is adopted. Further
21. amendments?

22. SECRETARY:

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

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator D'Arco.

26. SENATOR D'ARCO:

27. Thank you, Mr. President. Amendment No. 2 provides that
28. if an employee withdraws from the pension system and he has a
29. loan from an accredited credit union the credit union will have
30. a lien against amount...the amount of money that the employee
31. secured by the loan. It's a Chicago bill. The Chicago Pension
32. Fund is asking for it and I would move for its adoption.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator D'Arco has moved the adoption of Amendment No. 2
2. to House Bill 2219. Is there any discussion? If not, all those
3. in favor signify by saying Aye. All those opposed. The Ayes
4. have it. The amendment is adopted. Further amendments?

5. SECRETARY:

6. Amendment No. 3 offered by Senator D'Arco.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator D'Arco.

9. SENATOR D'ARCO:

10. Amendment No. 3 provides that the CETA employees contribution
11. to the Municipal Pension System will be established at a new rate
12. than would be established for employees of the pension system
13. that are not CETA employees. That is in accordance with new
14. Federal regulations that the Feds have mandated that the
15. Municipal governments adopt and I would move for its adoption.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator D'Arco has moved the adoption of Amendment No. 3
18. to House Bill 2219. Any discussion? Senator Demuzio.

19. SENATOR DEMUZIO:

20. Yes, I'd like to ask the sponsor a question.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. The sponsor indicates he will yield.

23. SENATOR DEMUZIO:

24. Senator D'Arco, are...are...are you saying that the Federal
25. Government has mandated municipalities to pick up the Comprehensive
26. Employment Training Act to employees in the pension program?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator D'Arco.

29. SENATOR D'ARCO:

30. No. What they are saying is that their rate of contribution
31. to the pension system cannot be the same as for employees of the
32. municipality. In other words, they're saying that the CETA
33. employees because they do not serve for that long a period of

1. time and don't become vested and unless they have unsubsidized
2. employment don't deserve the amount of money to be paid in at
3. the same rate as the employees of the municipality would.

4. PRESIDING OFFICER:(SENATOR ROCK)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. In the first place, I don't understand the...the Federal
8. regulation that requires the payments of CETA employees who
9. are beneficiaries of the Federal programs to be in the
10. Municipal Pension System in the first place.

11. PRESIDING OFFICER:(SENATOR ROCK)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. Well, the fact of the matter is, that the municipality
15. would receive a refund of its contribution that it pays into
16. the pension system for the CETA employee so the municipality
17. wouldn't be losing any money.

18. PRESIDING OFFICER:(SENATOR ROCK)

19. Further discussion? Senator Rhoads.

20. SENATOR RHOADS:

21. Senator D'Arco, I wonder if I could make a suggestion.
22. Since these are some complicated amendments which deal with
23. the...the pension funds and since these amendments have not
24. been printed or distributed on our desks, to the best of my
25. knowledge, it's not likely that it would make an difference
26. in the votes by which these amendments go on but if you could
27. please have them printed and distributed on the desks before
28. you call this on 3rd reading, I, for one, would appreciate it.

29. PRESIDING OFFICER:(SENATOR ROCK)

30. The sponsor...indicates that will be done. Senator Wooten.

31. SENATOR WOOTEN:

32. Thank you, Mr. President. Just a point of information,
33. Senator. Something came up that I was not aware of. Is it

1. customary for CETA employees to pay into a pension fund? I thought
2. they were only employed...I thought the regulations said you only
3. work for a year and I know in some cases that has gone on to two
4. years but it...is that a policy to have CETA employees pay into
5. a pension fund anywhere?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Before the adoption of the new regulations the CETA funds
10. could be used to fund a retirement system program. Whenever
11. CETA members were required by the State or local government
12. to be members of the State or local pension system.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Let me see if I can follow that. In other words when, let's
17. say, a unit of local government obtains a CETA employee, it's
18. rules and regulations require that that CETA employee pay into
19. the pension fund. What, then, happens to the money that goes
20. into the fund? Does the CETA employee get his back? Does it
21. all go into...in other words are we using CETA employees to
22. enrich the pension fund? Is that the deal?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator D'Arco.

25. SENATOR D'ARCO:

26. Would have the same rights as any employee who pays into
27. the pension fund.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. But how could they ever become vested? It would seem to
30. me that's money that just goes into the fund with no chance of
31. them recovering. I'm surprised that they would be required to
32. ...to pay into the system at all.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. That's the problem. If...the problem is that they will not
4. become vested. That's why the new regulations were issued which
5. says that their contribution rate is much less than would be for
6. an employee not...not a CETA employee.

7. PRESIDING OFFICER:(SENATOR ROCK)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. I...I guess I'm having trouble understanding...let's say
11. their contribution rate is much less but still it seems to me
12. a contribution they ought not be required to make or they ought
13. to receive back. Do they, in fact, get the money back?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. The...the municipality would get a refund for the...from the
18. Federal Government for the amount of the contribution that it
19. makes to the pension fund for the CETA employee. Now the CETA
20. employee could always withdraw whatever monies...it accumulated
21. in the pension fund if, in fact, he is unemployed before he is
22. vested.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Two more questions. Who's regulation is it that they pay
27. into a pension fund? Is it the Federal Government or the
28. municipality?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. If the municipality has such a regulation then they have to
33. contribute to the pension fund. The Federal regulation is now

1. saying that the rate of contribution will be much less than
2. is normal for employees of the municipality who contributed to
3. the pension fund and that's the purpose of the bill to put us
4. into compliance with the new Federal regulation.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Wooten.

7. SENATOR WOOTEN:

8. All right. I gather from that, then, that it is a
9. municipal regulation not a Federal regulation that such
10. involvement in a pension fund exists at all. All right,
11. secondly, I think I'm beginning to see the outlines of
12. advantage to this, that if a municipality requires payment
13. into a pension fund then that money goes into the pension
14. fund, the employee can get some back. Perhaps, the cities
15. contribution remains in the fund, then the city gets some
16. extra money from the Government to reimburse it and the
17. pension fund is enriched and the municipality is not out
18. anything. Is that the way it works?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. That's exactly correct. It...it is estimated that the
23. Illinois Municipal Retirement Fund would save approximately
24. 3.5 million dollars. The State Employment Retirement Fund
25. approximately one and a half million dollars and the Chicago
26. Laborers and Chicago Municipal System approximately a million
27. dollars.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. I just discovered another way that CETA can be used to make
32. everybody a little wealthier. Thank you.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Bruce.

2. SENATOR BRUCE:

3. Thank you, Mr. President. I wonder if the sponsor would

4. yield for a question?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Indicates he will yield. Senator Bruce.

7. SENATOR BRUCE:

8. On the page 4, it says the board may establish a separate

9. municipality contribution rate. Does that allow them to, as

10. under the other pension systems to establish a rate without

11. referendum to fund this program?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. Yes it does.

16. SENATOR BRUCE:

17. So it's a tax without a referendum. Then on page...lines

18. 23 through 26 of page 4, does it not say that there will be

19. a refund of the money raised by that to the prime sponsor?

20. SENATOR D'ARCO:

21. That's...that's one of the options you have. You can

22. refund the money to the prime sponsor as an option. The other

23. ...the other option would be for the employer to make a separate

24. contribution and such rate would be determined actuarially based

25. on the unique experience of the CETA participants. Now it's

26. not tax without a referendum because the rate of the contribution

27. has to be less than the rate for other employees in the pension

28. system.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

32. This would be a new levy though because these people are

33. presently not covered.

1. SENATOR D'ARCO:

2. No, it's only covering people that are required to be
3. covered initially.

4. SENATOR BRUCE:

5. Well, I just point out to the membership that it states
6. on lines 11 and 12 of page 4 that the board may establish a
7. separate municipality contribution rate and as to the two
8. options, Senator, the one we mentioned is that the rebate to
9. the program operator. On page 10 it says, "in lieu of that option
10. the city...shall contribute to the fund from Federal funds and
11. the special rate so it's established and such contributions
12. shall become a credit to the city and be used to reduce the
13. amount which the city would otherwise contribute during succeeding
14. years for all employees." So the money they have is a special
15. tax rate. They can either give it back to the program operator
16. or they can take it and put it into their general fund to reduce
17. the obligation on all other employees. The one thing is...is
18. certain in this amendment is that the CETA employees that we're
19. raising these taxes for will never vest and they will never get
20. the money. All the optoin means is that the money raised go
21. either to the program operator or directly into the coffers of
22. the city.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Demuzio.

25. SENATOR DEMUZIO:

26. Well, what about the balance of state programs that are
27. sponsored under the CETA program to not-for-profit making
28. organizations? Would this money be refundable to them and if,
29. in fact, it is refundable to them, what, then, can they do with
30. it if they're funded under a not-for-profit status?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator D'Arco.

33.

1. SENATOR D'ARCO:

2. I...I would imagine that...they, if they, in fact,
3. were required by regulation to put CETA employees in
4. the pension fund that this would apply to not-for-profit
5. organizations that have CETA money as well.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Demuzio.

8. SENATOR DEMUZIO:

9. Want...want to clear up another point. You're saying
10. that in the Federal Statute, in the requirement under the
11. Comprehensive Employment and Training Act that it is
12. mandatory that CETA employees participate in a pension
13. program. Is that what you're saying?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. Yes, that's true.

18. SENATOR DEMUZIO:

19. What is the definition of an employee under the CETA
20. program versus an employee that is employed by a not-
21. for-profit organization that handles the balance of
22. State grant from the State for CETA employees who are
23. then farmed out to other municipalities in the rural
24. areas. What's the difference between the employee
25. definition and the CETA program versus that which is
26. an employee in a not-for-profit making organization
27. capacity.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. The...I don't know what the definition would be for
32. a CETA employee who is working for a municipality as
33. opposed to one where a grant is given to a not-for-profit

1. organization, that's not in this bill and I really don't
2. know what the definition is.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator...I mean Senator Demuzio.

5. SENATOR DEMUZIO:

6. Then what you're doing then is your discriminating against
7. those individuals who are also being paid out of the Comprehen-
8. sive Employment and Training Act, although they're working
9. for a not-for-profit making organization that doesn't
10. participate in a pension program. Yet those that are working
11. for a municipality and a...so-called classified as an employee
12. that do participate into a pension program. There's a big
13. difference when you get downstate, when you start talking
14. about the Comprehensive Employment Training Act. As far
15. as an employee relationship with the municipality and
16. not-for-profit corporations who do not have pension programs.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. The bill doesn't address itself to the question of
21. whether or not a organization is required by its regulations
22. to put money into a pension fund for CETA employees. It
23. just addresses itself to a situation where a municipality
24. does, in fact, have by regulations, put money into a pension
25. fund for CETA employees. I understand your problem, but
26. I cannot through this bill, create a situation that would
27. help those CETA employees that are working for not-for-profit
28. organizations through grants. If you want to do that in
29. a separate bill, I'll support it.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Weaver.

32. SENATOR WEAVER:

33. Senator D'Arco, is there any Federal prohibition to

1. the states or local governments to prohibit CETA employees
2. from joining or contributing to any pension fund in the
3. State until their...become regular employees of that
4. local government or state?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator D'Arco.
7. SENATOR D'ARCO:
8. Not that I'm aware of, Senator, I don't think there
9. is. No.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Weaver.
12. SENATOR WEAVER:
13. Wouldn't that be a better approach. The whole program
14. of CETA employees is to try to upgrade, train, and make them
15. employable. And when they become employable, we put them
16. to work on regular payrolls for municipalities, states,
17. et cetera. So why wouldn't it just be simpler to say
18. that no CETA employee shall pay any contribution to any
19. State or local retirement system?
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Well, the problem is that, we that the State can't
22. really do that legislatively, or if we did, the effect
23. would be...in contravention to the Federal regulations.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any further discussion? Senator...Senator Berning.
26. SENATOR BERNING:
27. Just a quick question of the sponsor.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Indicates he will yield. Senator Berning.
30. SENATOR BERNING:
31. Senator, we had Senate Bill 1083 which addressed
32. itself to this problem and that was the result of the
33. combined efforts of the State Employees System and the

1. IMRF system. My question is...where did this bill originate
2. and is it the result of the administration of the systems
3. or...or who drafted the bill or who asked for the bill?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator D'Arco.
6. SENATOR D'ARCO:
7. Well, it's my understanding that the IMRF and the
8. State Employee Retirement Systems were interested in this
9. bill. Because the effect of it would be to lessen their
10. contribution to the pension systems for CETA employees.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Berning.
13. SENATOR BERNING:
14. Well, are you saying then that the IMRF and the
15. State Employees System, in addition to the others that
16. you mention have requested this?
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator D'Arco.
19. SENATOR D'ARCO:
20. I'm not...I'm not going to stand here and tell you
21. they requested it, but there's only one other system it
22. affects and that's the Chicago Municipal Laborers Retirement
23. System. It affects the IMRF, SER and Chicago Municipal
24. Employees Retirement System.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Any further discussion? If not, Senator D'Arco has
27. moved the adoption of Amendment No. 3 to House Bill 2219.
28. Those in favor signify by saying Aye. Opposed. The Ayes
29. have it, the amendment is adopted. Any further amendments?
30. SECRETARY:
31. No further amendments.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. 3rd reading. Senator Knuppel on 297. On the Order
34. of House Bills 3rd reading, House Bill 297. Senator

1. Knuppel seeks leave of this Body to bring back...bring House
2. Bill 297 back to the Order of 2nd reading for purpose of
3. an amendment. Is leave granted? On the Order of House
4. Bills 2nd reading, House Bill 297, Mr. Secretary.

5. SECRETARY:

6. Amendment No. 2 offered by Senator Knuppel.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. This is an amendment to House Bill 297 to meet some
11. technical objections. It was prepared by the Democratic
12. staff. What this bill does, is strike everything from
13. the enacting clause on down. And so what the bill really
14. does in its amended form is to provide that mandated
15. services by the General Assembly that increase the cost
16. of government to local units of government, including
17. schools, will be paid back or refunded by the State
18. and if not the local unit and the...or the school district,
19. does not have to participate in the mandated program.
20. This is good legislation in keeping with the attitude
21. and the tax revolt...position of the citizens of today
22. and the...reaction of the people to mandated programs.
23. And I think that we should, if we mandate the program.
24. Takes effect January 1st, 1980, as far as mandated programs
25. are concerned. I move the adoption of the amendment.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator...Senator Knuppel has moved the adoption
28. of Amendment No. 2 to House Bill 297. Is there any
29. discussion?

30. SENATOR KNUPPEL:

31. Just a minute. Is there an earlier amendment on
32. there?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Well if this is two, there's gotta be a one. Well I...
2. I'm told I have to Table Amendment No. 1. So I move to
3. Table Amendment No. 1 first, okay.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. Senator Knuppel moves to reconsider the
6. vote by which Amendment No. 1 to House Bill 297 was adopted.
7. Is there any discussion? If not, all those in favor signify
8. by saying Aye. All those opposed. The Ayes have it. The
9. vote is reconsidered. Senator Knuppel now moves to Table
10. Amendment No. 1. Any discussion? All those in favor signify
11. by saying Aye. All those opposed. The motion prevails.
12. Amendment No. 1 is Tabled. The question now before us is
13. the adoption of Amendment No. 2 to House Bill 297. Senator
14. Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President, members of the Senate. I'm
17. advised, Senator Knuppel, that there are two bills pending,
18. Senate...I guess they're House Bills 3112 and 13 that do
19. this or do...do something very similiar. It...it's a fairly
20. lengthy amendment. I...I...as a matter of fact, agree with
21. the direction you're going, but I haven't had a chance to read
22. it and...and I do notice in it, lines 31 through 33, the
23. following statement appears. The allocations to appropriate
24. units of local government or school districts shall be made
25. by the comptroller in accordance with the provisions
26. of each bill, which mandates the additional cost, ...well,
27. I would...I would think that ought to be any...any Statute
28. bause a bill mandating an additional cost is ineffective, or
29. course, until it's signed into law. Let me also ask you
30. whether there...is any requirement in the Legislation that
31. the State would have to pay the...the grants that it already
32. is obligated to pay. For instance, we have various school
33. mandated programs that are supposed to be funded by State

1. Aid, special State grants and...and in the past we haven't
2. fully funded those. Bilingual education might be an example
3. or special education. What if the State does not fully
4. fund those programs?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, it's my understanding what we've already here
9. to for mandated does have to...will not be covered by this.
10. In other words, those programs will not be under this bill.
11. It's only those bills, those mandated programs that are
12. mandated after...as of and after January 1st, 1980. And
13. I'll be happy, I realize that...that it's kind of a lengthy
14. amendment. I'd appreciate it, Senator Glass, if we could
15. put the amendment, I'll move it back to 3rd. I'll have
16. the members of the staff talk to you. Is there some reason
17. you want to discuss it or further amend it, I'll be happy
18. to bring it back to 2nd. Thank you.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? If not, Senator Knuppel has
21. moved the adoption of Amendment No. 2 to House Bill 297.
22. All those in favor signify by saying Aye. All those opposed.
23. The Ayes have it, the amendment is adopted. Any further
24. amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. 3rd reading. Any other member have a bill on 3rd he
29. wishes to recall for the purpose of an amendment? All right,
30. with leave of the Body, we'll move to House Bills 2nd reading.
31. We'll go right down the list and hope that the membership
32. will be ready to move. 562, Senator Regner. On the Order
33. of House Bills 2nd reading, House Bill 562. Read the bill,

HB 1333
2nd reading
6/22/78

1. Mr. Secretary.

2. SECRETARY:

3. House Bill 562.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The Committee on Local Government

6. offers one amendment.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Regner.

9. SENATOR REGNER:

10. Mr. President and members of the Senate. This amendment

11. was requested by the sponsor. It was an amendment that...in

12. the form of an amendment in the House when it was introduced

13. and there was a request that it be taken off now so the

14. Senate Bill will be in the original form of the House Bill

15. and I move the adoption of Amendment No. 1 which was a

16. committee amendment.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Regner has moved the adoption of Amendment

19. No. 1 to House Bill 562. Is there any discussion? All

20. those in favor signify by saying Aye. All those opposed.

21. The Ayes have it. The amendment is adopted. Any further

22. amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any amendments from the Floor?

27. SECRETARY:

28. No Floor amendments.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. 3rd reading. 1264, Senator Savickas. 1333, Senator

31. Moore. Senate...Senator Moore.

32. SENATOR MOORE:

33. Thank you, Mr. President. I would like to move this bill

HB 1333
2nd Reading
6/22/78

- 1. to 3rd reading. If any member has an amendment that he
- 2. would like to offer tomorrow, I would bring the bill
- 3. back to 2nd, otherwise we will proceed with the bill as it
- 4. appears in the Calendar. I would like to move the bill to
- 5. 3rd.

6. PRESIDING OFFICER: (SENATOR ROCK)

- 7. All right, with leave of the Body, that will be done.
- 8. On the Order of House Bills, 2nd reading, House Bill 1333.
- 9. Read the bill, Mr. Secretary.

10. SECRETARY:

- 11. House Bill 1333.
- 12. (Secretary reads title of bill)
- 13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

- 15. Any amendments from the Floor?

16. SECRETARY:

- 17. No Floor Amendments?

18. PRESIDING OFFICER: (SENATOR ROCK)

- 19. 3rd reading. Yes, Senator Buzbee, for what purpose
- 20. do you arise?

21. SENATOR BUZBEE:

- 22. Question of the sponsor of this bill, Mr. President.
- 23. Does this legislation now take care of the problem that
- 24. has evolved apparently since the agreed...the agreement
- 25. was reached? That problem being those auto parts dealers
- 26. who deal in equipment -other than those...other than that
- 27. equipment manufactured by the original manufacturer.

28. PRESIDING OFFICER: (SENATOR ROCK)

- 29. Senator Moore.

30. SENATOR MOORE:

- 31. That problem that the auto parts dealers see, other
- 32. people do not see. This bill as it stands now, is the
- 33. bill that was agreed upon by the various factions without

1. any amendments. The Auto Dealer's Amendment I have seen,
2. both our staff and your staff has seen it. I imagine that
3. you will have a memorandum on it on your desk today or
4. tomorrow like we will on this side of the aisle and if
5. you desire to offer that amendment, why I will bring the
6. bill back. But to specifically answer your question, the
7. problem that they see with the agreed bill has not been
8. remedied. We do not believe that there's a difference
9. of opinion as to whether or not the problem exists or
10. not, Senator.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Senator Moore. I...as probably a lot of
15. members have received an awful lot of mail about that
16. problem. I was talking on this past week-end with an
17. automobile dealer who is...a...a dealer of a major auto-
18. mobile as well as he is in the parts business, wholesale
19. parts for the manufacturers that do not...that are not
20. original manufacturers. He still forseees this as a
21. problem. I voted on the original bill, the Senate Bill,
22. and since then this has arisen to me and...and it seems
23. to me that it does need to be addressed. Unfortunately
24. I don't have any expertise at all in product liability. And
25. I wouldn't know what I was doing if I were to address it.
26. But my guess is I'm going to have to try to make some attempt
27. tomorrow because I've committed myself to those dealers
28. that I would do that.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. 2118, Senator Leonard.

31. SENATOR LEONARD:

32. Might I have leave...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Hold it...wait just a minute. Senator Rhoads, for what
2. purpose do you arise?
3. SENATOR RHOADS:
4. It was...it was on House Bill 1333.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Oh, it had, it's...
7. SENATOR RHOADS:
8. Yes, and I...
9. PRESIDING OFFICER: (SENATOR ROCK)
10. It moved to 3rd reading. Okay.
11. SENATOR RHOADS:
12. Well, it did...it did deal with the amendment, if...if
13. I could just ask the sponsor a question.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Sure, yes you may. Senator Rhoads.
16. SENATOR RHOADS:
17. Senator Moore, could you please tell us, I...I know
18. you agreed to call this back tomorrow if someone had amend-
19. ments. Is this bill now in the identical posture as the
20. ...as the Senate version over in the House?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Moore.
23. SENATOR MOORE:
24. The Senate bill as it passed here is on 3rd reading
25. in the House without amendment. This bill, that is presently
26. on 3rd reading, is identical to the Senate Bill that is on
27. 3rd reading in the House.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. 2118. Senator Leonard.
30. SENATOR LEONARD:
31. Mr. President, might I have leave of this Body to
32. come back to this bill this afternoon, we are still working
33. on an amendment that we would like to introduce.

H. B. 2344
6/22/78

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right. 2339, Senator Berman. Top of page 12, House

3. Bills 2nd reading. 2344, Senator Carroll. On the Order of

4. House Bills 2nd reading, House Bill 2344. Read the bill,

5. Mr. Secretary.

6. SECRETARY:

7. House Bill 2344.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any amendments from the Floor?

12. SECRETARY:

13. Amendment No. 1 offered by Senator Carroll.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Carroll.

16. SENATOR CARROLL:

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

18. Senate. As I explained to Senator Weaver before this is

19. a small amendment, we could read it in full. It eliminates

20. the clarifying language as have other amendments in the past.

21. I think those who have dealt with the topic are familiar

22. with the amendment. I would answer questions and ask for

23. a favorable roll call.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Carroll has moved the adoption of Amendment

26. No. 1 to House Bill 2344. Is there any discussion? All

27. those in favor signify by saying Aye. All those opposed.

28. The Ayes have it, the amendment is adopted. Any further

29. amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. 3rd reading. 2325...39, Senator Demuzio. 2554,

1. Senator Maragos. House Bills 2nd reading. Senator Maragos.
2. SENATOR MARAGOS:
3. Mr. President, I'm...move 2554 as amended with the
4. understanding that there might be some amendments. I'm...
5. bring it back to 2nd reading, but move it to 3rd at this time.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. All right. On the Order of House Bills 2nd reading,
8. House Bill 2554. It's been read a 2nd time already.
9. SECRETARY:
10. Yes, it was read a...a 2nd time, Mr. President, on...
11. on June the 21st, 1978.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. All right. Any further amendments?
14. SECRETARY:
15. No further amendments.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. 3rd reading. 2570, Senator Hynes. 2575, Senator Lane.
18. 2578, Senator Merlo. On the Order of House Bills 2nd reading,
19. House Bill 2578. Read the bill, Mr. Secretary.
20. SECRETARY:
21. House Bill 2578.
22. (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any amendments from the Floor?
26. SECRETARY:
27. Amendment No. 1 offered by Senator Berman.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Berman.
30. SENATOR BERMAN:
31. Thank you, Mr. President. Amendment No. 1 is an
32. addition to...this bill is the towing bill to regulate
33. companies that tow away cars which are illegally parked.
34. This amendment merely provides that the towing service

1. can be paid, not only in cash, which is the present posture
2. of the bill, but that the towing company must also be willing
3. to accept major credit cards. I move the adoption of Amend-
4. ment No. 1. It's been approved by the principal sponsor,
5. ...Senator Merlo.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Berman has moved the adoption of Amendment
8. No. 1 to House Bill 2578. Is there any discussion? If
9. not, all those in favor signify by saying Aye. All those
10. opposed. The Ayes have it. The amendment is adopted. Any
11. further amendments?

12. SECRETARY:

13. No further amendments. Amendment No. 2 offered by
14. Senator Moore.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Moore.

17. SENATOR MOORE:

18. Thank you, Mr. President, members of the Senate.
19. Amendment No. 2 to House Bill 2578, under the terms of
20. the bill as it stands, it is mandated in Cook County and
21. all other counties it is optional by the county board
22. whether they want to go into it or out of it. What Amend-
23. ment No. 2 does is to allow the cities and villages in
24. suburban Cook County to opt out of the bill in the event
25. the village fathers or city fathers decide that they
26. should. I discussed this with the principal sponsor. I
27. don't believe there's any objection. I'd move for the
28. adoption of Amendment No. 2.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Moore has moved the adoption of Amendment
31. No. 2 to House Bill 2578. Is there any discussion? If
32. not, all those in favor signify by saying Aye. All those
33. opposed. The Ayes have it, the amendment is adopted. Any

1. further amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. 3rd reading. 2684, Senator Collins. 2691, Senator
6. Berman. 2707, Senator Lemke. On the Order of House Bills
7. 2nd reading, House Bill 2707. Read the bill, Mr. Secretary.
8. SECRETARY:
9. House Bill 2707.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. This bill had a request for a
12. fiscal note which has been answered. No committee amendments.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Any amendments from the Floor?
15. SECRETARY:
16. No Floor amendment. Wait a minute...Amendment No. 1
17. offered by Senator Lemke.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Lemke.
20. SENATOR LEMKE:
21. What this amendment does is amends House Bill 2707 on
22. page 1, line 25, by inserting, after fifteen thousand, the
23. following language, "nor shall any such grant exceed six
24. hundred and fifty dollars." This is the wording that was
25. discussed in committee and was with Representative Skinner
26. and he had suggested that this make the better bill and
27. put a limit on. That's at six hundred and fifty dollars.
28. I ask for its adoption.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Is there any discussion? Senator Lemke has moved
31. the adoption of Amendment No. 1 to House Bill 2707. All
32. those in favor signify by saying Aye. All those opposed.
33. The Ayes have it. The amendment is adopted. Any further

1. amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. 3rd reading. 2757, Senator Glass. 2818, Senator Hickey.
6. 2963, Senator Lemke. On the Order of House Bills 2nd reading,
7. House Bill 2963. Read the bill, Mr. Secretary.
8. SECRETARY:
9. House Bill 2963.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. This bill had a request for a
12. fiscal note which has been answered. No committee amend-
13. ments.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Any amendments from the Floor?
16. SECRETARY:
17. No Floor amendments.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. 3rd reading. 2969, Senator Bloom. On the Order of
20. House Bills 2nd reading, House Bill 2969. Read the bill,
21. Mr. Secretary.
22. SECRETARY:
23. House Bill 2969.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. No committee amendments. Any amendments from the Floor?
28. SECRETARY:
29. Amendment No. 1 offered by Senator Carroll.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Carroll.
32. SENATOR CARROLL:
33. Thank you, Mr. President. This is the Hynes Amendment

1. that limits the spending to fifty percent during the rest
2. of the Calendar year. I'd move adoption of Amendment No. 1
3. to House Bill 2969.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Carroll has moved the adoption of Amendment
6. No. 1 to House Bill 2969. Is there any discussion? If
7. not, all those in favor signify by saying Aye. All those
8. opposed. The Ayes have it. The amendment is adopted.
9. Further amendments?

10. SECRETARY:

11. Amendment No. 2 offered by Senator Carroll.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President and Ladies and Gentlemen
16. of the Senate. This amendment reduces the increase in
17. personal services to the 5.5 level. I would move adoption
18. of Amendment No. 2.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Carroll has moved the adoption of Amend-
21. ment No. 2 to House Bill 2969. Is there any discussion?
22. If not, all those in favor signify by saying Aye. All
23. those opposed. The Ayes have it, the amendment is adopted.
24. Any further amendments?

25. SECRETARY:

26. Amendment No. 3 offered by Senator Bloom.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Thank you. We passed 2714 this morning. This amendment
31. says that in the event the Local Government Law Enforcement
32. Officers Fund is abolished by this 80th General Assembly then
33. the appropriations from that fund of Section 1 will be payable

1. out of General Revenue. Move its adoption.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Bloom has moved the adoption of Amendment No. 3
4. to House Bill 2969. Is there any discussion? If not, all
5. those in favor signify by saying Aye. All those opposed.
6. The Ayes have it, the amendment is adopted. Further amend-
7. ments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. 3rd reading. 2983. On the Order of House Bills
12. 2nd reading, House Bill 2983. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 2983.

15. (Secretary reads title of bill)

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

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President. After discussion with former
22. Senator Harris, these reductions are to bring the funding
23. down to the 5.5 level and make some contractual adjustments
24. that he requested. I would move adoption of the amendment.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Carroll has moved the adoption of Amendment No. 1
27. to House Bill 2983. Is there any discussion? If not, all
28. those in favor signify by saying Aye. All those opposed.
29. The Ayes have it. The amendment is adopted. Any further amend-
30. ments?

31. SECRETARY:

32. No further committee amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any amendments from the Floor?
2. SECRETARY:
3. Amendment No. 2 offered by Senator Carroll.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Carroll.
6. SENATOR CARROLL:
7. Thank you, Mr. President and Ladies and Gentlemen
8. of the Senate. This is the Hynes fifty percent amendment.
9. I would move adoption of Amendment No. 2.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Carroll has moved the adoption of Amendment
12. No. 2 to House Bill 2983. Is there any discussion? If
13. not, all those in favor signify by saying Aye. All those
14. opposed. The Ayes have it, the amendment is adopted.
15. Any further amendments?
16. SECRETARY:
17. No further amendments.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. 3rd reading. 3023, Senator Lemke. Leave of the Body,
20. Senator Bruce, will you advance those bills on Senator
21. Hynes behalf. On the Order of House Bills 2nd reading,
22. House Bill 3049. Read the bill, Mr. Secretary.
23. SECRETARY:
24. House Bill 3049.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Any amendments from the Floor?
29. SECRETARY:
30. No Floor amendments.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. 3rd reading. On the Order of House Bills 2nd reading,
33. House Bill 3050, 3050. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 3050.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Appropriations I
5. offers one amendment.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Carroll.
8. SENATOR CARROLL:
9. Thank you, Mr. President and Ladies and Gentlemen
10. of the Senate. We have prepared one Floor...one amend-
11. ment that was adopted in committee to add the monies
12. necessary for the first year of the new General Assembly,
13. which is always greater than the second year for printing,
14. et cetera. I would move adoption of Amendment No. 1 and
15. at the same time ask the sponsor of the legislation if
16. the bill will be held, that we're going to have to bring
17. it back tomorrow for further amendments.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. I'm sure it will be brought back.
20. SENATOR CARROLL:
21. Thank you.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. All right. Senator Carroll has moved the adoption
24. of Amendment No. 1 to House Bill 3050. Is there any
25. discussion? If not, all those in favor signify by saying
26. Aye. Those opposed. The Ayes have it. The amendment is
27. adopted. Further amendments?
28. SECRETARY:
29. No further amendments.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. 3rd reading. 3055, Senator Davidson. On the Order of
32. House Bills 2nd reading, House Bill 3053. Read the bill,
33. Mr. Secretary.

1. SECRETARY:

2. House Bill 3053.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Agriculture

5. offers one amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. Mr. President, we need to Table that amendment 'cause
10. the agreement in this bill is to be in the same wording as
11. the Senate Bill went out of here and the Senate Bill was
12. amended in the House and it's back over now for concurrence
13. with the same language that's in this bill as it came over.
14. So I would move to Table Committee Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Davidson has moved to Table Committee Amend-
17. ment No. 1 to House Bill 3053. Is there any discussion?
18. If not, all those in favor signify by saying Aye. All
19. those opposed. The Ayes have it. The amendment is Tabled.
20. Further amendments?

21. SECRETARY:

22. Amendment No. 2 offered by Senator Chew.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Since Senator Chew isn't on the Floor, if you'd move
27. it to 3rd, I'll bring it back tomorrow.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. Amendment No. 2 will be withdrawn. Any
30. further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. 3rd reading. 3112, Senator Lane. On the Order of
2. House Bills 2nd reading, House Bill 3112. Read the bill,
3. Mr. Secretary.
4. SECRETARY:
5. House Bill 3112.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Local Govern-
8. ment offers one amendment.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Lane.
11. SENATOR LANE:
12. Thank you, Mr. President and members of the Senate.
13. Amendment No. 1 would exempt the State from reimbursing
14. a unit of local government or school district for a mandated
15. program when the General Assembly must enact such a
16. program to comply with the Federal mandate. It will also
17. require the State Board of Education to estimate the
18. expenses of mandated programs for school districts.
19. Also clarify means by which a comptroller would pay
20. claims during the initial Fiscal Year and following
21. enactment and during subsequent Fiscal Years. Clarifies
22. the other language in the bill. I move for the adoption.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Lane has moved the adoption of Amendment
25. No. 1 to House Bill 3112. Is there any discussion?
26. If not, allthose in favor signify by saying Aye. All
27. those opposed. The Ayes have it, the amendment is adopted.
28. Any further amendments?
29. SECRETARY:
30. No further committee amendments.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any amendments from the Floor?
33. SECRETARY:

1. No Floor amendments.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. 3rd reading. 3113, Senator Lane. On the Order of
4. House Bills 2nd reading, House Bill 3113. Read the bill,
5. Mr. Secretary.
6. SECRETARY:
7. House Bill 3113.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Local Govern-
10. ment offers one amendment.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Lane.
13. SENATOR LANE:
14. Thank you, Mr. President and members of the Senate.
15. Amendment No. 1 would exempt the State from reimbursing
16. a unit of local government or school district for a
17. mandated program when the General Assembly must enact
18. such a program to comply with the Federal mandate. Also
19. it required the State Board of Education to estimate the
20. estimates of mandated programs for school districts. Clarify...
21. it also clarifies means by which the Comptroller would pay
22. claims during the initial Fiscal Year following the enact-
23. ment and subsequent Fiscal Years. It also clarifies the
24. other language in the bill. I move for the adoption of
25. Amendment No. 1.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Lane has moved the adoption of Amendment No. 1
28. to House Bill 3113. Is there any discussion? If not, all
29. those in favor signify by saying Aye. All those opposed.
30. The Ayes have it. The amendment is adopted. Any further
31. amendments?
32. SECRETARY:
33. No further committee amendments.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. 3rd reading. On the Order of House Bills 2nd reading,
3. House Bill 3157. Read the bill, Mr. Secretary.
4. SECRETARY:
5. House Bill 3157.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Insurance and
8. Licensed Activities offers one amendment.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Leonard.
11. SENATOR LEONARD:
12. This amendment I have checked with Senator Philip
13. who is thinking of a similiar amendment. It does several
14. things. It deals with the suspension of licenses for
15. people involved in medical fraud and it clarifies that it
16. is false records and overcharging are grounds for revocation,
17. suspension of licenses for dentists, optometrists, pharmacists,
18. physicians and podiatrists. I don't think we have disagreement
19. on this and I would ask for its adoption.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. This is the committee amendment now, is that the one
22. you just explained? Yes, there is...I'm told, there's a
23. Floor amendment pending, yes. Okay.
24. SENATOR LEONARD:
25. I move to Table Amendment No. 1. Pardon me.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. All right. Amendment No. 2 is pending on the Secretary's
28. Desk. Senator Leonard has now moved to Table Amendment No. 1
29. to House Bill 3157. Is there any discussion? If not, all
30. those in favor signify by saying Aye. All those opposed.
31. The Ayes have it. The amendment is Tabled. Further amendments?
32. SECRETARY:
33. No further committee amendments.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any amendments from the Floor?
3. SECRETARY:
4. Amendment No. 2 offered by Senator Philip.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Leonard.
7. SECRETARY:
8. Okay. All right. Amendment No. 2 offered by Senator
9. Leonard.
10. SENATOR LEONARD:
11. And this does just what I mentioned before. It clarifies
12. the grounds for overcharging and making false medical records
13. for dentists, optometrists, pharmacists, physicians and podiatrists.
14. Ask its adoption.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. All right. Senator Leonard has moved the adoption of
17. Amendment No. 2 to House Bill 3157. Is there any discussion?
18. If not, all those in favor signify by saying Aye. All those
19. opposed. The Ayes have it. The amendment is adopted. Further
20. amendments?
21. SECRETARY:
22. No further amendments.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. 3rd reading. 3160, Senator Lane. On the Order of House
25. Bills 2nd reading, House Bill 3160. Read the bill, Mr. Secretary.
26. SECRETARY:
27. House Bill 3160.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Any amendments from the Floor?
32. SECRETARY:
33. No Floor amendments.
34. PRESIDING OFFICER: (SENATOR ROCK)

1. 3rd reading. 3168, Senator Lemke. 3177, Senator
2. Savickas. 3192, Senator Egan. 3202, Senator Newhouse.
3. 3231, Senator Johns. On the Order of House Bills 2nd
4. reading, House Bill 3231. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 3231.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Appropriations I
9. offers one amendment.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Carroll.
12. SENATOR CARROLL:
13. Thank you, Mr. President. It's a technical inconsistency
14. in Amendment No. 1. I would move to Table Amendment No. 1.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Carroll has moved to Table Amendment No. 1 to
17. House Bill 3231. Is there any discussion? If not, all those
18. in favor signify by saying Aye. All opposed. The Ayes have
19. it. The amendment is Tabled. Further amendments?
20. SECRETARY:
21. No further committee amendments.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Any amendments from the Floor?
24. SECRETARY:
25. Amendment No. 2 offered by Senator Johns.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Johns.
28. SENATOR JOHNS:
29. Well, it...
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Now, wait a minute...
32. SENATOR JOHNS:
33. ...it's identical. Washington...Washburn brought it
34. to me to Buzbee. It's filed...it doesn't make any difference.

1. If he wants to discuss it, go ahead.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Well...Senator Buzbee.

4. SENATOR BUZBEE:

5. I'd like the record to reflect that it's offered by
6. Senator Buzbee, Mr. President. This amendment will break
7. the appropriation out to the Capital Development Board from
8. the Capital Development Fund to the Jackson-Union County
9. Regional Port District rather than directly to the
10. district itself. And then we also reappropriate one
11. hundred eighty-seven thousand, five hundred dollars or
12. so much thereof as may be necessary. It was reappropriated
13. from the Capital Development Fund to the Capital Development
14. Board for repair of the roof of John A. Logan Community
15. College. What happened was that we passed this last year.
16. They were getting ready, they got a contractor and they
17. were getting ready to go to work and then the roofers went
18. on strike. Took about three or four weeks to settle that
19. and then when they got ready to go back to work, the
20. contractor declared bankruptcy. And so now they're in the
21. process of trying...of getting a new contractor, trying to
22. make the old contractor...make good on his bond or his...his
23. insurance company, rather, make good on that portion of this
24. bond and they have...in talking with the Capital Development
25. Board, the Comptroller's Office and the Community College
26. Board, they've all decided the best way to do it is to
27. reappropriate it because there's no way they can get this
28. money obligated by the end of this Fiscal Year. So they're
29. ...they're reappropriating for FY79 and I would move the
30. adoption of this amendment.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Buzbee has moved the adoption of Amendment
33. No. 2 to House Bill 3231. Is there any discussion? If not,

1. all those in favor signify by saying Aye. All those opposed.
2. The Ayes have it. The amendment is adopted. Any further
3. amendments?
4. SECRETARY:
5. No further amendments.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. 3rd reading. 3236, Senator Shapiro. 3259, Senator
8. Savickas. 3270, Senator Bruce. On the Order of House Bills
9. 2nd reading, House Bill 3270. Read the bill, Mr. Secretary.
10. SECRETARY:
11. House Bill 3270.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. The Committee on Appropriations II
14. offers one amendment.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Buzbee.
17. SENATOR BUZBEE:
18. Thank you, Mr. President. The amendment decreases
19. the FY78 appropriation from the Federal Student Incentive
20. Trust Funds for scholarships by ninety-seven hundred dollars
21. to reflect an increase in the Federal allocation to Illinois.
22. Amendment No. 1 also reduces the GRF appropriation for
23. scholarships by ninety-seven hundred dollars and I would
24. move its adoption.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Buzbee has moved the adoption of Amendment No. 1
27. to House Bill 3270. Is there any discussion? If not, all
28. those in favor signify by saying Aye. All those opposed.
29. The Ayes have it. The amendment is adopted. Any further
30. amendments?
31. SECRETARY:
32. No further amendments.
33. PRESIDING OFFICER: (SENATOR ROCK)

HB 3287
2nd Reading
6/2/78

1. 3rd reading. Yeah, with leave of the Body, I'll
2. come back to 3274, and there's a couple of amendments.
3. 3287, Senator Moore. On the Order of House Bills 2nd
4. reading, House Bill 3287. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 3287.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Public Health,
9. Welfare and Corrections offers one amendment.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator...Senator Moore.
12. SENATOR MOORE:
13. Thank you, Mr. President and members of the Senate.
14. Committee Amendment No. 1 to House Bill 3287, in effect,
15. deletes House Amendment No. 2. What this bill does, the
16. original intent, was to provide a vehicle, a mechanism
17. whereby we would create a Local Initiative Fund in order
18. to capture Title 20 Social Service Monies on a seventy-
19. five, twenty-five percent basis. The bill as it was originally
20. introduced provided for this whereby donated monies could be
21. given to the State and the State in turn could use its
22. leverage to get three dollars from the Federal Government
23. for every one dollar worth of donated monies. The House
24. saw fit to put on an amendment which would require the
25. State to pay out of the General Revenue Fund half of the
26. amount of the donated monies which we estimate to be about
27. five million dollars for which we would receive twenty million
28. and would require the State to come up with fifty percent of
29. that amount to the cost of an estimated two and a half million
30. dollars. The administration is opposed to this amendment.
31. The department is opposed to it. It was not the original
32. intent of the bill insofar as the private agencies are
33. concerned in order to capture Title 20 monies to do this.

1. And for that reason, Committee Amendment No. 1 was adopted
2. by the committee and I would move for the adoption of Committee
3. Amendment No. 1.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Senator Rock.

6. SENATOR ROCK:

7. Well obviously this is not the apropos time, I suppose,
8. but I would stand in opposition to Amendment No. 1. It seems
9. to me that when we're dealing with, and I've spoken to Senator
10. Moore about it, that when we're dealing with this new program
11. which calls for the setting up of a fund, that the House was
12. quite right in...in suggesting that there be some General
13. Revenue input, so that the State would, in fact, be involved
14. and would be matching the local amount of funds. Without that
15. kind of an amendment, I intend, frankly, to oppose the bill.
16. But I can count as well as anybody that I would urge opposition
17. to Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? On...on the adoption of
20. Amendment No. 1, all in favor say Aye. Opposed Nay. The
21. Ayes have it, Amendment No. 1 is adopted. Further amendments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Amendments from the Floor?

26. SECRETARY:

27. No Floor amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 3rd reading. House Bill 3274, Senator Rock. Read the
30. bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 3274.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Higher Education
2. offers two amendments.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Rock.
5. SENATOR ROCK:
6. Thank...thank you, Mr. President and Ladies and Gentlemen
7. of the Senate. Amendment No. 1, Committee Amendment No. 1,
8. was offered in committee and it, in effect, puts the House
9. Bill back the way it was at the point of introduction. What
10. we are concerned here is the abolition of a community college
11. districts working cash fund and Amendment No. 1 would suggest
12. that once in a ten year period, the fund can be abolished
13. and it can be reestablished by board action. And subsequently,
14. there is provided for a backdoor referendum. I would move the
15. adoption of Amendment No. 1.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? Senator Glass.
18. SENATOR GLASS:
19. Thank you, Mr. President. I stand in opposition to
20. Committee Amendment No. 1. The bill, without that amend-
21. ment, would allow a working cash fund to be abolished and
22. later recreated if the voters approve the working cash
23. fund in a direct referendum. But what this amendment
24. does is, in effect, allow every ten years for the school
25. board, the community college, to abolish the fund and
26. recreate it on their own resolution subject only to a
27. backdoor referendum. I think...this provision makes it
28. a bad bill, one I certainly could not support with...with
29. that provision in it. So I would urge opposition to
30. Amendment No. 1 and request a roll call.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Is there further discussion? The motion by Senator
33. Rock is to adopt Amendment No. 1. Those in favor will vote

1. Aye. Those opposed will vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question the Ayes are 21, the Nays are 16. Amendment
4. No. 1 is adopted. Further amendments?
5. SECRETARY:
6. Amendment No. 2...Committee Amendment No. 2.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Rock.
9. SENATOR ROCK:
10. Thank you, Mr. President, Ladies and Gentlemen of the
11. Senate. Committee Amendment No. 2 is the...calls for an
12. immediate effective date. I know of no opposition to
13. that and I would move the adoption of Amendment No. 2.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Further discussion? The motion to adopt, all in
16. favor say Aye. Opposed Nay. The Ayes have it. Amendment
17. No. 2 is adopted. Further amendments?
18. SECRETARY:
19. No further committee amendments.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Any Floor amendments?
22. SECRETARY:
23. No Floor amendments.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. 3rd reading. House Bill 3327, Senator Guidice. Read
26. the bill, Mr. Secretary.
27. SECRETARY:
28. House Bill 3327.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Are there amendments from the Floor?
33. SECRETARY:

1. Amendment No. 1 offered by Senator Guidice.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Guidice is recognized.

4. SENATOR GUIDICE:

5. Thank you, Mr. President and members of the Senate. This
6. is a twofold amendment which provides that no company shall
7. cancel or refuse to renew a policy on the basis that a...a
8. the policyholder was previously refused. And the second
9. part of the amendment is regarding cancellation and nonrenewal
10. of fire insurance policies where the insured would have a
11. right to look at his file upon due notice given to the
12. insurance company. I would move its adoption.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Guidice moves the adoption of Amendment No. 1.
15. Is there discussion? All in favor say Aye. Opposed Nay.
16. The Ayes have it. Amendment No.1 is adopted. Further
17. amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. House Bill 3370. In the absence of
22. Senator Maragos, is there leave granted that Senator Carroll
23. could handle this bill? Leave is granted. House Bill 3370,
24. Mr. Secretary, please.

25. SECRETARY:

26. House Bill 3370.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Are there amendments from the Floor?

31. SECRETARY:

32. No Floor amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. House Bill 3394, Senator Shapiro. Read the
2. bill, Mr. Secretary, please.
3. SECRETARY:
4. House Bill 3394.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Any amendments from the Floor?
9. SECRETARY:
10. No Floor amendments.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. 3rd reading. ...go to the Order of Committee Reports?
13. Committee Reports.
14. SECRETARY:
15. Senator Buzbee, Chairman of Appropriation II Committee,
16. reports out the following House Bills: 2635 and 3377 with
17. the recommendation Do Pass. 2970, 3012, 3077 and 23 or 3234
18. with the recommendation Do Pass as Amended.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Leave to go to the Order of Resolutions? Leave is
21. granted. Resolutions.
22. SECRETARY:
23. Resolution 443 offered by Senators Lane, Hynes and
24. Savickas and it's a death resolution.
25. Senate Resolution 444 offered by Senator Berning, it's
26. a congratulatory resolution.
27. Senate Resolution 445 offered by Senators Mitchler,
28. Vadalabene and all Senators and its congratulatory.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Resolutions Consent Calendar. Is there leave to return
31. to the Order of House Bill 32 for the purpose of an amend-
32. ment? Leave is granted. House Bill 32. Senator Weaver is
33. recognized.

1. SENATOR WEAVER:

2. Ask leave to bring it back to 2nd reading for the purpose
3. of an amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there leave? Leave is granted. The bill is placed on
6. the Order of 2nd reading. Senator Weaver.

7. SENATOR WEAVER:

8. Thank you, Mr. President. This amendment offered by
9. Senator Berman would allow the County of Cook to pay their
10. Circuit and Associate Judges five hundred dollars. This
11. is...this bill makes the State liable for all Associate
12. and Circuit Judges salary State-wide, but it reduces that
13. total by five hundred dollars, which means that the County
14. of Cook will pay five hundred dollars of that forty-two
15. thousand, five hundred or that thirty-seven thousand
16. dollars.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Heard the explanation of the...

19. SENATOR WEAVER:

20. I move adoption of the amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Heard the explanation. Senator Weaver moves the adoption
23. of Amendment No. 1. Is there further discussion? All in
24. favor say Aye. Opposed Nay. The Ayes have it. Amendment
25. No. 1 is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 3rd reading. For what purpose does Senator Maragos
30. arise?

31. SENATOR MARAGOS:

32. Mr. President, since yesterday, Senator Lemke has been
33. asking that we bring his bill, 2894 back to 2nd reading for

1. the purposes to Table an amendment and put a new amendment
2. on for...because it's technical and he has given me that
3. permission to speak...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there leave that Senator Maragos handled House
6. Bill 2894 in the absence of Senator Lemke? Leave is
7. granted. House Bill 2894. Senator, do you wish to return
8. that to the Order of 2nd reading?

9. SENATOR MARAGOS:

10. That's correct.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Sponsor asks leave? Is there leave? 2894 is on
13. the Order of 2nd reading.

14. SECRETARY:

15. Amendment No. 2 offered by Senator Maragos.

16. SENATOR MARAGOS:

17. We have to Table Amendment No. 1 first.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Maragos moves to reconsider the vote by which
20. Amendment No. 1 was adopted. Is...all in favor say Aye.
21. Opposed Nay. The Ayes have it. The vote by which Amend-
22. ment No. 1 was adopted is reconsidered. Senator Maragos
23. now moves to Table...

24. SENATOR MARAGOS:

25. I now move to Table Amendment No.1.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion to Table. Is there discussion? Opposed Nay.
28. The Ayes have it. Amendment No. 1 is Tabled. Further
29. amendments?

30. SECRETARY:

31. Amendment No. 2, Floor amendment offered by Senator
32. Maragos.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maragos.
2. SENATOR MARAGOS:
3. Mr. President and members of the Senate. I move for
4. the adoption of Amendment No. 2. What it does is correct
5. the Mechanics Lien Act and it's the same as Amendment No. 1
6. which was Tabled excepting there was an...an error and the
7. Enrolling and Engrossing ask...asked us that we correct it
8. and I'm so doing at this time by Amendment No. 2 and I ask
9. for a favorable roll.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Heard the...the motion is to adopt Amendment No. 2.
12. Is there discussion? All in favor say Aye. Opposed Nay.
13. The Ayes have it. Amendment No. 2 is adopted. Further
14. amendments?
15. SECRETARY:
16. No further amendments.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. 3rd reading. Any further business to come before the
19. Senate? Senator Hynes.
20. SENATOR HYNES:
21. Mr. President, members of the Senate. I would like
22. the record to reflect the very happy news that Senator Smith
23. is out of the hospital and is progressing very well and we
24. all hope that he will be back to...to join us very soon.
25. And secondly, it appears that we have reached the point of
26. diminishing returns to say the least and I think it would be
27. prudent at this point to adjourn the Session until 9:00 a. m.
28. tomorrow morning and I would so move.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. The motion is to adjourn until 9:00 o'clock tomorrow
31. morning. Is there discussion? All in favor say Aye.
32. Opposed Nay. The Ayes have it. The Senate stands adjourned
33. until 9:00 o'clock tomorrow morning.