

80th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1977

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of nine having arrived, the Senate will come
3. to order. Prayer by Reverend Tony Ahlstrum, Executive
4. Director of the Plymouth Foundation, Chicago, Illinois.
5. Will our guests in the galleries please rise.

6. REVEREND AHLSTRUM:

7. (Prayer by Father Ahlstrum).

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Reading of the Journal.

10. SECRETARY:

11. Monday, June the 20th, 1977, Tuesday, June the
12. 21st, 1977.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

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

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You've heard the motion. Those in favor indicate by
21. saying Aye. Those opposed Nay. The Ayes have it.
22. The motion carries. Senator Hall.

23. SENATOR KENNETH HALL:

24. Mr. President, I now move that the reading and approval
25. of the Journals of Wednesday, June 22nd, Thursday, June
26. 23rd, and Friday, June 24th in the year 1977 be postponed
27. pending arrival of the printed Journals.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. You've heard the motion. Those in favor indicate
30. by saying Aye. Those opposed Nay. The Ayes have it.
31. The motion carries. House Bills, 1st reading. House Bill
32. 408, Senator Buzbee.

33. SECRETARY:

1. House Bill 408.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 1528, Senator Guidice.
6. SECRETARY:
7. House Bill 1528.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House Bill 1116, Senator Guidice.
12. SECRETARY:
13. House Bill 1116.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. House Bill 1633, Senator Guidice.
18. SECRETARY:
19. House Bill 1633.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 1635, Senator Smith.
24. SECRETARY:
25. House Bill 1635.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Hynes.
30. SENATOR HYNES:
31. Mr. President, I would move that the Committee on
32. Assignment of Bills be discharged from further consideration
33. of House Bill 1633 and that it be referred to the Committee

1. on Public Health, Welfare and Corrections.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Have you...you've heard the motion. All those in
4. favor indicate by saying Aye. Those opposed. The Ayes
5. have it. The motion carries. The...the bill number
6. is House Bill 1635. House Bill 2411, Senator Moore.

7. SECRETARY:

8. House...House Bill 2411.

9. (Secretary reads title of bill)

10. 1st reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Hynes moves that House Bill 408 concerning
13. the appropriation of Jackson - Union Counties be...the
14. Six Day Notice be waived and it be referred to
15. Appropriations Committee II. Those in favor indicate by
16. saying Aye. Those opposed Nay. The Ayes have it.
17. Same motion as to House Bill 2411 and Senator Hynes moves
18. that that bill, the Six Day Notice be waived and that it
19. be referred...discharged from the Committee on Assignment of
20. Bills and be referred to the Committee...Appropriations
21. I. Do we have leave? Leave is granted. House Bills,
22. 2nd reading. House Bill 17, Senator Knuppel. Read the bill,
23. Mr. Secretary. Take it from the record. House Bill 41,
24. Senator Chew. House Bill 54, Senator Savickas. House
25. Bill 64, Senator Kosinski...just a moment. House Bill
26. 54. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 54.

29. (Secretary reads title of bill)

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

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Are there amendments from the Floor? 3rd reading.
33. House Bill 64, Senator Kosinski. House Bill 113, Senator

1. Guidice. House Bill 192, Senator Lemke. House Bill 255,
2. Senator Knuppel. Read the bill, Mr. Secretary, with the
3. understanding that it will be returned for the purposes
4. of amendment.

5. SECRETARY:

6. House Bill 255.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. No committee amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. House Bill 256. 3rd reading. Any amendments from the
11. Floor as to House Bill 255? 3rd reading. House Bill
12. 256, read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 256.

15. (Secretary reads title of bill)

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

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Are there amendments from the Floor?

19. The bill will be advanced with the understanding
20. that it will be returned to the Order of

21. 2nd reading for the purposes of amendment. 3rd reading.

22. House Bill 409, Senator Buzbee. House Bill 844, Senator
23. Savickas. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House...House Bill 844.

26. (Secretary reads title of bill)

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

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

30. House Bill...921, Senator Guidice. House Bill 922, Senator
31. Collins. House Bill 966, Senator McMillan. House Bill 970,
32. Senator Harber Hall. House Bill 1026, Senator Coffey.

33. House Bill 1039, Senator Bowers. We're on the Order of

34. 2nd reading, Senator, and it's 1039 on page 23.

1. I imagine we'll have leave to do that. House Bill 1046,
2. Senator Hynes. House Bill 1047. House Bill 1064, Senator
3. Berning. House Bill 1071, Senator McMillan. House
4. Bill 1205, Senator Lane. House Bill 1226, Senator Graham.
5. House Bill 1228, Senator Roe. House Bill 1325, Senator Joyce.
6. House Bill 1348, Senator Lane. House Bill 1424, Senator Lane.
7. House Bill 1500, Senator Egan. House Bill 1508, Senator
8. Berman. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 1508.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. No committee amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Are there amendments from the Floor?

15. SECRETARY:

16. Amendment No. 1 offered by Senator Grotberg.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Berman.

19. SENATOR BERMAN:

20. My agreement with Senator Grotberg, if he'll hold
21. that amendment, I'll move it to 3rd and bring it back later
22. when we have more of a attendance.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The understanding is that it will be moved to
25. 3rd...

26. SENATOR BERMAN:

27. And I'll bring it back.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Just a moment. There...I understand that there
30. are other amendments.

31. SENATOR BERMAN:

32. Well, I'll still bring it back for the others unless
33. there's an objection.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. I have no objection. I just got that, you know, which
5. we agreed on in committee, that OTR being removed out of it
6. and with that copy I gave to you a week or so ago.

7. I got no objections. You can bring it back.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. With that understanding, the bill would...will be
10. advanced to 3rd reading. House Bill 1593, Senator
11. Sommer. House Bill 1650, Senator Netsch. Read the bill,
12. Mr. Secretary, with the understanding that the bill will be
13. returned to the Order of 2nd reading.

14. SECRETARY:

15. House Bill 6...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. I...Senator Netsch, I'm advised that the Secretary has
18. a fiscal note in hand and we cannot advance the bill.

19. Well, can we come back to that momentarily? House Bill
20. 1736, Senator Regner. House Bill 2032, Senator Knuppel.
21. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 2032.

24. (Secretary reads title of bill)

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

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Are there amendments from the Floor?

28. SECRETARY:

29. Yes. Amendment No. 1 offered by Senator Knuppel.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. How many amendments are there? We've got a mixup...

1. SECRETARY:

2. We have...we have two amendments, Senator Knuppel.

3. SENATOR KNUPPEL:

4. Just two amendments. Okay. First amendment deals with...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just a moment. Senator Knuppel as to Amendment No. 1.

7. SENATOR KNUPPEL:

8. I move the adoption. It makes technical amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Question is shall Amendment
11. No. 1 to House Bill 2032 be adopted. Those in favor indicate
12. by saying Aye. Those opposed. The Ayes have it. Amendment
13. No. 1 is adopted. Amendment No. 2.

14. SECRETARY:

15. Amendment No. 2 offered by Senator Knuppel.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. This is the one that makes the amendment so that a person
20. isn't held in contempt if he fails to respond.

21. I offer Amendment No. 2.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? Question is shall Amendment
24. No. 2 to House Bill 2032 be adopted. Those in favor indicate
25. by saying Aye. Those opposed. The Ayes have it. Amendment
26. No. 2 is adopted. Are there further amendments?

27. 3rd reading.

28. SECRETARY:

29. No...no...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. House Bill 2126, Senator Rock. Read the bill, Mr.

32. Secretary.

33. SECRETARY:

34. House Bill 2126.

HB 1650
2nd reading
6-25-77

1. (Secretary reads title of bill)

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

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

5. House Bill 2137, Senator Maragos. House Bill 2137,

6. Senator Maragos. House Bill 2374, Senator Rhoads.

7. House Bill 2409, Senator D'Arco. House Bill 2417,

8. Senator Bruce. House Bills on 3rd reading. Just a moment.

9. All right. We're still on the Order of 2nd reading.

10. House Bill 1650, Senator Netsch.

11. SECRETARY:

12. House Bill 1650.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. There was a request for a fiscal

15. note which has been answered. 2nd reading of the bill and no committee

16. amendments.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Are there amendments from the Floor? Senator Netsch.

19. SENATOR NETSCH:

20. I know that there are some amendments from the Floor

21. and the agreement that I have with Senator Shapiro and

22. Senator Schaffer is that we will move it and then put it

23. on the list of those to be called back, just so that we

24. don't lose any more legislative days and probably we'll

25. get to it later today. Senator Schaffer has agreed and Senator

26. Shapiro also.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The entire Body has agreed. The bill will be advanced.

29. 3rd reading, with that understanding and the Governor, also.

30. 3rd reading. Senator Rock, we're trying to determine

31. where we stopped last night.

32. SENATOR ROCK:

33. We started...we stopped at...right immediately in

34. front of 2052. However,...which is on page 12, Mr. President.

1. I did request and receive leave last evening to...when
2. we passed 2013. I think the bill is noncontroversial, Mr.
3. President. I'd be willing to run that one.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. There was...there was leave granted and we will
6. read House Bill 2013. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 2013.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President, Ladies and Gentlemen of the
15. Senate. House Bill 2013 was introduced by Representative
16. Houlihan at the request and with the concurrence of the
17. Illinois Liquor Control Commission. It would add a new
18. paragraph to define and license a broker as one who
19. solicits orders and offers to sell or supply alcoholic
20. liquors to a retailer for a fee or commission. What
21. has happened, especially in the Chicago area, is that
22. there is a new group of people who are termed euphemistically
23. gypsies who land at the airports throughout our State and
24. particularly in Chicago, who pay no license fees in
25. Illinois and they are persons over whom the Illinois
26. Liquor Control Commission and the Illinois Department of
27. Revenue have no jurisdiction. And they will come in and
28. offer for sale on a broker basis, portfolios of wines. The
29. bill was amended in committee to make it perfectly clear
30. that this section calling for the licensure of persons
31. who attempt to broker the sale of alcoholic liquors does not
32. apply to distributors or employees of distributors or
33. employees of a manufacturer who has registered the trademark

1. brand or name of the alcoholic liquor pursuant to Section
2. 7 or who regularly sell alcoholic liquor in this State to the
3. registrants. I know of no opposition with this amendment
4. and I would urge a favorable roll call.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is shall House
7. Bill 2013 pass. Those in favor vote Aye. Those opposed Nay.
8. The voting is open. Have all those voted who wish?
9. Take the record. On that question the Ayes are 41, the
10. Nays are none. House Bill 2013 having received a constitutional
11. majority is declared passed. House Bill 2052, Senator
12. Weaver. House Bill 2059, Senator Bruce. House Bill 2062,
13. Senator Knuppel. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just a moment. Senator Davidson, for what purpose
18. did you arise?

19. SENATOR DAVIDSON:

20. Yes, last night we took 2033 out of the record with
21. leave to go back to it and Senator Glass and I had resolved
22. the difference of the question he had and he's now ready for
23. this bill to be moved and I thought we'd get it out of the
24. way. It's an innocuous bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Can we proceed with the bill at hand and then come
27. back to your bill, Senator? Proceed.

28. SECRETARY:

29. House Bill 2062.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Mr....Mr. President and members of the Body. The bill
3. does exactly what the caption says that it does. It amends
4. the Mental Health Code, deletes that provision holding
5. a child liable for payments of mental health services received
6. by an indigent parent who contributed for more than five
7. years to his support during his minority. In most sections
8. of the Code, the old dependent relative theory has been
9. abandoned but in this one area, it's still clings on. I think
10. this is good legislation. I see no reason that a child should
11. be required to support an indigent parent where some
12. other child that is not capable of it and sometimes you'll
13. have one child out of the family that's able to anyway
14. and they'll have to support it at the expense of the other.
15. I think this is good legislation and it puts the burden
16. on all of the public where it should be.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Question is shall House
19. Bill 2062 pass. Those in favor vote Aye. Those opposed
20. Nay. The voting is open. Have all those voted who wish?
21. Take the record. On that question the Ayes are 42, the
22. Nays are 3. House Bill 2062 having received a
23. constitutional majority is declared passed. House Bill
24. 2033, Senator...read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 2033.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. This does what the Synopsis on the Calendar says. It
33. allows a temporary permit of forty-five days to busdrivers
34. enrolled in the training course and if it's necessary to furnish
35. transportation, it's a one time only, cannot be renewed.

Appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall
3. House Bill 2033 pass. Those in favor vote Aye. Those
4. opposed Nay. The voting is open. Have all those voted
5. who wish? Take the record. On that question the Ayes
6. are 47, the Nays are none. House Bill 2033 having
7. received a constitutional majority is declared passed.
8. House Bill 2063, Senator Maragos. Read the bill,
9. Mr. Secretary.

10. SECRETARY:

11. House Bill 2063.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Maragos.

16. SENATOR MARAGOS:

17. Mr. President and members of the Senate. House
18. Bill 2063 amends the Alcoholic Liquor Act regarding
19. the taxation of breweries pertaining to their
20. production of certain beer barrels. Now, I would like
21. to state that this is unique in one way but this
22. proposal is not unique because many other states besides
23. Illinois have been faced with this problem where small
24. breweries are going out of business and by doing so, the
25. State loses on all counts and therefore, we would like
26. to state that this particular brewery which is the only
27. small brewery left in Illinois is...very, very bad
28. straits because of its financial situation and its
29. competition is from the big companies from out of State
30. are putting it out of business. They would like to have
31. some relief and the only way they can have the relief is
32. to be given some...under two hundred thousand barrels
33. or what we call by the amendment, by deleting six
34. hundred thousand barrels and inserting there...18.9 million gallons

1. because it's on a gallonage and what this would do is give
2. this brewery an opportunity to stay in business. By doing
3. so, it would continue buying supplies from many Chicago
4. and Illinois distributors and suppliers as well as keep
5. many distributors in the State of Illinois, not only in
6. the Chicago area but downstate as well, in business.
7. I ask for a favorable vote and if there are any questions,
8. I'll be glad to answer them.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

12. Thank you, Mr. President and Ladies and Gentlemen.
13. I rise to oppose this bill, as I did in committee. This, as
14. Senator Maragos has said, is for the benefit of one
15. brewery. As a matter-of-fact, it...the State of Illinois
16. will hand this brewery three hundred and thirty thousand
17. seven hundred and fifty dollars if this bill passes because
18. it will excuse the payment of tax and give them a refund
19. equal to seventy-five percent of the tax imposed on each
20. gallon of beer up to two hundred thousand barrels. I know
21. what the purpose of the legislation, of course, is to
22. keep a small brewery in business but if the State does
23. it by this means, I think we're setting a terrible precedent.
24. Furthermore, there's no guarantee that...that they're
25. going to stay in business. They...they can get this
26. one time windfall and who knows what the management is going
27. to do with it or if they're going to stay in business or not.
28. I...I think it's bad policy to be changing the law, to be
29. passing special legislation and refunding this amount of
30. money when we're financially strapped anyway so I stand
31. in opposition to the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen
3. of the Senate. I rise in support of House Bill 2063.
4. We heard quite a bit of testimony in the Committee on
5. Revenue and it was, I think, very well pointed out
6. that this is...this proposal is not at all unique.
7. There are seven or eight other states who have seen fit
8. to assist in the same way the few remaining local small
9. breweries and have, in fact, allowed this kind of
10. tax credit to encourage these industries, these businesses
11. to stay within their states. I think if you would take
12. a look at the number of...of employees directly employed
13. by the brewery and, of course, multiply that by the
14. number of people employed by the various distributors of
15. the product, I think the amount of money that is given
16. as a tax incentive or a tax credit is more than offset.
17. It seems to me that we should do everything possible
18. to encourage industry and business of this kind particularly
19. to remain within our State. The amount of tax loss...direct
20. tax loss to the State is very, very small. The concomitant
21. benefit, in my opinion, is very big. I voted for it in
22. committee and I intend to vote for it here and I would urge
23. the members to take a long, hard look and vote Aye.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. I really cannot
28. defend this bill in principal. I think it is a very bad
29. idea and a very dangerous precedent and I don't really accept
30. the idea that we should get in the habit of starting
31. to...to underwrite particular businesses because someone
32. else may steal them away otherwise. I think that is a
33. costly kind of competitiveness that in the long run probably

1. does not benefit us a great deal. Nevertheless, I will vote
2. for the bill because for four years I have been looking
3. for something that would constitute pork for my district.
4. The brewery or...or beef, as the case may be, Senator Carroll.
5. The brewery is located in my district and it's the only
6. thing I've ever been able to do that...that actually
7. benefited a...a particular business directly and only
8. in my district and at the request of the House sponsor
9. of the bill, I will vote Yes, but I would not encourage
10. this as a good precedent.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. ...a beautiful positive - negative speech. Senator
13. Shapiro.

14. SENATOR SHAPIRO:

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

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. He indicates he will.

18. SENATOR SHAPIRO:

19. Senator Maragos, has this brewery recently been purchased
20. by the very profitable operation in Wisconsin called
21. Huber's Brewery?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. No, not by...Huber is one of the owners but
26. it's not bought by any other brewery. Still an independent
27. brewery to the best of my knowledge because he...he himself
28. came and testified there.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. Information we have is that it was recently
33. purchased by Huber Brewery of Wisconsin and I'm just wondering
34. if...if we do give them this tax break, who does the profit

1. accrue to?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. No, this...this was purchased in April of 1973
6. by the Peter Hamm Brewing Company which is an Illinois
7. Corporation to the best of my knowledge. Huber is the
8. president of it but it has nothing to do with the other
9. Huber Company in Wisconsin. ...to the best information
10. I have, Mr. Shapiro, if it's wrong then I'll be...stand
11. corrected but the testimonies solicited...and also Representative
12. Sandquist in the House...who is House sponsor, advised me
13. that this is a...a particular item that was independent
14. brewery. Not...does not involve with any other brewery.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Well, our information is that it is now...the
19. Peter Hamm is owned now by the Peter Hamm Huber
20. Brewery Corporation and the Huber Brewery came into the
21. act just recently.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. That, if it is, is something that I have not discovered
26. and the point is the Peter Hamm Brewing Company still is
27. a small brewery compared to the big giants that we have
28. here in Illinois.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Joyce.

31. SENATOR JOYCE:

32. Yes, thank you, Mr. President. I rise in support of
33. this. I think that we...anything...it will help Illinois

1. agriculture also because they use Illinois grain in the
2. making of the...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Harber Hall.
5. SENATOR HALL:
6. I would like to ask the Secretary to furnish me with
7. an extract of the...from the record of Senator Netsch.
8. I want to frame that one. This is a...this is a very
9. bad policy and I suggest that we defeat it.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Glass, did you wish recognition?
12. Oh, I thought you...for the second time.
13. SENATOR GLASS:
14. My only comment was to ask Senator Joyce whether
15. it was because they...they drink Illinois beer or not.
16. But I...I won't ask that.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. I'm glad you didn't. Is there further discussion?
19. Senator Maragos...Senator Soper.
20. SENATOR SOPER:
21. You said it.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. The Chair recognizes Senator Soper.
24. SENATOR SOPER:
25. Thank you very much. Now, Senator Maragos, does this
26. brewery label the beer Peter Hamm or Huber Beer?
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Maragos.
29. SENATOR MARAGOS:
30. It labels it Old Chicago.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Soper.
33. SENATOR SOPER:

1. I happen to know how this was done. It's the
2. Peter Hamm Brewery now owns...is in this deal but Huber
3. Brewery owns the...owns the labels and they own this
4. brewery. Now, if you're going to...if this is a
5. contract whereby any back taxes would go to the...to the
6. people who sold this brewery, that's one thing. But
7. this is not a small brewery anymore. Huber Brewery
8. has picked up a number of labels. Maybe they have about
9. two hundred by this time. I think when you start with this...
10. this means three hundred and some thousand dollars. This
11. isn't somebody that...paying about seven or eight or nine
12. thousand dollars taxes. This is a big brewery. This is
13. not small anymore. In fact, some of the beer that comes
14. in, comes in from Wisconsin and it comes in as Old
15. Chicago. When they have an overrun in Wisconsin, I think
16. our friend over there that sits up...he can tell you how
17. many labels go out of a brewery. They...they run a vat
18. and then all of a sudden they say we need...we need
19. ...we need Monkeydoodle Beer and that same vat
20. it's Monkeydoodle and it's Huber and Old Chicago and
21. Schlitz or whatever they throw at it. So, I think this is
22. a bad policy.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Well, Senator Maragos
25. may close.

26. SENATOR MARAGOS:

27. Mr. President and members of the Senate. A question
28. has arisen which I was not aware of at the time I undertook
29. sponsorship. I'll take this out of the record this time
30. till I check out the points.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Take it from the record. House Bill 2081, Senator
33. Netsch. Read the bill, Mr. Secretary.

HB 2081
3rd Reading
6/25/77

1. SECRETARY:
2. House Bill 2081.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Netsch.
7. SENATOR NETSCH:
8. Thank you. Let me point out at the outset that the
9. summary on the Calendar, the summary on the front of
10. the bill have no sense of reality any longer. The...the
11. bill does one thing and one thing only. It changes the
12. number of feet within which those homeowners or tenants
13. who are permitted to complain about buildings that are
14. in violation of code, must live in order to file suit. It
15. has nothing to do with allowing community organizations
16. standing or whatever. The...it amends the Municipal Code in
17. a section which specifies those people who have standing
18. to complain about violations of building and zoning
19. codes and it increases the...the number of feet from the
20. offensive building within which those people must live from
21. five hundred to twelve hundred. The bill was suggested to
22. the House sponsor after his original bill was filed by the
23. Corporation Council of the City of Chicago, who, I understand,
24. would like to have it passed.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is there further discussion? Question is shall House
27. Bill 2080...Senator Walsh.
28. SENATOR WALSH:
29. Will the lady...will the lady yield for a question?
30. Senator Netsch, your support of these last two bills has
31. been somewhat less than enthusiastic. Do you...you recommend
32. that we vote for this one?
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Netsch.

2. SENATOR NETSCH:

3. I did not mean for the support of this bill to be less
4. than enthusiastic. If...if I did not sound my usual
5. vivacious self, it's because it's early in the morning and
6. we were here late last night. No, I think this is an
7. extremely good idea. It was discussed at considerable
8. length in committee because we...we had the bill before the
9. committee about three separate times and there was some...
10. a lot of discussion about it and I think the committee
11. finally...the committee finally passed it out ten to nothing
12. because after they realized the purpose of it...okay...okay.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Soper.

15. SENATOR SOPER:

16. Well, thank you, Mr. President. But I'll say
17. this, that Senator Netsch, her...her explanations are always
18. confusing.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Netsch,
21. you may close or take a vote. The question is shall House
22. Bill 2081 pass. Those in favor vote Aye. Those opposed
23. Nay. The voting is open. Have all those voted who wish?
24. Take the record. On that question the Ayes are 48, the Nays
25. are none. House Bill 2081 having received a constitutional
26. majority is declared passed. House Bill 2086, Senator Demuzio.
27. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 2086.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator...Senator Demuzio.

1. SENATOR DEMUZIO:

2. Thank you, Mr. President. House Bill 2086 is an
3. easement bill for the elementary school in Collinsville, Illinois.
4. The reason that it is not on the Agreed Bill List is because
5. apparently another portion of property in Rockford was...got
6. messed up in the House and we tacked it onto this bill and
7. be glad to answer any questions that I can in reference to
8. either one.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. That's in my district. Is there further discussion?
11. Question is shall House Bill 2086 pass. Those in favor
12. vote Aye. Those opposed Nay. Voting is open. Have all
13. those voted who wish? Take the record. On that question the
14. Ayes are 50, the Nays are none. House Bill 2086
15. having received a constitutional majority is declared
16. passed. House Bill 2087, Senator Knuppel. Read the bill,
17. Mr. Secretary.

18. SECRETARY:

19. House Bill 2087.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. This bill does what the caption says. It provides
26. that examination shall be at the request of the person charged
27. under the Sexual Crimes Against Children Act, if there's
28. a psychiatric examination. There was a reversal in a
29. Fourth Appellate Court case by reason of the fact that there
30. was an examination without the request...was not at the
31. request of the...the defendant and this, at least, will give the
32. assurance that once a conviction is accomplished, it will not
33. be reversed.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Bowers.
3. SENATOR BOWERS:
4. Thank you, Mr. Speaker. Will the Gentleman
5. yield to a question?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. You're in the Senate.
8. SENATOR BOWERS:
9. Mr. President. I'm very sorry, Sir.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. He will.
12. SENATOR BOWERS:
13. Senator Knuppel, as you know, we...I expressed
14. some concern...as you know, I expressed some concern in
15. committee because of the fact the State, in a criminal
16. trial, may not be able to get a psychiatric examination.
17. Now, we have a bill before us that was heard right after
18. your bill in committee that provides that the State must
19. move forward when the defendant raises the issue of
20. competency. Now, the thing that concerns me is
21. whether or not this bill has anything to do with that
22. area. For instance, if the State has to move forward, the
23. defendant raises the question of his ability
24. to stand trial and that the State has to move
25. forward, how are they going to move forward if they can't
26. get a psychiatric examination? That's the only thing that
27. concerns me.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Knuppel.
30. SENATOR KNUPPEL:
31. Well, I...I just feel that...that you know, that
32. they'll have to do the best that they can under the
33. circumstances, but I don't see how that you can force
34. a person under their rights and under the court decision to have

1. an examination which they don't want and I realize that
2. that...that it's going to cause some problems. I realize the
3. bill that we just passed said that...that that burden was
4. on the State, but I don't think that...that leaving this the
5. way it is, helps that situation any.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Well, I...Mr. President, I have to reluctantly,
10. I think, oppose this legislation. I would just
11. like to point out to the Body that we have legislation
12. and I think it passed, that says that if there is a
13. question of competency of the defendant raised, the State has
14. to move forward with the burden of proof. Now, if the
15. State can't get a psychiatric examination which I think
16. this bill provides, if the State can't get a psychiatric
17. examination, I can't for the life of me, see how we can move
18. forward. Now, the basis of this bill as was explained in
19. committee, was an appellate court decision and that
20. appellate court decision covered this specific aspect only
21. as dicta. It was not an issue at least as the case was
22. explained was not an issue before the court. That was necessary
23. and it was a comment by the appellate court. And I don't
24. think, just based upon a comment by the appellate court,
25. we ought to be codifying it, particularly in view of the fact
26. that we've just passed an Act or at least we are considering
27. passing an Act and I'm not sure whether it passed, that says the
28. State has to move forward because keep in mind that all the
29. defendant would then have to do if that...if both of those
30. became law, would be to raise the issue and then sit back and
31. say prove it. And there's no way the State could prove it
32. without getting a psychiatric exam and I...and I think I have
33. to oppose this bill on that basis.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The...question is...
3. Senator Knuppel, do you wish to close or have a roll call?

4. SENATOR KNUPPEL:

5. Well, I just...I think it's so basic it goes back
6. even to the trial of Christ that a person cannot be required
7. to give evidence against themselves and to have a person
8. have to submit to a psychiatric examination in which he
9. is interviewed and so forth does and it's just so...it's
10. just so basically and patently unconstitutional to do this
11. that it should be...it should be set forth in the Statute
12. and I think this is good legislation.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Question is shall House Bill 2087 pass. Those in
15. favor vote Aye. Those opposed Nay. The voting is open.
16. Have all those voted who wish? Take the record. On that
17. question the Ayes are 24, the Nays are 15, 3 Voting Present.
18. Request is that the bill be postponed. The bill will be so
19. postponed. Senator Moore.

20. SENATOR MOORE:

21. Mr. President, looking over the Calendar, I believe the...
22. the President passed House Bill 2030. I would...was
23. requested by Senator Ozinga who is ill, to handle that. I would
24. ask leave of the Body to return to Senate Bill...or House
25. Bill 2030 and ask leave of the Body to handle the bill for
26. Senator Ozinga.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Do we have leave? Leave is granted. House Bill
29. 2030, read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 2030.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

HB 2089
3rd reading
6/25/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Moore.
3. SENATOR MOORE:
4. Thank you, Mr. President, members of the Senate.
5. House Bill 2030 is identical to Senate Bill 845 that passed
6. the Senate not too long ago with a 52 to nothing
7. vote. Very briefly what it does, it provides that when
8. the closing of a grade crossing at a railroad is proposed
9. by the commission, there shall be notice given to the
10. commission, a ten day notice and also to the units of
11. government involved prior to the proposed closing or
12. hearing by the Commerce Commission. I know of no objection.
13. I'd ask for a favorable roll call.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? Question is shall House
16. Bill 2030 pass. Those in favor vote Aye. Those opposed
17. Nay. The voting is open. Have all those voted who wish?
18. Take the record. On that question the Ayes are 38, the
19. Nays are 4. House Bill 2030 having received a constitutional
20. majority is declared passed. House Bill 2089, Senator
21. Knuppel. Read the bill, Mr. Secretary.
22. SECRETARY:
23. House Bill 2089.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Knuppel.
28. SENATOR KNUPPEL:
29. This raises the per diem of the members
30. of the racing board. No, wait. This is...no, 2089...this is
31. a bill that requires the real estate tax sale and right of
32. redemption to indicate the amount necessary to redem the
33. property as of the date of the notice. Now, this was heard in

1. committee, there were two amendments offered, one of
2. Senator Glass and one here of Senator Rock's to clear up
3. the language to make this a better notice and now in addition to
4. setting forth the amount, it says the amount of...the above
5. amount is subject to change. The longer you wait, the more
6. it will cost you, et cetera. And Senator Rock's amendment
7. to the similar effect to make the language clear. This is
8. good legislation. It gives the person who owns the property
9. that's been subject to the property tax sale information
10. that he might not otherwise realize in giving him notice that
11. he has only a certain length of time in which to redeem.
12. This is good legislation for people who own homes and
13. would encourage the ownership of homes and the retention
14. of homes and the redemption of tax forfeiture sales.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Glass.

17. SENATOR GLASS:

18. Thank you, Mr. President and Ladies and Gentlemen.
19. I rise to support this legislation. As Senator Knuppel
20. said, the form of the notice now, I believe, will clearly
21. notify the homeowner of the amount that he must pay to redeem
22. the property to prevent it from...the person from losing
23. his home as a result of a tax sale as well as the fact that there
24. may be additional interest and penalties. I'd urge an
25. Aye vote.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? The question is shall
28. House Bill 2089 pass...just a moment. Senator Soper.

29. SENATOR SOPER:

30. Thank you. Thank you, Mr. President. Senator Knuppel,
31. I didn't read this bill, but does this change any
32. ...anything about the way notice is given?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, it..it enlarges the scope of the notice. It
4. doesn't change the notice. The taxpayer will be getting the
5. notice anyway. It gives him more information upon which to
6. act. It **doesn't** change any of the interest rates, redemption
7. rates, penalties, or anything like that. But it gives
8. him an enlarged notice. Instead of just saying you have
9. six months in which to redeem or something of that nature,
10. it tells him something about what he owes and it tells
11. him that there will be additional penalties and so forth.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Soper.

14. SENATOR SOPER:

15. I...all I wanted to know was whether or not this would...
16. if this wasn't put in the notice, or if the notice wasn't
17. received, that the...under the...the way we set this thing
18. up before, we put a lot of time in this redemption thing
19. and it didn't change the form of the notice or anything else
20. except to this other additional information. Is that it?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. We took nothing out of the other notice. We added only
25. to it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Question is shall House
28. Bill 2089 pass. Those in favor vote Aye. Those opposed
29. Nay. The voting is open. Have all those voted who wish?
30. Take the record. On that question the Ayes are 52, the
31. Nays are none, 1 Voting Present. House Bill 2089
32. having received a constitutional majority is declared
33. passed. House Bill 2096, Senator Davidson. House Bill 2100,
34. ...Senator Bruce, for what purpose do you arise?

1. SENATOR BRUCE:

2. Yes, I noticed we went back to pick up Senator Ozinga's
3. bill. I'd ask leave to return to pick up 2059.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there leave? Leave is granted. House Bill 2059.

6. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 2059.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Thank you, Mr. President. This just allows the
15. retailers and wholesalers to charge a higher interest rate
16. between themselves. They're both businessmen. At the
17. present time, it's excluded, although the retailer can charge
18. the individual a percent and a half per month. The wholesaler
19. can only charge the retailer eight percent per month and
20. it's caused some difficulty between the retailers and the
21. wholesalers, puts them on equal footing. I would ask for
22. favorable roll call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. Sponsor yield?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Indicates he will.

29. SENATOR GROTBORG:

30. Senator, you being a lawyer type, Senator...how about
31. factoring, are they included in this at all?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Bruce.

1. SENATOR BRUCE:

2. If they are, I'm not aware of it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Grotberg.

5. SENATOR GROTBORG:

6. That's what I wanted to know. If you're not aware of
7. it, is anybody aware of it, that's what I'd like to know.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Bruce.

10. SENATOR BRUCE:

11. I just want to correct a statement. Senator Vadalabene
12. said I said eight percent per month. It's eight percent per
13. annum. One and a half percent per month for retailers.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Question is shall House
16. Bill 2059 pass. Those in favor vote Aye. Those opposed Nay.
17. The voting is open. Have all those voted who wish?

18. Take the record. On that question the Ayes are 48,
19. the Nays are 1, 1 Voting Present. House Bill 2059 having
20. received a constitutional majority is declared passed.

21. House Bill 2100, Senator Kosinski. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 2100.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Kosinski.

28. SENATOR KOSINSKI:

29. Mr. President and members of the Senate. House Bill
30. 2100 provides that the court reporters must only trans-
31. scribe their notes taken at arraignments proceedings where
32. the accused is charged with a felony, when required by court
33. rule or court order. Under the present law, the notes must
34. be transcribed in all felony cases. This bill is endorsed
35. by the Supreme Court and I move your favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Daley asks that you explain the bill again.
3. Is there further discussion? The question is shall House
4. Bill 2100 pass. Those in favor vote Aye. Those opposed
5. Nay. The voting is open. Have all those voted who wish?
6. Take the record. On that question the Ayes are 50, the
7. Nays are none. House Bill 2100 having received a consti-
8. tutional majority is declared passed. House Bill 2108,
9. Senator Demuzio. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 2108.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Well, thank you, Mr. President. This is the bill
18. that you've all been waiting for, I'm sure, House Bill
19. 2108. 2108 is a bill that was developed by the Attorney
20. General which attempts to address itself to the problem
21. of the interstate transportation of hazardous waste to
22. Illinois. I'm sure that you're all familiar with the
23. Wilsonville problem and, thank you, Jack, do you surrender
24. yet? I just want to point out to you that in this bill
25. it would prohibit the disposal, the acceptance, the trans-
26. portation of hazardous refuse into Illinois for disposal
27. which either originated or was collected outside of the
28. territorial limits of the State. We have taken out the
29. objectional parts in reference to radioactivity and
30. therefore that does not have any bearing...at all on
31. the Sheffield site, because it has been amended out,
32. totally. Point out to you that other states have laws
33. that prohibit the dumping of material, hazardous material,

1. in their state. We're accepting two thousand drums, for
2. example, just in my district from Wilsonville of cancerous
3. PCB contaminated soil. We're accepting a thousand, a
4. hundred thousand gallons of liquid of the...the same
5. material from Louisville, Kentucky, six hundred and fifty
6. tons of poisonous sewerage, from Virginia, fungicide,
7. from Wisconsin, mercury sulfide, from St. Louis, Missouri,
8. from Texas, from Ohio, acid solutions, you name it. And
9. this bill addresses itself to that problem. And I see
10. a letter has been passed out this morning that pertains
11. to the nuclear engineering company which operates the
12. Sheffield site. This bill does not address itself at
13. all to the interstate, intrastate, disposal and shipment
14. of toxic and dangerous materials. It addresses itself
15. to those materials that come in from out of state. I
16. have some research that has been done by the Legislative
17. Research Council in reference to this problem. Minnesota,
18. for example, has laws that prohibit the dumping of...of
19. this material, toxic material. It's built into their
20. Statute. And so Illinois, in fact, is not only becoming,
21. it is the industrial waste burial ground of the entire
22. Midwest. This bill addresses itself to that problem
23. and I ask for your favorable consideration.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Knuppel.

26. SENATOR KNUPPEL:

27. Yes, he said let's get that one out of the way first.
28. My...my problem with this bill, I think it's going to
29. pass. I think everybody feels some sentiment, some
30. feeling for the people of Wilsonville have been subjected
31. to the dumping and I think that's probably the...really the
32. source of this legislation, however, I feel that whenever
33. you say never, there's an exception and that there...that we

1. can pass this bill on, when we do the courts are going
2. to come back and...and say that it's a restraint on trade.
3. That when you say never, there have to be exceptions.
4. It'd be better if we had good regulation, if we had
5. a...an EPA, both nationally and at the State that we
6. could really depend on and that these dumping sites
7. would be as far as possible away from...away from
8. habitation, like down in Polk County. I'm sure,
9. Senator Johns is always saying that they need money,
10. they need industry, they need people and less deers
11. Well, this would get rid of the deer and it'd be a
12. long way away from people and so forth, but
13. I just don't feel that you can come out and say never
14. and have a constitutional law. I'm told by the
15. Chamber of Commerce that we have people that are
16. dumping certain kinds of refuse in...in Delaware and...and
17. that it is shipped out of State, certain kinds of
18. things are shipped out of State here and as we become
19. more sophisticated in the use of nuclear residues and
20. chemicals, it's going to be...it's going to become
21. more and more necessary that we find places to dispose
22. of these, as long as we're a habitable nation or a
23. populated nation. I can...I can sympathize with Senator
24. Demuzio and I can appreciate his thoughts about never,
25. but I...I feel that the bill is unconstitutional and
26. it's for this reason that I cannot vote for it.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Glass.

29. SENATOR GLASS:

30. Question of the sponsor, if he will yield, Mr. President.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. He indicates he will.

33. SENATOR GLASS:

1. Senator Demuzio, you...you did mention in your
2. presentation of the bill that other states have similiar
3. legislation that would prohibit Illinois, for example,
4. from dumping its waste in those other states. Can you
5. indicate which states there are that actually prohibit
6. dumping of hazardous waste from outside their boundaries?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Demuzio.

9. SENATOR DEMUZIO:

10. I have a two page report from the Illinois Legislative
11. Council and on page 2 it refers to the Minnesota Pollution
12. Control Agency, which states that toxic and hazardous
13. materials can be disposed of in landfills when the
14. agency issues a variance and it goes on for the alternatives
15. for hazardous waste disposal. And one of the...one of the
16. rules and regulations that were developed was to ship the
17. waste to other states for disposal which is most
18. economically and virtually the only method available for
19. disposing of toxic and hazardous material generated in
20. Minnesota. Mississippi, it provides that hazardous
21. waste shall be disposed of in special incinerators or
22. special landfills. Nevada provides that disposal of liquid
23. hazardous waste...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just...just...just a moment. Seems as though the
26. Chamber is filling up and the noise level has risen.
27. May we have order. Proceed.

28. SENATOR DEMUZIO:

29. The State of Nevada specifies that the dispose of
30. liquid hazardous waste shall take place only if the
31. waste is neutralized or solidified. Six states, Louisiana,
32. Massachussetts, New Hampshire, New Jersey, Rhode Island
33. and Vermont have Statutes prohibiting the disposal of out

1. of state waste within their borders. I could...go on with
2. the rest of the section, but those are some of the states
3. that do, yes, sir.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Glass.

6. SENATOR GLASS:

7. Well, it seems to me...I...I was interested in that
8. because I...it certainly is...is apparently not a
9. universal prohibition. The six states that have an
10. outright prohibition, I...I didn't hear any of them
11. being our neighboring states in the Midwest. And...and
12. I don't know if there were industrial states involved.
13. I think one of the problems is not where the industrial
14. wastes originate, but how...how are we as a nation going
15. to best address this problem and I think if Illinois
16. simply turns its back and...and says we're not going
17. accept and dispose of these wastes if they're from out
18. of state is shortsighted. It seems to me a better
19. approach would be to develop through the EPA regulations
20. of the type you mentioned for those first three states to...
21. to make sure that they are disposed of in the safest
22. manner possible and that their limitations as to the
23. volume and perhaps the location of the dumping that it...it
24. should perhaps be away from residential locations, but I
25. really think an absolute prohibition goes too far and
26. I therefore oppose the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? Senator Demuzio may close the
29. debate.

30. SENATOR DEMUZIO:

31. Well, let me just say that there is currently as you well
32. know, the Governor has imposed a forty-five day moratorium
33. and that was approximately three weeks ago. And I think
34. that you've all seen the material that I passed out to
35. you yesterday concerning Wilsonville and if you'll look

1. at their advertisement you will see that it says strategically
2. located in central USA for your convenience. You will also
3. see that they accept PCB, cyanides, carcinogens, heavy
4. metal waste, oil sludges and oil mercury sludges. Now, if
5. you want to go back to your districts, if you want to go
6. back and tell your people where you have the industrial
7. waste sites and landfills with toxic materials, if you want
8. to go back and reaffirm that Illinois will continue to
9. be the industrial waste ground of this entire Midwest,
10. then you can vote against this bill. If you want to
11. step into the forefront and say that we are going to
12. take a positive aspect as it pertains to the interstate
13. transportation of this material, then I urge you to vote
14. for it.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is shall House Bill 2108 pass. Those
17. in favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? Have all
19. voted who wish? Have all voted who wish? Take the
20. record. On that question the Ayes are 21, the Nays are
21. 11. Sponsor requests consideration postponed. So
22. Ordered. On the Order of House Bills 3rd reading, is
23. House Bill 2113. Read the bill, Mr. Secretary.

24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SECRETARY:

2. House Bill 2113.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bowers.

7. SENATOR BOWERS:

8. Thank you, Mr. President. The...this particular
9. bill is designed to get rid of what we call, funny
10. money. In DuPage County it was introduced by the
11. Speaker of the House on behalf of...of the President
12. of the County Board of DuPage County. Under the present law
13. under the Vital Statistics Act, where someone asks for
14. a certified copy of a death certificate, the fee is
15. paid to the County Clerk. The County Clerk then pays
16. the fee to the Health Department. The Health Depart-
17. ment puts it in the General Fund. All this...all this
18. attempts to do, is to run the funds directly from the
19. ...from the County Clerk to the General Fund and avoids
20. the...unnecessary bookkeeping of running it through the
21. Health Department. Unless there are any questions, I
22. would appreciate a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? Question is, shall House
25. Bill 2113 pass. Those in favor will vote Aye. Those
26. opposed will vote Nay. The voting is open. Have all
27. voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 49, the Nays
29. are none, none Voting Present. House Bill 2113 having
30. received the constitutional majority is declared passed.
31. 2119, Senator Bowers. 2125, Senator Knuppel. On the
32. Order of House Bills, 3rd reading is House Bill 2125.
33. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 2125.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Knuppel.
7. SENATOR KNUPPEL:
8. This merely increases the per diem of the Illinois
9. Racing Board from one hundred and fifty to one hundred
10. and seventy five days...dollars per day...
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Is there...
13. SENATOR KNUPPEL:
14. ...from one hundred and fifty to one hundred and
15. seventy five and it limits the amount that can be earned
16. in a year...raises that from four hundred and eighty...
17. four thousand and eight hundred to six thousand for one
18. years earnings.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Any discussion? Senator Berning.
21. SENATOR BERNING:
22. Just as a matter of information. What constitutes
23. a day? One hour or eight hours or twelve hours?
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Knuppel.
26. SENATOR KNUPPEL:
27. What constitutes...constitutes a day for any other
28. group. I mean, what...what constitutes your thirty-six
29. dollars expense money on a per diem basis or your or...
30. in...in any other organization. I don't know. I mean,
31. I assume that a meeting whether it lasts one hour or
32. sixteen hours constitutes justification for per diem
33. and that's why they've got the limit of forty-eight

1. hundred. It used to be and now six thousand for an
2. annual year.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? Question is, shall House
5. Bill 2125 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. Have all
7. voted who wish? Have all voted who wish? Take the record.
8. On that question, the Ayes are 28, the Nays are 12. 8
9. Voting Present. House Bill 2125 having failed to receive
10. a constitutional majority is declared lost. 2130, Senator
11. Lemke. 2131, Senator Egan. Senator Egan. On the Order
12. of House Bills, 3rd reading is House Bill 2131. Read
13. the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 2131.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Egan.

20. SENATOR EGAN:

21. Yes, thank you, Mr. President and members of the
22. Senate. This bill would allow the school board to use
23. money that is the proceeds of the sale of common school
24. lands for...for any authorized purpose and may deposit
25. the proceeds in the...in any district fund. What this
26. does is allow the sale of...of school property to be
27. used for the purposes of administration rather than just
28. recapitalization and I know of no controversy and I
29. would...yes Senator...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Senator Grotberg.

32. SENATOR GROTEBERG:

33. Sponsor yield?

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Sponsor indicates he will yield. Senator Grotberg.
3. SENATOR GROTBORG:
4. Senator Egan, I would ask if this is State-wide? First
5. of all.
6. PRESIDING OFFICER:(SENATOR ROCK)
7. Senator Egan.
8. SENATOR EGAN:
9. Yes, it is.
10. PRESIDING OFFICER:(SENATOR ROCK)
11. Senator Grotberg.
12. SENATOR GROTBORG:
13. Then I would also ask to keep in mind another bill,
14. 1209, I think it is when I carried to frees up, with the
15. Strayer-Haig Formula for the same purposes. If we're
16. going to start loosening up funds. I'll support your
17. bill, but I would ask all of us to remember that school
18. ...the school situation needs accessibility for all
19. funds of any available cash that they can get these days.
20. And that's the reason I'm going to support yours and I
21. would hope that when that comes back from the House you
22. can find a way to help me with mine. Thank you.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Schaffer.
25. SENATOR SCHAFFER:
26. Senator Egan, I think you and I had a discussion
27. yesterday. I had one concern and...and my concern with
28. the bill, it does not affect which...which you wish to
29. accomplish for the City of Chicago. What I'm concerned
30. about is in the downstate area. A school board may have
31. a bond issue to buy a piece of property. Then sell off
32. the property and still have the...bonds outstanding. I
33. ...I had a second amendment drafted, which I have in my

1. hand, which will prevent downstate school districts from
2. selling property or at least if they sold the property
3. the money would have to be used to pay off any debt
4. that was outstanding on the property. What I'm concerned
5. about is the school district that might be forced into a
6. labor contract and to fund it have to sell off a couple
7. of buildings that they still had bonded indebtedness on.
8. I...that, I think, would be not in the public's interest
9. and I would respectfully request an opportunity to discuss
10. this amendment with you.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. Yes, Senator Schaffer, I appreciate that and I...it
15. was my understanding that the present law allows for
16. your problem and I...I have not seen the amendment. The
17. first amendment you showed me as we agreed did not do
18. what you wanted. If...if you wish I'll take this from
19. the record. However, if you alternatively would want to
20. further study the matter and...and have the Governor
21. amendatorily veto it, I would do that too. Either way
22. is all right with me.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. Mr. President. Could we have leave to...out send
27. the amendment over and if Senator Egan is right the...
28. that the amendment is unnecessary, we can return to the
29. bill quickly, if not...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Yes. Is...is leave granted?

32. SENATOR SCHAFFER:

33. ...we can try and put the amendment on...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. ...leave is granted. Take it from the record.

3. 2138, Senator Clewis. 2143, Senator Guidice. 2154,

4. Senator Egan. Senator Egan. How about 2154? On the

5. Order of House Bills, 3rd reading, House Bill 2154.

6. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 2154.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. Yes, thank you, Mr. President and members of the

15. Senate. This is rather clarifying in nature. It

16. concerns revolving charge accounts. It...it allows

17. that the lender has sixty days from the date of the

18. bill mailed to clarify why the charges that were

19. contested were made. It gives, actually, the lender

20. an advantage by using the postmark of the questionable

21. bill mailed rather than the date of the debtor re-

22. ceived the bill as the determinant that when the sixty

23. days began. It...it really is simply that and nothing

24. more.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Question is, shall House Bill 2154

27. pass. Those in favor will vote Aye. Those opposed will

28. vote Nay. The voting is open. Have all voted who wish?

29. Have all voted who wish? Take the record. On that

30. question, the Ayes are 45, the Nays are 3. None Voting

31. Present. House Bill 2154 having received the constitutional

32. majority is declared passed. On the Order of House Bills,

33. 3rd reading, House Bill 2155. Read the bill, Mr. Secretary.

1. SECRETARY:

2. House Bill 2155.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Glass.

7. SENATOR GLASS:

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

9. This bill is a recommendation of the Illinois Judicial
10. Council. It...at the present time when a traffic
11. offender is apprehended because of the statutory language.

12. bail may be posted or accepted in any place other than
13. a police station, sheriff's office, jail or other county
14. or municipal building. We're a division of State Police
15. Headquarters. The Supreme Court has been unable to adopt
16. a rule that would allow a State policeman to accept bail
17. ...when there is no such building open and 'put' the 'bail' in an
18. envelope and mail it. As a matter of fact, what has to
19. happen now, the arrested party and the State trooper have
20. to go together to a mailbox. So this would permit the
21. Supreme Court by rule to authorize the State police
22. officer to accept the bail and place it in an envelope
23. and mail it at his earliest convenience. Be happy to answer
24. any questions.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Senator Bruce.

27. SENATOR BRUCE:

28. Thank you, Mr. President. This was debated in the
29. Judicial Advisory Council with members of the Supreme
30. Court. I rise in support of the bill. Many of the downstate
31. communities the drive is long even to find a mailbox.
32. The idea is that the patrolman can take your fine and
33. your license and mail it and we felt that that Supreme

1. Court rule was needed in many of the jurisdictions.
2. And I rise in support of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Further discussion? Senator Kenneth Hall.
5. SENATOR KENNETH HALL:
6. Would the sponsor yield to a question?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Sponsor indicates he will yield. Senator Hall.
9. SENATOR HALL:
10. Senator Glass from my edification, you know I'm
11. always very dubious about the mail today. If it...I
12. can't see him...
13. PRESIDING OFFICER: (SENATOR ROCK)
14. All right. Gentlemen. Will those not entitled to
15. the Floor, please get off the Floor. Will the members,
16. please, be in their seats? Wait a minute, Senator Hall.
17. Will those not entitled to the Floor, please, vacate?
18. Senator Kenneth Hall.
19. SENATOR KENNETH HALL:
20. Senator, with the way the mail is today, now if
21. is...can this be in cash or what? Or cause their
22. personal check from the individual that was picked up.
23. PRESIDING OFFICER: (SENATOR ROCK) .
24. Senator Glass.
25. SENATOR GLASS:
26. Well, Senator Hall, it can be as far as I know
27. it can be cash bail. The...the present practices I
28. have indicated and Senator Bruce indicated is that
29. if a person who is arrested wants to deposit bail and
30. there's no building are open, then the policeman and
31. the individual have to go to the nearest mailbox. And
32. if it's in a rural area they may have to travel...travel
33. a long way, but they have to do that right now. So we're

1. ...we're just excusing the arrested party and allowing
2. the police officer to make the deposit in the mail.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? Question is, shall House
5. Bill 2155 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. (Machine
7. cut-off) all voted who wish? Have all voted who wish?
8. Take the record. On that question, the Ayes are 53, the
9. Nays are None. None Voting Present. House Bill 2155
10. having received the constitutional majority declared
11. passed. On the Order of House Bills, 3rd reading, House
12. Bill 2143. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 2143.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Guidice.

19. SENATOR GUIDICE:

20. Thank you, Mr. President and members of the Senate.
21. The purpose of this bill is to bring the purchasing require-
22. ments of the authority into conformance with the State
23. Purchasing Act, which applies to all offices, boards,
24. commissions, departments, agencies, such as the State.
25. Increases the dollar limit of contracts and purchases
26. which may be entered into without opening competitive
27. bidding. Increases the limit of construction contracts
28. from one thousand to five thousand dollars, but requires
29. local newspaper advertising for contracts in excess of
30. twenty-five hundred dollars and increases the limit for
31. services and supplies from fifteen hundred dollars to
32. twenty-five hundred dollars. Would ask for a favorable
33. roll call.

6/25/77
3rd

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Question is, shall House Bill 2143
3. pass. Those in favor will vote Aye. Those opposed will
4. vote Nay. The voting is open. Senator Buzbee, will you
5. turn around and vote me Aye, please? Have all voted who
6. wish? Have all voted who wish? Take the record. On that
7. question, the Ayes are 33, the Nays are 16. 1 Voting
8. Present. House Bill 2143 having received the constitutional
9. majority is declared passed. 2156, Senator Daley. On the
10. Order of House Bills, 3rd reading, House Bill 2156. Read
11. the bill, Mr. Secretary.

12. SECRETARY:

13. House...House Bill 2156.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Daley.

18. SENATOR DALEY:

19. Mr. President and fellow Senators. This bill changes
20. the Malpractice Arbitration Act to the Health Care Arbitration
21. Act. Also, it sets out procedures for an arbitration agree-
22. ment where the patient must sign it. Allows him to disallow
23. disaffirm his agreement within a period of time after
24. he has left the hospital. Also, if he dies it gives him...
25. his representative the right to disaffirm the agreement.
26. Also it sets out the rules of evidence must be applied
27. to the arbitration agreements. Also the arbitration
28. panel members will be selected from the arbitration...
29. American Arbitration Society and I would ask for a
30. favorable roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. There any discussion? Question is, shall House Bill 2156
33. pass. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open. Senator Bruce. Have
2. all voted who wish? Have all voted who wish? Take
3. the record. On that question, the Ayes are 56, the
4. Nays are None. None Voting Present. House Bill 2156
5. having received the constitutional majority is declared
6. passed. 2161, Senator Joyce, do you want to handle
7. that for me? Is there leave to come back to that bill?
8. Leave is granted. 2163, Senator Glass. On the Order
9. of House Bills, 3rd reading, House Bill 2163. Read
10. the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 2163.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Glass.

17. SENATOR GLASS:

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

19. This is the appropriation for the Judicial Inquiry Board.

20. ~~There~~ was one reduction in the appropriation submitted by

21. Senator Carroll. I'd appreciate a favorable roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Question is, shall House Bill 2163
24. pass. Those in favor will vote Aye. Those opposed will
25. vote Nay. The voting is open. (Machine cut-off) Buzbee
26. vote me No, please. (Machine cut-off) all voted who
27. wish? Have all voted who wish? Take the record. On
28. that question, the Ayes are 42, the Nays are 4. None
29. Voting Present. House Bill 2163 having received the
30. constitutional majority is declared passed. 2164, Senator
31. Demuzio. On the Order of House Bills, 3rd reading, is
32. House Bill 2164. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 2164.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. Well, thank you, Mr. President and members of the
8. Senate. House Bill 2164 amends the compensation for a
9. mine...member of the State Mining Board and moves it from
10. three thousand dollars per year to four thousand dollars
11. per year. And also, by the way, there are only six
12. members of the Mining Board. And also, sets up the
13. qualifications for the membership on the...on the
14. Mining Board to include that an individual must be
15. a person who is active in the miners organization
16. who represents at least fifteen percent of the coal
17. miners in the State. I move for your...move for the
18. passage.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Question is, shall House Bill
21. 2164 pass. Those in favor will vote Aye. Those opposed
22. will vote Nay. The voting is open. Senator Bruce. No
23. please. Have all voted who wish? Have all voted who
24. wish? Take the record. On that question, the Ayes are
25. 39, the Nays are 8. None Voting Present. House Bill
26. 2164 having received the constitutional majority is declared
27. passed. Senator Schaffer. On the Order of House Bills,
28. 3rd reading, House Bill 2177. Read the bill, Mr. Secretary.
29. SECRETARY:

30. House Bill...House Bill 2177.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. House Bill 2177 would...permit emergency medical
4. service members of Civil Defense units to display blue
5. emergency lights on vehicles when responding to emergency
6. calls. Puts them in line with the firemen, volunteer
7. firemen, et cetera. There was an amendment placed on
8. the bill. The amendment was removed when it was deemed
9. to be...to lack the support of the Department of Trans-
10. portation and Law Enforcement. I know of no opposition.
11. Appreciate a favorable roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any discussion? Senator Regner.

14. SENATOR REGNER:

15. Just one quick question for the sponsor.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Sponsor indicates he will yield. Senator Regner.

18. SENATOR REGNER:

19. Senator Schaffer, do you think that...it's possible at
20. all that there could be a confusion with funerals that
21. have purple lights on? Purple and blue are pretty...
22. pretty close together.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. Well, I...~~there might~~ be as much as I supported the
27. Purple Light Bill. But normally these people would not
28. be driving in a row so ~~there probably~~ would be a minimum
29. of confusion whereas a funeral, presumably, would all
30. be driving in order.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Question is, shall House Bill
33. 2177 pass. Those in favor will vote Aye. Those opposed

1. will vote Nay. The voting is open. Have all voted who
2. wish? Have all voted who wish? Take the record. On that
3. question, the Ayes are 45, the Nays are 3. 1 Voting
4. Present. House Bill 2177 having received the constitutional
5. majority declared passed. Senator Demuzio. On the Order
6. of House Bills, 3rd reading, House Bill 2179. Read the
7. bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 2179.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER:(SENATOR ROCK)

13. Senator Demuzio.

14. SENATOR DEMUZIO:

15. House Bill 2179 amends the Counties Act to provide
16. a procedure to be followed by the Merit Commission creat-
17. ed by the county board to administer Merit Systems for
18. our deputy sheriffs and jail officers. The bill is an
19. attempt to amend the Counties Act to bring it into
20. conformity with the creation of the Merit Commission.
21. It sets out the procedure for the removal or discharge
22. of a deputy or a jail officer. And, for example, it
23. charges him...the charges must be in writing. There
24. must be a hearing only on the...certain circumstances
25. may his pay be withheld and et cetera. I'll be happy
26. to answer any questions. If not, move for the passage.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Is there any discussion? Question is, shall House
29. Bill 2179 pass. Those in favor will vote Aye. Those
30. opposed will vote Nay. The voting is open. (Machine
31. cut-off) voted who wish? Have all voted who wish? Take
32. the record. On that question, the Ayes are 48, the Nays
33. are 2. None Voting Present. House Bill 2179 having

1. received the constitutional majority is declared passed.
2. On the Order of House Bill, 3rd reading, House Bill 2182.
3. Read the bill, Mr. Secretary.
4. SECRETARY:
5. House Bill 2182.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Coffey.
10. SENATOR COFFEY:
11. Mr. President and members of the Senate. House Bill
12. 2182 would allow cabooses cars to include their plat-
13. forms and meeting the State required length of twenty-
14. four feet. It would also allow the cabooses to have
15. side bay windows instead of the presently required
16. cupolas. Some of the modern cabooses fit all of the
17. safe...safety standards in all other ways, but they
18. would be barred from having...not having the cupola
19. as it presently the law stands. So I'd urge your support
20. of this bill.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Any discussion? Senator Kenneth Hall.
23. SENATOR KENNETH HALL:
24. Would the sponsor yield to a question?
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Indicates he will yield. Senator Hall.
27. SENATOR HALL:
28. Senator, what's the genesis of this, I mean, why do we need
29. this for cabooses?
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Coffey.
32. SENATOR COFFEY:
33. As the...as the law presently stands it requires a

1. twenty-four foot length notwithstanding the platform. All
2. of the surrounding states now, the requirements are the
3. same, as this would put the State of Illinois into the
4. same standards. It would not allow those trains traveling
5. with that caboose out of other states through the State
6. of Illinois and they've had some problems. So all this
7. does is put it put it into the same category as...other
8. states they travel in.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator...Senator Buzbee.

11. SENATOR BUZBEE:

12. I think Senator Hall's question was...as intrepeted
13. means, who cares. I mean I'm not...I'm not making fun
14. of your bill, Senator, but I...you know, just wonder what
15. why...why...why are we addressing cabooses in the Illinois
16. State Senate?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Coffey.

19. SENATOR COFFEY:

20. I...so I understand there's been some problems and
21. complaints because of the regulation now requires them
22. to be twenty-four foot long, not including the platforms
23. in the back. Now, the new and modern cabooses coming
24. that travels in the other states allows only an overall
25. twenty-four foot including this. There's been some
26. problems created by this. We're just trying to put
27. the standards the same as the other states. The
28. cupolas are no longer on the modern cabooses so we're
29. trying to eliminate those from the law as provided.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? Senator Coffey may close
32. the debate.

33. SENATOR COFFEY:

1. Yes, I would just ask for a favorable roll call...
2. call. All we're trying to do is put this provision the
3. same as the other states and surrounding the State of
4. Illinois to make them in compliance. And I'd ask a
5. favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Question is, shall House Bill 2182 pass. Those in
8. favor will vote Aye. Those opposed will vote Nay. The
9. voting is open. Have all voted who wish? Take the
10. record. On that question, the Ayes are 56, the Nays
11. are None. None Voting Present. House Bill 2182 having
12. received the constitutional majority is declared passed.
13. On the Order of House Bills, 3rd reading, House Bill 2183.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 2183.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate. This
23. bill does as the Calendar with one exception that was
24. amended in the House and struck the word June to May
25. 1st. This has support of the Department of Local Govern-
26. ment and the Department of Revenue. I would ask for a
27. favorable roll call.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? Question is, shall House Bill 2183
30. pass. Those in favor will vote Aye. Those opposed will
31. vote Nay. The voting is open. Senator Bruce, vote me
32. No please. Have all voted who wish? Take the record.
33. ...On that...on that question, the Ayes are 39, the Nays

1. are 3. 6 Voting Present. House Bill 2183 having received
2. the constitutional majority is declared passed. On the
3. Order of House Bills, 3rd reading, House Bill 2185. Read
4. the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 2185.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and members of the Senate.
13. Under the current Juvenile Court Act a juvenile is eligible
14. for parole without regard to the length of their confine-
15. ment. All this bill does, it says that a juvenile is tried
16. as an adult they will be eligible for parole on the same
17. standards that an adult...is eligible for parole. I do
18. not know of any opposition.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Senator Berman.

21. SENATOR BERMAN:

22. Will the sponsor yield?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Sponsor indicates he will yield. Senator Berman.

25. SENATOR BERMAN:

26. If this bill is passed and some of the proposals
27. of the Governor are passed that would mean that the
28. parole eligibility of a minor, even though he was tried
29. as an adult could mean that he could be in jail for an
30. awful, awful long time regardless of rehabilitation. Is that correct?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. Senator Berman, I frankly don't...do not know how
2. this would mesh with the Governor's proposals if both
3. of them were signed. This...this is dealing with...with
4. current law. I came here this morning cold without the
5. file. If you want me take it from the record or some-
6. thing, I can discuss it with you.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Take it from the record. 2186, Senator Moore.
9. 2195, Senator Wooten. On the Order of House Bills,
10. 3rd reading, House Bill 2195. Read the bill, Mr.
11. Secretary.

12. SECRETARY:

13. House Bill 2195.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER:(SENATOR ROCK)

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Thank you, Mr. President and colleagues. This is a
20. bill of some significance back home. Although in some
21. counties there's no difficulty. There are some areas
22. where is you apply for any kind of building permit,your
23. assessments automatically go up. The Director of the
24. Department of Local Government Affairs says he needed
25. some kind of statement from the Legislature before
26. issuing guidelines.and the statement that was worked
27. out, I think, very carefully in the House. The bill was
28. presented. Amended twice and simply makes the distinc-
29. tion between repairs to keep property from going downhill
30. and improvements. This simply says that improvements
31. assessments on improvements should be increased. But
32. repairs where you merely replace material with material
33. of equal value or of lesser value shall not be considered

1. an improvement. I think it's hedged about with a proper
2. limitations and be happy to answer any questions. Ask for
3. a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? Senator Walsh.

6. SENATOR WALSH:

7. Mr. President and members of the Senate. The problem
8. with this bill is it indicates that there should be a
9. seventy hundred dollar exemption for any repairs made
10. to real estate. But how do we define repairs? What
11. is the distinction between repairs and improvements?
12. As you know the law is that the assessor assesses real
13. estate at fair market value and if we're going to permit
14. someone to put seventy hundred dollars into the improve-
15. ment on his real estate without increasing the assessed
16. valuation I think it's a dangerous practice. Why, if...
17. what I call a repair, you might call an improvement.
18. And it's very difficult for an assessing officer to make
19. any such distinction. I think it's just better for him
20. to look at a piece of real estate and appraise it. So this
21. to me is a...is a bad precedent. I think the bill should
22. be defeated and we just stick with the present standard.
23. Fair market value is the basis for an assessment. This
24. would provide for seventy five hundred dollars in...in
25. actual improvements being exempted or actual repairs
26. whatever the distinction is, again, I think is a very
27. difficult one to draw. Being exempted from the assessed
28. valuation and I would urge a No vote.

29. PRESIDING OFFICER: (SENATOR ROCK)

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

32. SENATOR WOOTEN:

33. Senator Walsh, I think you're misreading the bill.

1. We are putting on several limitations to be sure that
2. there is no mistake. You're misreading the figure. Let
3. me give you the limitations. The repair not to exceed
4. seventy-five hundred dollars in any ten year period.
5. That's one qualification....does not increase the
6. square footage. That's another qualification. It's
7. limited to work performed to simple prolong the life
8. of the property or to keep it in a well maintained condition.
9. Employees materials such as those used for roofing or
10. siding whose value is not greater than replacement value.
11. It's work which does not increase the square footage. It
12. ...it is only needed because there are some assessors who
13. do not do their work properly. If you take out a build-
14. ing permit, even if it's just for repair they use that as
15. a basis for increasing the assessment. The Director of
16. the Department of Local Government Affairs says that if
17. we have some..he can issue guidelines if we have some
18. statement of legislative intent. And believe me, the
19. taxpayers and property owners in your area are very much
20. in favor of having this distinction made. I ask for a
21. favorable roll call.

22. PRESIDING OFFICER:(SENATOR ROCK)

23. Question is, shall House Bill 2195 pass. Those in
24. favor will vote Aye. Those opposed will vote Nay. The
25. voting is open. Have all voted who wish? Have all voted
26. who wish? Take the record. On that question, the Ayes
27. are 41, the Nays are 5. 2 Voting Present. House Bill
28. 2195 having received the constitutional majority is declared
29. passed. Yes, Senator Wooten, for what purpose do you
30. arise?

31. SENATOR WOOTEN:

32. For a point of truly personal privilege.

33. PRESIDING OFFICER:(SENATOR ROCK)

1. State your point, Sir.

2. SENATOR WOOTEN:

3. As some members may know, every year I direct a
4. theatre group and one of the things involved there is
5. a local artist of some repute prepares a limited number
6. of posters advertising that event. And I have long meant
7. to offer those to my colleagues because a lot of people
8. collect these. I...this poster is just off brand new.
9. They're really quite nice and I...I have a number here
10. which I'd be glad to give to any member who desires them.
11. They are valued in some areas as art works and I simply
12. wanted to share one of the real joys of my life with
13. my colleagues.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Thank you, Senator, the Chair would like one. 2198,
16. Senator Schaffer. On the Order of House Bills, 3rd reading,
17. is House Bill 2198. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 2198.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Mr. President. House Bill 2198 would...require a...
26. the notice of the annual Instructional Assembly between
27. the supervisor of assessments and the various township
28. assessors be published in a newspaper in the county. It
29. also requires a...the supervisor to put out a notice or
30. press release to the other papers to let people know that
31. this assembly is being held so that they can attend. It
32. also, based on House Amendment No. 1 of Representative
33. DiPrima's provides that any supervisor of assessment who

1. willfully gives directions which are not in accordance
2. with the law is guilty of a Class B misdemeanor. This
3. is an extremely important meeting. It affects the
4. equalized assessment in the county. I think the public
5. should be allowed to know when it's being held and if
6. they're interested they should be allowed to attend.
7. I...I...there's an amendment on which clarifies the
8. problem on distribution of notice that Senator Daley
9. mentioned. I know of no opposition. I think it's a
10. good bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? Question is, shall House
13. Bill 2198 pass. Those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? Take the
16. record. On that question, the Ayes are 42, the Nays
17. are 3. 2 Voting Present. House Bill 2198 having
18. received the constitutional majority is declared passed.
19. 2199, Senator Knuppel. On the Order of House Bills, 3rd
20. reading, House Bill 2199. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 2199.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. As this bill is designed to enlarge the amount of
29. information that is on the notice of an enlarged assess-
30. ment by the assessing official when given to...property
31. owners, taxpayers in counties of less than two hundred
32. thousand. Most of the information, virtually all of the
33. information that is now required to be put on such a notice when

1. mailed to the taxpayer is on the notice that is mailed
2. in Cook County. This is a good legislation designed to
3. cut down on confusion, disappointment and chagrin of tax-
4. payers and to have a better understanding by them of
5. assessing procedures. I suggest a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Question is, shall House Bill 2199
8. pass. Those in favor will vote Aye. Those opposed will
9. vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Take the record. On that
11. question, the Ayes are 49, the Nays are None. None
12. Voting Present. House Bill 2199 having received the
13. constitutional majority is declared passed. 2203,
14. Senator Demuzio. On the Order of House Bills, 3rd reading,
15. House Bill 2203. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 2203.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Thank you, Mr. President and members of the Senate.
24. House Bill 2203 simply provides due process in the dis-
25. missal of a community college teacher. It provides a
26. majority vote of the board that's needed to dismiss.
27. Current law would have allowed dismissal by a single
28. board member or by a college president. It's a matter
29. of simple equity for the teacher the board may hire. Now,
30. the board must fire in...with the...majority of those
31. members of the board.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Grotberg.

1. SENATOR GROTBORG:

2. Yes, will the sponsor yield?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Indicates he will yield. Senator Grotberg.

5. SENATOR GROTBORG:

6. Senator Demuzio, in committee we had a long discussion
7. on this bill because probably it's not, it is quite as simple
8. as it looks. I would ask the membership to draw their
9. attention to the fact that it's a majority of the board
10. members. Not the members present. In order to take any action
11. at all, they have to have a majority of the members
12. voting for this and it's going to place a tremendous
13. handicap on the orderly procedure of any board meeting.
14. ...I presume it takes at least four people to have a
15. quorum on a...how many...a question of the sponsor.
16. How many board members on a community college board?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Demuzio:

19. SENATOR DEMUZIO:

20. Seven.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. ...Senator Grotberg.

23. SENATOR GROTBORG:

24. Which means then that there have to be four members
25. present and there has to a unanimous vote if there is
26. that kind of a quorum present. A very difficult bill to
27. work with in practicality. And I would recommend to the
28. membership that they consider that and vote No on the
29. bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, Mr. President and fellow Senators. I only want

1. to remind that we did attempt to amend this bill on
2. 2nd reading to eliminate this provision and make it
3. the same as it is for hiring and firing, which means
4. that a majority of those voting. And it certainly
5. seems that that would be in order and I would urge
6. that since we can't amend it to be in proper form
7. for either firing or hiring that we not support
8. the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Buzbee.

11. SENATOR BUZBEE:

12. Thank you, Mr. President. Well, I think...Senator
13. Grothberg's argument is a rather specious one. Those
14. board members certainly are going to know that they have
15. a...a firing of a faculty member coming up. And if
16. there's only four of them there, I submit to you the
17. rest of them are derelict in their duty and we ought
18. to have a...recall election on them because they ought
19. to be present when they take action, such as firing
20. staff. And nobody's asking for a unanimous vote.
21. All we're saying is that there are seven members on
22. a board. We think that a majority of those members
23. ought to have to vote to take an affirmative or a negative
24. action whichever way you look at it of dismissing a faculty
25. member. In this Senate it doesn't make any difference
26. how many of us are here you got to have a majority of
27. those elected to pass a bill. It takes one over half in
28. this Senate that vote Yes to pass a bill. We're asking
29. exactly the same thing here. To fire a teacher at a
30. community college you got to have one over half who are
31. elected. Four of the seven have to vote Yes. It's...
32. it's a simple democracy. I see nothing in the world
33. wrong with it. We ought to be doing it.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Thank you, Mr. President. Mr. President, Senators.

5. Education is a very important issue. The hiring of people
6. for education is a very important issue. Service on these
7. boards is an extremely important service. And those who
8. don't intend to serve ought not be on boards. In the
9. hiring process there is a prescreening procedure so that
10. members of a board do have some notion about a person's
11. capabilities. The screening is by professionals whose
12. job is a personnel job. The firing of an individual
13. is an even more important procedure. Because there there
14. are some vested rights to be protected and for that reason
15. it makes absolute sense to have a majority of the board
16. to vote on such an action. I would think this bill makes
17. absolute sense in its present posture and ought to be
18. passed out. I intend to support it.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Senator Walsh.

21. SENATOR WALSH:

22. Well, just to maybe reiterate what has already been
23. said. But these community college boards are seven member
24. boards, I believe. And a quorum would be four and any
25. three could hire. We're requiring with this bill, that
26. we have a...an extraordinary majority or four in order
27. to fire. So it takes less to hire than it does to fire.
28. And I believe, Mr. President and members of the Senate,
29. it's just a bad proposal and we should not...we should not
30. adopt it.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Bruce.

33. SENATOR BRUCE:

1. Thank you, Mr. President and members of the Senate.
2. This is an interesting bill in that it is going to
3. require a concept that we don't even allow for felons
4. in the State of Illinois. It requires that by a majority
5. vote teachers can lose their jobs. That seems like a
6. very wild-eyed radical concept. For felons in the State
7. of Illinois to make the rapists, the bank robbers, the
8. people who do evil in our society to make them lose their
9. jobs, we've required that we have a unanimous opinion
10. of twelve people to take them off the street. Now, I'm not
11. even asking equality with felons for teachers because we
12. know what teachers are. And it seems to me that we
13. ought to, at least, require and give teachers half the
14. equality of a felon in this State. And say that when
15. you have a seven membered jury, that at least four of
16. them ought to think that you ought to be fired before
17. you're, in fact, fired. I don't think that's asking
18. too much. We've allowed felons to go on eleven to one
19. vote. Why can't teachers lose their job on a simple
20. four to seven...four to three vote. So I think this is
21. a good bill. No one ought to have...teachers ought not
22. to be treated equally with felons. We ought not to
23. require unanimous vote. But, at least, the majority vote
24. is enough to punish these people. They're only going to
25. lose their jobs, their livelihood. Some of these teachers
26. have taught a long time. The present law requires nothing
27. in the way of a vote. Just says that they can establish a
28. policy. In some boards they don't even meet. The...the
29. person is fired by the president. He comes before the vote
30. of the board. It could be one member, two members, three
31. members. It doesn't matter how many. It...they're just
32. fired. So, I think this is a good bill. At least, it gives
33. them half the rights of a felon in this State and I think

1. that's probably pretty good for a teacher. Thank you.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Glass.

4. SENATOR GLASS:

5. Well, thank you, Mr. President. I really wasn't going
6. to rise on this bill, but I don't think Senator Bruce's
7. comparison between a conviction of a felony and the discharge
8. of a teacher really ought to stand unchallenged. There is a
9. rather a significant difference. In...in the result of a
10. conviction of a felon and sending him to prison and the
11. teacher losing his job. I would only echo what, I think,
12. Senator Walsh and Grotberg have...have stated. The board
13. can convene and conduct its business with a majority of
14. its members for many purposes. The adoption of millions
15. dollars of expenditures. There are...there are a lots
16. of action that it can take if it has a quorum present.
17. And to make this an exception, seems to me, to be un-
18. warranted.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Senator Demuzio may close
21. the debate. Question is, shall House Bill 2203 pass. Those
22. in favor will vote Aye. Those opposed will vote Nay. The
23. voting is open. Have all voted who wish? Have all voted
24. who wish? Take the record. On that question, the Ayes
25. are 25, the Nays are 17. The sponsor requests Consideration
26. Postponed. So ordered. 2204. 2212, Senator Kenneth Hall,
27. 2217, Senator Knuppel. On the Order of House Bills, 3rd
28. reading is House Bill 2217. Read the bill, Mr. Secretary.

29. ACTING SECRETARY: (MR. FERNANDES)

30. House Bill 2217.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

Senator Knuppel.

1. SENATOR KNUPPEL:
2. This...this law amends the Vehicle Code and exempts
3. second division vehicles as trucks, buses and campers from
4. a safety inspection or a certificate of safety when it's
5. driven for the purpose of demonstration by a perspective
6. buyer and a dealer of his agent's presence. And...in that
7. manner the dealer will not have to test his entire in-
8. ventory. He will have to test them when sold, but not
9. until.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Any discussion? Senator Graham.
12. SENATOR GRAHAM:
13. Senator Knuppel, does that include only new ones?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Knuppel.
16. SENATOR KNUPPEL:
17. Just the new ones. It says while being delivered
18. it's in the section that it says while being delivered from the manu-
19. facturing or assembly plant directly to the purchasing
20. dealership or from one dealer or distributor to another or
21. being moved by a most direct route from one location
22. to another for the purpose of installing special bodies
23. or equipment. They're new trucks only.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any further discussion? Question is, shall House
26. Bill 2217 pass. Those in favor will vote Aye. Those
27. opposed will vote Nay. The voting is open. Senator
28. Egan, will you vote me Aye, please? Have all voted who
29. wish? Have all voted who wish? Take the record. On
30. that question, the Ayes are 54, the Nays are None. One
31. Voting Present. House Bill 2217 having received the
32. constitutional majority is declared passed. Senator Egan.
33. 2224. On the Order of House Bills, 3rd reading is House

1. Bill 2224. Read the bill, Mr. Secretary.

2. ACTING SECRETARY: (MR. FERNANDES)

3. House Bill 2224.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Egan.

8. SENATOR EGAN:

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

10. This bill deals with the non-discrimination in the

11. issuance of credit cards. It's provides that a credit

12. card application which confirms...conforms with the

13. Federal Equal Credit Opportunity Act shall automatically

14. be in compliance with the Illinois Act and it just...it

15. puts the Illinois Act within conformance with the Federal

16. Act and I ask for your favorable consideration.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is there any discussion? Question is, shall House

19. Bill 2224 pass. Those in favor will vote Aye. Those

20. opposed will vote Nay. The voting is open. Senator

21. Buzbee, will you vote me Aye, please? Have all voted

22. who wish? Have all voted who wish? Take the record.

23. On that question, the Ayes are 55, the Nays are None.

24. None Voting Present. House Bill 2224 having received

25. the constitutional majority declared passed.

26.

27.

28.

29.

30.

31.

32.

33.

End of reel

1. PRESIDING OFFICER: (SENATOR ROCK)
2. On the Order of House Bill's 3rd reading, is House
3. Bill 2227. Read the bill, Mr. Secretary.
4. ACTING SECRETARY: (MR. FERNANDES)
5. House Bill 2227.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Carroll.
10. SENATOR CARROLL:
11. Thank you, Mr. President and members of the Senate.
12. This bill is similar to the bill that I had handled as a Senate
13. Bill and is over in the House except this also takes care
14. of the problem in the downstate counties by increasing
15. the fees charged by the sheriff for the services rendered
16. in serving writs, mileage, et cetera. I would answer
17. any questions if I can and ask for a favorable roll call.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any discussion? Question...Senator Mitchler.
20. SENATOR MITCHLER:
21. Well, I'd like to ask the sponsor a question.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Indicates he will yield. Senator Mitchler.
24. SENATOR MITCHLER:
25. From what I read here, I don't quite understand it,
26. Senator Carroll. It says double the fees charged for
27. mileage for certain services provided by the court.
28. What's...what are the...what are the fees now, what are they
29. doubling?
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Carroll.
32. SENATOR CARROLL:
33. Thank you, Mr. President. Senator Mitchler, as to the
34. mileage section of the bill, the...for each mile of necessary

1. travel to serve a writ or process from twenty cents to
2. forty cents for summoning each juror from fifteen
3. to thirty cents, for serving notice of execution or levying
4. an execution, twenty to forty cents and for serving a writ
5. of possession, restitution, assistance or rejection from
6. twenty to forty cents each way. It's a doubling of the
7. mileage charged by the sheriff to the users of his
8. services.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, you're doubling the mileage from twenty cents
13. to forty cents a mile? Isn't that rather out of line with
14. what mileage is allowed? I can maybe see increasing the
15. fee for serving the writ or summons but for the mileage
16. to go up to forty cents.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Carroll.

19. SENATOR CARROLL:

20. I assume, Senator Mitchler, that that was a question
21. as opposed to a statement? All right. It's my understanding
22. that the...especially the downstate sheriffs had needed this
23. increase in services they charge to reimburse their costs
24. in operating their offices and that the various county
25. boards also requested these increases to offset higher
26. costs in operating the sheriff's offices. I might add again
27. that while this is merely duplicatory of what Cook County
28. does by ordinance, and what another bill already on the
29. Governor's Desk does for Cook, the downstate counties
30. requested this increase to be the same as the increases
31. given to Cook in what are known as Class 2 counties
32. as well as the other Class 1 counties so you know, our
33. particular sheriff is already covered by county board ordinance

1. but this is supposed to have been requested by the downstate
2. sheriffs and county boards to allow them to recoup their
3. increased costs as well.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Grotberg.

6. SENATOR GROTBORG:

7. Thank you, Mr. President. I would just remind the
8. membership that in Local Government Committee, this bill went
9. out with three Yeas, one Nay and three Present so that
10. it had some discussion in committee and it is a hundred
11. percent markup as a profitable item under these conditions
12. for any sheriff to get involved in transporting at double
13. the price and...and the charges accordingly. Now, the
14. ...ordinarily I would suggest that...that maybe there would
15. be no problem in doing something about the phase and the
16. laying off some of the cost of operating the sheriff's
17. department. This one is very questionable to be mandated
18. by the State of Illinois and I would certainly ask you to
19. defeat this bill based on its questionable character as
20. far as the input in committee and we haven't heard anything
21. from the...I've had no mail on it, I don't think that
22. anyone else has had any mail on it and I invite anyone else
23. with another opinion to go ahead and talk about it, but that's
24. my feeling on the matter and I ask for a Nay vote.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further discussion? Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. Just like to ask the sponsor
29. for a point of clarification.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Indicates he will yield. Senator Berning.

32. SENATOR BERNING:

33. My recollection is that these fees are really a

1. transfer between the counties...one county office and the
2. ...and another, the sheriff's office. Is that not true or are
3. these fees that are being charged back to litigants. If the
4. court is paying them, that's the county. If it's the
5. treasurer's office, that's again the county. If it's the
6. clerk's office, that's again the county. When the sheriff
7. serves summonses transports subpoenas. These, it seems to me, if
8. my recollection serves me, is just costs to the county.
9. So, is this truly just a...a transfer of dollars within
10. the county?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President. Senator Berning, it was
15. my understanding that these are the costs to the user
16. of the service which would be the litigants in most
17. instances. There are some costs that are purely bookkeeping
18. entries between various county departments. Excuse me.
19. Most of those were not touched at all. It's my
20. understanding, though, that these were for actually serving
21. a process and are paid for by the litigants.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any further discussion? Senator Carroll, you wish to
24. close the debate?

25. SENATOR CARROLL:

26. Ask for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Question is shall House Bill 2227 pass. Those in
29. favor will vote Aye. Those opposed will vote Nay. The
30. voting is open.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Have all voted who wish? Take the record. On that
33. question the Ayes are 37, the Nays are 6, 7 Voting Present.

1. House Bill 2227 having received a constitutional majority
2. is declared passed. House Bill 2229, Senator Bloom.
3. For what purpose does Senator Bloom arise?
4. SENATOR BLOOM:
5. Yeah, it still is technically incorrect after
6. Amendment No. 3. We've got to take Amendment No. 1 off.
7. I wondered if I could have leave to bring it back to
8. 2nd to take Amendment No. 1 off.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Well, Senator, we have a list of bills that are to be
11. recalled from 3rd to 2nd. If you would add your list...name
12. to the list, we'll get that in proper order of business.
13. House Bill 2238, Senator Soper and Chew. Read the bill,
14. Mr. Secretary.
15. SECRETARY:
16. House Bill 2238.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Soper.
21. SENATOR SOPER:
22. Well, Mr. President and Ladies and Gentlemen of the
23. Senate, this does exactly what the Synopsis says. Provides
24. DOT shall provide a mechanism for State employees to
25. establish car pools for transportation to and from work.
26. This is to take care and save some energy.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Is there further discussion? Senator Mitchler.
29. SENATOR MITCHLER:
30. I'm going to give full support to this bill, Senator
31. Soper. One of the things I think we're attempting to
32. do is to conserve energy or make the energy that we use to
33. transport public...rather our State employees more efficient.

1. One of the things that I think we could and I don't know
2. if we have to do it by Statute or what, but the department
3. heads in the Code Department, maybe the Governor could
4. issue an Executive Order or something...is to get the
5. State employees that travel between Springfield and Chicago
6. to utilize Amtrack instead of the airport out here. There's
7. plenty of time that they can catch the early morning train
8. and get up there for their meetings and come back on the
9. evening train as many of us do that want to use that. It not
10. only is more economical but it also uses the energy that
11. we provide for that train more efficiently.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Weaver.

14. SENATOR WEAVER:

15. Question of the sponsor.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates that he will yield.

18. SENATOR WEAVER:

19. Senator Soper, what happened to that study we paid
20. two hundred and fifty thousand dollars for two and a half
21. years ago on the same subject?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Soper.

24. SENATOR SOPER:

25. I didn't get any of the money.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Demuzio. I'm sorry. Senator Weaver.

28. SENATOR WEAVER:

29. Are we going to put a half a million in this study,
30. Senator?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Soper.

33. SENATOR SOPER:

34. Well, this isn't a study. They're...it seems that there...

1. I'm told that there are Federal funds available for this
2. project and to take and take care of the necessary
3. expenses and that's...of course, I understand now we say
4. that the Federal funds come from the same jaspers and
5. that's us so we just want to get in on the...we want to get
6. in on the...in the trough and we might as well do it now
7. before Indiana and Iowa and Wisconsin, Kentucky, Michigan,
8. Missouri and the rest of them beat us. Mississippi isn't
9. deep enough. They'll come over and get us. I think it's
10. a good...I think it's a good project and I think we ought
11. to...we ought to go ahead with it as long as we can get some
12. financing on it. It's not going to take much just to
13. ...no...not at all.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Demuzio.

16. SENATOR DEMUZIO:

17. Will the Senator yield for a question? My question is
18. how much is it going to cost?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Soper.

21. SENATOR SOPER:

22. It's not going to cost anything.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. You just said a minute ago before I could get on the
27. microphone that it wasn't going to cost much. Now are you
28. saying it isn't going to cost anything?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well, it won't be any...it won't be any fiscal
31. responsibility to State. We're going to use the Federal money
32. that's funded for this project.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Well, Federal money from where, that's number one,
4. my other question is it says that car pools may be established
5. and maintained entirely by the department...maintained
6. entirely by the department. Does that mean we're going to
7. pay these employees now also to go back and forth to work.
8. I don't understand that section of this bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Soper.

11. SENATOR SOPER:

12. I yield to the major domo on this...the honorable Charles...
13. Senator Charles Chew.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Well, Senator Chew.

16. SENATOR CHEW:

17. Thank you, Mr. President. Answer to your question,
18. Senator Demuzio, as we all know the Department of
19. Transportation is not in the business of subsidizing
20. automobile owners or van owners or et cetera. That is not a
21. part of our program today. It has not been in the past and
22. will not be in the future. Just to give you a little hint
23. of what we're trying to do here.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Well, now, Senator, you're just answering that one
26. question. We'll go back to Senator Demuzio. Senator Demuzio,
27. further questions?

28. SENATOR DEMUZIO:

29. No, I would like to hear the little hint.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Well, Senator Chew will be recognized in the order
32. that he...

33. SENATOR DEMUZIO:

34. All right. Then, my question is...where...

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator...Senator Coffey is next, Senator Chew. You're
3. recognized...
4. SENATOR DEMUZIO:
5. Where is the Federal money coming from and how much is it
6. being...how much is involved?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Soper, do you yield again to Senator Chew?
9. Senator Soper.
10. SENATOR SOPER:
11. Yes, I'll yield to Senator Chew.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Chew.
14. SENATOR SOPER:
15. He just got the program from the Gentlemen from DOT.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Chew.
18. SENATOR CHEW:
19. Mr. President, it's coming from the Federal Energy
20. Appropriation. It's...if I may Sir, your honor, please...
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Well, Senator Chew, Senator Coffey sought recognition
23. prior to your speaking. It would be the courteous thing
24. to allow him to speak and then you take your time in turn.
25. Senator Chew.
26. SENATOR CHEW:
27. I'm...I'm a principal sponsor of the bill, also. If you'll
28. just notice your Calendar.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Well...
31. SENATOR CHEW:
32. So, that puts me in a different category than taking
33. my turn.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Do you...do you wish to go in front of Senator Coffey?

3. Senator Chew.

4. SENATOR CHEW:

5. With your permission, I'd like to answer his question.

6. He had asked for it, he was not completely satisfied.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Chew.

9. SENATOR CHEW:

10. Thank you. Senator Demuzio, the California Department
11. of Highways has instituted a program out there where they
12. set aside even a special lane for persons in car pools, it's
13. called a diamond lane for two or more persons in any one
14. automobile. It's really an energy conserving idea and we
15. definately need it in the State of Illinois. I...I can see
16. my driving from Springfield to Chicago alone and by the same
17. token I can see four people in my car, which really, answers
18. the question. That's what it's all about.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Well, I...this bill then provides that we're going to
23. add another lane of highway between Springfield and Chicago
24. or are we going to take away one of those two lanes that
25. we have now for those commuters?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Chew.

28. SENATOR CHEW:

29. Senator, I respect your ability greatly and I
30. think the question is...should be answered. You know very
31. well we're not going to establish no new lane from Chicago
32. to Springfield and you further understand that I said in
33. California they had done that, may I add in Los Angeles, proper.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Coffey.

3. SENATOR COFFEY:

4. Mr. President and members of the Senate. I think that
5. it ought to be noted that there is a fiscal note on this
6. bill, two hundred and ninety-six thousand dollars and that's
7. without the promotional cost if there is any promotional
8. cost. I think it also ought to be noted in...in three years
9. ago, there was a project similar to this, the cost was around
10. two hundred and fifty thousand dollars for the same reason or another
11. it was destroyed for lack of being able to be a workable
12. solution so I think that the members, before voting on this,
13. ought to know those two items.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Guidice.

16. SENATOR GUIDICE:

17. Thank you, Mr. President. Will the sponsor
18. yield to a question, please?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates that he will yield. To whom are you
21. addressing your question...there are two...

22. SENATOR GUIDICE:

23. I don't know which sponsor...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. ...two sponsors.

26. SENATOR GUIDICE:

27. ...to the question...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. Ask your question.

30. SENATOR GUIDICE:

31. I'll...I'll throw it out and we'll...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Right.

1. SENATOR GUIDICE:

2. ...see which one picks it up. The...the amendment
3. that is indicated on this particular bill indicates that it
4. deletes employees living in metropolitan areas, is that correct?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Who will respond to the question? Senator Chew.

7. SENATOR CHEW:

8. Thank you, Mr. President. Yes, Sir. The main purpose
9. is to relieve congested areas not only in metropolitan
10. areas, Senator, but on the highways as you so well know,
11. in our metropolitan areas, we have any number of cars and
12. there was a recent survey concluded on one of our major
13. expressways in Chicago which said, every third car that
14. travels in rush hour periods traveled with one occupant
15. and that was the driver. And to try and establish this where we
16. could at least get other riders from an official point of
17. view, it would, in fact, alleviate a serious congested
18. problem.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Guidice.

21. SENATOR GUIDICE:

22. Well, now, you're telling me...is this program going
23. to be established in the city of Chicago?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Chew.

26. SENATOR CHEW:

27. Yes, Sir, Senator it's a Statewide program so Chicago
28. will be a part of it.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Guidice.

31. SENATOR GUIDICE:

32. Why does the amendment indicate here that it deletes
33. the employees living in the metropolitan areas, then?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Chew.
3. SENATOR CHEW:
4. Deletes what, Sir?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. May we have some order, Gentlemen? Senator Guidice.
7. SENATOR GUIDICE:
8. Deletes employees living in metropolitan areas.
9. Isn't this the main thrust of the bill...wouldn't...
10. where you would want it to be effective? This is
11. where you want to put your program in?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Chew.
14. SENATOR CHEW:
15. I want it all over the State, Senator.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Guidice.
18. SENATOR GUIDICE:
19. But according to what you have here, you're
20. doing just the opposite. You're...you're promoting the
21. idea but...and you're promoting it in the State and it
22. seems it would be more in the rural areas rather than being
23. a program that you're going to establish in the metropolitan
24. areas from the way the bill and the amendment read together.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Chew.
27. SENATOR CHEW:
28. Senator, if it is not in there to include the metropolitan
29. areas, I'll be only too happy to accept the language that would
30. include it.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. All right. Senator Guidice, your time has expired...
33. SENATOR CHEW:
34. At anytime that you want Sir.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. ...if you wish to ask one more question...Senator Guidice.
3. SENATOR GUIDICE:
4. Well, are you going to take this from the record
5. so we can make sure that this is going to serve the people in
6. the city of Chicago and other metropolitan areas such as
7. Rockford and Peoria and the areas of this sort.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Chew.
10. SENATOR CHEW:
11. If it's approved by the other principal sponsor
12. and you will get the language together, we'll take it from
13. the record and amend it and go on to pass it.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Soper, Senator Chew is agreeing to remove this
16. bill from the record for the purpose of clarifying
17. the language. Does that meet with your approval?
18. SENATOR SOPER:
19. My approval? Anything Charlie says is all right with
20. me...
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there leave to take it from the record?
23. SENATOR SOPER:
24. Take it from the record.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Leave is granted. House Bill 2240, Senator Rock.
27. Read the bill, Mr. Secretary.
28. SECRETARY:
29. House Bill 2240.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. There has been a request by WCIA TV Champaign to film

1. in the Senate. Is there leave? Leave is granted.

2. Senator Rock.

3. SENATOR ROCK:

4. Can I wait for the camera, Mr. President?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Yes, we'll give you...turn up the lights.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen
9. of the Senate. House Bill 2240 is an amendment to the
10. Coroner's Act. This bill came about as a recommendation
11. from the Sudden Infant Death Syndrome Commission. It provides
12. essentially that when an infant under the age of two
13. dies suddenly and unexpectedly,...where's...I'm looking for
14. the camera.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, we've turned the lights up, but the fellow
17. has not come back with the camera. If you'll slow down
18. a little bit, we'll give him a chance to set up.

19. SENATOR ROCK:

20. It provides, Mr. President and Ladies and Gentlemen
21. of the Senate, that when...when an infant under the age
22. of two dies suddenly and unexpectedly in the circumstances
23. as they are in the Sudden Infant Death are inexplicable,
24. an autopsy must be performed and that copies of the death
25. certificate must be...must be forwarded to the Department
26. of Public Health within thirty days. I know of no
27. objection. I would urge a favorable vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? Senator Berman.

30. SENATOR BERMAN:

31. Will the sponsor yield?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates that he will yield.

1. SENATOR BERMAN:

2. Senator Rock, do you want me to filibuster this for a
3. while?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senate...Senator Rock.

6. SENATOR ROCK:

7. Well, they're getting closer. The camera is now
8. being set up. If we could just...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berman, are you going to ask some questions
11. while they...no. Senator Mitchler.

12. SENATOR MITCHLER:

13. The only...the only question I have, Senator Rock,
14. what if...what if the parents of this infant under two years
15. of age do not believe in autopsies? You know, is this
16. provided for?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President. Senator Mitchler, the question
21. is a good one and was asked and I hope answered in committee.
22. There is another section of the Coroner's Act which specifically
23. provides for the Christian Scientists in particular, problem.
24. The amendment was added in committee to take out that provision
25. that says when a parent or guardian of the child objects,
26. no autopsy shall be performed. That was at the request of the
27. coroner. And remember that we are dealing with a very
28. limited circumstance in that we are talking about an infant
29. under two years of age who dies suddenly and unexpectedly.
30. I've spoken with the representative of the Christian
31. Science religion. He has no objection. As a matter of fact,
32. he favors the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates that he will yield.

6. SENATOR WEAVER:

7. Senator Rock, will there be an appropriation bill to

8. pay the costs of these autopsies to the counties?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Can we have some order, Gentlemen? Senator Rock.

11. SENATOR ROCK:

12. My understanding, Senator, is that in the House

13. Committee, the representative of the Coroner's Association

14. did testify in favor of the bill. There was no discussion

15. about appropriation for this kind of autopsy.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Weaver from Champaign.

18. SENATOR WEAVER:

19. Well, I'm certainly not against the bill and I'm not

20. speaking because the camera is from Champaign or here. I hope

21. they're pointing over to Senator Rock. But basically, the

22. problem of many counties is financing the cost of the

23. numerous autopsies that are mandated. So, here we are

24. mandating and I'm not against mandating this, if we provide

25. the funds to pay for them. But you know, Gentlemen, these

26. autopsies are costing the counties anywhere from a hundred

27. and fifty to three hundred and fifty dollars and this runs

28. up to an awful lot of money Statewide. So, if you want to amend

29. some money into a certain area or some appropriation bill

30. to take care of the cost, I'd certainly support the legislation.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator...Senator Rock.

33. SENATOR ROCK:

34. Well, Senator Weaver, frankly, I think your fears are

1. unwarranted. The number of deaths that fit this category,
2. that is to say the Sudden Infant Death Syndrome are...are
3. running, I'm told, approximately six or seven per month
4. with better than half in the county of Cook. So, I think
5. the cost aspect, frankly for downstate coroner's is
6. absolutely minimal and in these circumstances, I think is
7. totally justified. The major research center in the United
8. States of America is at Loyola University and in order to
9. properly or hopefully come to some definite
10. conclusion as to what is, in fact, the cause of what's
11. called the Sudden Infant Death Syndrome, these kinds of
12. autopsies and their research, are absolutely imparative.
13. And I think the cost aspect is frankly negligibile.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? Senator Rhoads, you
16. sought recognition. Senator Grotberg.

17. SENATOR GROTBORG:

18. Yes, Mr. President, thank you. I share service on
19. these Sudden Infant Death Syndrome Commission to which
20. Senator Rock refers and I was most surprised at our last
21. meeting that mothers from all over the State of Illinois
22. came over and had dinner with us and broke bread around
23. this subject which all of a sudden, I find is a real
24. problem in the research field and I rise in support
25. of this as much as I am against mandated programs. I'm
26. on that other committee that runs around the State
27. against mandated programs but for the sake of three or four
28. children's deaths a month, I'm going to check my ethics on
29. one side and support this in full and recommend that everybody
30. in the Chamber does.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? The question is shall
33. House Bill 2240 pass. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. All...have all voted who wish?
2. Have all voted who wish? Take the record. On that question
3. the Ayes are 53, the Nays are 1, 1 Voting Present. House
4. Bill 2240 having received a constitutional majority is declared
5. passed. House Bill 2243, Senator Berman. Is Senator Berman
6. on the Floor? House Bill 2244, Senator Lemke. House Bill
7. 2257, Senator Knuppel. You want to read the bill, Ken?
8. Oh, read the bill, Mr. Secretary.
9. SECRETARY:
10. House Bill 25...2257.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Knuppel.
15. SENATOR KNUPPEL:
16. Mr. President and members of the Body. The caption
17. or Synopsis is correct. This law would require all State
18. departments, agencies and institutions and units of local
19. government other than sheriff and police departments
20. to purchase automobiles that meet the Federal standards
21. on...on mileage and fuel economy.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Is there further debate? Senator Rhoads..
24. SENATOR RHOADS:
25. Will the sponsor yield?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Indicates that he will yield. Senator Rhoads.
28. SENATOR RHOADS:
29. Senator Knuppel, I'm...I understand the purpose of the
30. bill but how...what practical effect would it have?
31. If we're buying new automobiles for the State, they
32. would already have to be in compliance with the EPA
33. requirements, would they not?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Knuppel.
3. SENATOR KNUPPEL:
4. I don't know that this is necessarily true.
5. The...I think this advances these because this is an
6. effective date of 1978.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Rhoads.
9. SENATOR RHOADS:
10. Well, as I say, there's nothing wrong with the bill.
11. But if you go out and buy...purchase a new automobile
12. by definition from the manufacturer, it has to meet the
13. new Federal standards unless you're referring to some
14. additional Federal standards that I don't know about.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator...Senator Rhoads, have you concluded?
17. Is there further debate? The question is shall House
18. Bill 2257 pass. 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
21. the Ayes are 18, the Nays are 8, 13 Voting Present. House
22. Bill 2257 having failed to receive a constitutional
23. majority is declared lost. House Bill 2259, Senator
24. Egan. Is Senator Egan on the Floor? House Bill 2260.
25. House Bill 2271, Senator Roe. Mandatory penalty for political
26. committees. Hold. House Bill 2272, Senator Soper.
27. Senator Soper.
28. SENATOR SOPER:
29. I agreed to bring that back for an amendment and it's
30. on the list, so we'll bring it back later.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. All right. This would be an appropriate time, Gentlemen.
33. Last evening on the recalls, several bills were placed with the

HB 2287
3rd Reading
4/25/77

1. Secretaries...amendments to recall bills. If you have a...those
2. amendments were the bills that...was...were not necessarily
3. sponsored by the person who had the amendment. If you
4. plan to recall a bill, you ought to tell the sponsor so that
5. he is aware that you have an amendment down here so that
6. when we come to his bill, he will recall it to 2nd reading.
7. And there is a list of Senate Bills on...House Bills on
8. 3rd reading that shall be recalled to 2nd already with the
9. Secretary. So, if you have bills that you wish to recall,
10. please place it on the list. For what purpose does Senator
11. Bloom arise? House Bill 2287, Senator Rock. Read the bill,
12. Mr. Secretary.

13. SECRETARY:

14. House Bill 2287.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President. Senator Philip is not on the
21. Floor. I know he's opposed. Take this from the record. All right...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Read the bill...

24. SENATOR ROCK:

25. With that representation, I will call it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Been read. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. House Bill 2287 as introduced by the Speaker of the
31. House would permit a county merit employment.
32. You will recall in 1975 at the request of the Speaker, we
33. passed almost an identical bill which would permit counties
34. of this size and frankly, only two counties are covered, the Counties of

1. DuPage and Lake to go to a system of merit employment
2. if the county board opted for it. Since that time, apparently
3. the county board in the County of DuPage has indicated they
4. do, in fact, wish to opt for it. The bill, I am informed
5. by the Speaker of the House, was rewritten and does, in fact,
6. repeal the 1975 Act at the request of the chairman of the
7. county board in the County of DuPage. As I represented in
8. 1975, the bill is totally permissive. It would allow other
9. counties large size counties, to have a merit system of
10. employment for their county employees. As you well know, in
11. the County of Cook, a merit system, has, in fact,
12. been in existence for a number of years and I think it's...
13. it is, in fact, a good idea and I would urge a favorable
14. vote.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Glass. Senator Glass.
17. Senator Bowers.

18. SENATOR BOWERS:

19. Thank you, Mr. President. I just want to say to the
20. members of this Body that there are some of us in the State
21. of Illinois that believe in the merit system and we in DuPage
22. County are going to support this. I would just hope that
23. some other people would think about it. I had a bill over in
24. ...over in the House that didn't do much on the park districts.
25. The bill was gutted and there was an amendment put on by the
26. other side of the aisle over there to take Chicago Park District
27. out of the merit system. Of course, the bill had to be
28. referred to subcommittee but we are going to support it in
29. DuPage County and I would urge a favorable roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, Senator Rock, you and I have discussed the merit...

1. merit appointment...employment and patronage on several
2. occasions over the years and I wondered, does this bill mean
3. a shift in your personal philosophy closer to the principles
4. that I purport to hold near and dear?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR ROCK:

8. Well, I don't know what principles you purport to
9. hold near and dear. I am handling the bill as I did in
10. 1975 at the request of the...personal request of the Speaker
11. of the House. I, frankly, prefer patronage politics
12. and will always prefer patronage politics.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rhoads. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Senator Rock, your...your consistency is refreshing
17. in these days of change.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Well, Mr. President, frankly, I'm a little bit
22. confused at this point. I know that Senator Philip was
23. opposed. Now, Senator Bowers is speaking in favor and I know
24. that Representative Redmond is the sponsor. Since about a
25. third of my district falls into DuPage County, I wonder if
26. Senator Rock can tell me what the position of the DuPage
27. County Board is on this bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. I can, indeed. My information or my understanding from
32. the Speaker is that when we passed the bill in 1975,
33. the bill was, in fact, opposed. This bill will repeal the
1975 Act and put in a new Act written at the request of and

1. with the help of the county board chairmen. My understanding
2. is that the board is in favor of.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Is there further discussion? Question is shall House
5. Bill 2287 pass. Senator Knuppel.
6. SENATOR KNUPPEL:
7. I just have one question. I think...I think it's
8. clear to the bill. This applies to only county in the State
9. of...two...which two? DuPage and Lake counties and if those
10. people have no objection, I have none.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Question is shall House Bill 2287 pass. Those in favor
13. vote Aye. Those opposed Nay. The voting is open.
14. Have all those voted who wish? Take the record. On that
15. question the Ayes are 46, the Nays are 5, 1 Voting Present.
16. House Bill 2287 having received a constitutional majority
17. is declared passed. Senator Bruce, just a minute. Senator
18. Guidice, for what purpose do you arise?
19. SENATOR GUIDICE:
20. Thank you, Mr. President. Just shortly ago, 2238
21. was on the call and we took it from the record at that time
22. and I would ask leave to go back to 2238 and my questions have
23. been answered.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Do we have leave? Leave is granted. House Bill 2238.
26. Read the bill...just a moment. Senator Chew, for what
27. purpose do you arise?
28. SENATOR CHEW:
29. Well, I'm principal sponsor and we just got the
30. satisfaction, Mr. President, so I would want to be heard on it.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. At the proper time. Read the bill, Mr. Secretary.
33. SECRETARY:

1. House Bill 2238.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Soper. Well, Senator Chew as a cosponsor.

6. We...the Calendar indicates that the bill is cosponsored...

7. the House Bill is cosponsored by Senator Soper - Chew.

8. Do we have leave to have Senator Chew proceed with the bill?

9. Leave is granted. Senator Chew.

10. SENATOR CHEW:

11. Fine. Thank you, Mr. President. The question that
12. Senator Guidice had on the deletion of metropolitan areas
13. has been answered to his satisfaction and for an
14. explanation, the original bill only required metropolitan
15. areas. That wording was deleted by an amendment in the
16. House which gives a Synopsis of the book, delete metropolitan
17. areas and that's where the confusion was. It is a State-wide
18. program and that was the only question we had pertaining
19. to it and I would ask for a favorable roll call. Everybody
20. is satisfied...now.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Wooten.

23. SENATOR WOOTEN:

24. I was going to speak on this when it came up before.
25. I'm intrigued by something Senator Chew said about that
26. special lane in California. I was reading a report on that
27. not so long ago that it is infuriating motorists in
28. California because that lane is not quite empty but close to
29. it. And other passengers of...drivers of other automobiles
30. are maintained in separate lanes which are clogged. And
31. in other words, the system just isn't working. If this
32. were simply to encourage the use of car pools, fine, but
33. it seems to me the bill goes a good deal further than that

1. and I think that if you simply want to set up a mechanism
2. for car pools, you can do it without legislation.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. I'd just like to speak
7. briefly to the bill and emphasize that in the Chicago
8. area, some few months back, there was a concerted
9. drive by one at least one, and perhaps more of our
10. radio stations urging the establishment and carrying on
11. of car pools. To those of us who occasionally use
12. the expressways from the suburbs into Chicago, a simple
13. visual examination of the cars indicates that that
14. was not successful. We do have a degree of mass
15. transportation that extends into the suburbs. Those
16. systems carry a minimum number of people, but every
17. automobile on the highway carries one person. The ideal
18. exemplified by this bill is laudable. There's no
19. question about that. The practicality of the matter is
20. that apparently, this would be a useless effort to...attempt
21. to force people to do something they're not going to do.
22. One of the reasons...one of the reasons in our society that
23. this could not work is simply the circumstances surrounding
24. our employing practices...employment practices. If we
25. have a group of people in one automobile and one is required
26. to stay and work, that individual either must be allowed
27. to leave early or the others in the car pool are
28. forcibly detained. This is the reason car pooling in most
29. of the metropolitan areas does not work.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Coffey.

32. SENATOR COFFEY:

33. Yes, I have a question of the sponsor.

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will yield. Just...just a moment. If he
2. can hear. Will the members please be in their seats.
3. Senator Chew wants to answer a question from Senator Coffey.
4. Proceed.

5. SENATOR COFFEY:

6. As I had heard earlier in the debate on this bill
7. and I think this came from Senator Soper rather than Senator
8. Chew, but maybe he can give us an answer. Is the intent of this
9. bill to use Federal monies for this program?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Chew.

12. SENATOR CHEW:

13. Senator, yes. Federal monies are available on
14. this program and while I'm speaking, if that answers your
15. question...that's a direct answer for a direct question,
16. while I'm speaking, this...the previous speaker said attempt
17. to force. This is all voluntary, there is not a word
18. in here that indicates force is to be used. It's merely
19. may set up mechanism. We are not trying to establish
20. any diamond lane. We are trying as we did in World War II
21. that was a successful program in car pooling for people
22. working in defense plants. Now, every program we have may
23. have failed in the past, but it's up to us to create programs
24. with the hope of success and that's all this bill does.
25. There is a fiscal note attached and I have an explanation here
26. if you would like to see it, but the Department of
27. Transportation is in favor of it, Sir.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Coffey.

30. SENATOR COFFEY:

31. Well, Mr. President and members of the Senate, the
32. intent of this bill was to be used for...Federal funds to be
33. used for this program, I think the bill should have shown

1. ...so stated. The bill, as I pointed out earlier, or the
2. program that was implemented some three years ago spent some
3. two hundred and fifty thousand dollars; they didn't
4. go anywhere. That was State monies and I think if this
5. bill had of been amended to...where it would have only
6. designated the monies coming from Federal monies
7. available, I could have supported it...supported this bill.
8. Therefore, I would ask a No vote on this bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Knuppel.

11. SENATOR KNUPPEL:

12. I know of no legislation that spells out that it
13. comes from Federal funds but there has been a great deal of
14. money made available for conservation of energy. There's
15. been a study and a preliminary program filed in this State
16. by BED and they're going to receive...they're going to receive
17. some very substantial sums of money designed for conservation.
18. As far as I know, all this money will come from the
19. ...ultimately come from the Federal Government, because
20. they are making large sums of money available for
21. conservation of energy. We've already done this study
22. ...the Illinois Energy Resources Commission in
23. collaboration with BED. There isn't anything at all
24. in this that would cost the taxpayer and it would be a
25. step in the right direction towards conserving energy.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Guidice.

28. SENATOR GUIDICE:

29. Thank you, Mr. President and members of the Senate.
30. I rise in support of this bill. Through this whole Session
31. we've been going through this particular problem regarding
32. energy, the saving of energy in gas, electric and the like.
33. This bill is addressing itself to it in a logical way.

1. It's going to relieve a lot of problems, especially in
2. congested areas. There was a...just recently a resolution
3. requested by Senator Leonard because of the ozone problem.
4. This contributes to it. This might alleviate it. What the
5. State should do is take the lead in this particular area.
6. Think Senator Soper and Senator Chew have put a fine bill
7. together and I support it.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is shall House...
10. House Bill 2238 pass. Those...Senator Chew, did you want to
11. close the debate? You've already closed it once. But you
12. can close it again or did you want a favorable roll call?

13. SENATOR CHEW:

14. Apparently you didn't stay at home last night.
15. You've been antagonistic all the morning. You need to
16. come in my office and talk to me. I have not closed it.
17. No, Mr. President, I merely want to say that we think it's
18. the right direction. Every government official today is
19. dwelling on how can we save energy, the State of Illinois has
20. an energy conserving method that is being demonstrated
21. now by the Governor. All of these things together could
22. very well bring out some good workable programs that
23. will be beneficial to all of us in this State, whether it's
24. automobiles or electricity, natural gases or et cetera.
25. This does not, in fact, cost the taxpayers a lot of money.
26. It is something that we ought to embark upon. I feel that
27. it's an excellent piece of legislation and I would ask for
28. a favorable roll call on it. Thank you.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Question is shall House Bill 2238 pass. Those in
31. favor vote Aye. Those opposed Nay. The voting is open.
32. ...those voted who wish? Take the record. On that question
33. the Ayes are 30, the Nays are 14, 2 Voting Present. House Bill

HB 2260
6/25/77
3rd Reading

1. 2238 having received a constitutional majority is declared
2. passed. Senator Bruce, Senator Bruce was on the podium
3. at the time his bill had its turn. That was 2260. We have...
4. do we have leave to return to that order? Leave is granted.
5. 2260, read the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 2260.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bruce.

12. SENATOR BRUCE:

13. Thank you, Mr. President and members of the Senate.
14. Your Calendar is in error. The bill does not make the salary
15. of county commissioners equal to that of the county clerks.
16. This bill is...has been amended to make it completely
17. permissive in the nineteen commission counties does
18. not apply to any township county in the State of Illinois,
19. will raise the salary some twenty-four hundred dollars and...
20. allow them to raise their salary some twenty-four hundred
21. dollars in...in counties less than fourteen thousand by
22. thirty-two hundred dollars in counties between fourteen and
23. twenty-five hundred and by four thousand dollars in counties
24. twenty-five to thirty-five and by eight thousand dollars in
25. counties where the population is between...has more than
26. thirty-five thousand people. I know of no opposition. The bill
27. is completely permissive. It only...it only raises the
28. maximum and not the minimum.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Question is shall House
31. Bill 2260 pass. Those in favor vote Aye. Those opposed
32. Nay. The voting is open. ...voted who wish? Have all those
33. voted who wish? Take the record. On that question the
Ayes are 32, the Nays are 13, 2 Voting Present. House Bill

1. 2260 having received a constitutional majority is declared
2. passed. House Bill 2289, Senator Vadalabene. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. House Bill 2289.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

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

12. House Bill 2289 as amended, provides that when a special
13. assessment or special taxes are designated uncollectable
14. by a municipality, any monies held for payments of such
15. special assessments or special taxes may be used for
16. improvements similar to the projects for which
17. such monies were collected. House Bill 2289 seeks to
18. deal with a problem caused by the need to clear titles to
19. property before improvements can be done. Often when
20. the owners of property for which special assessments and
21. special taxes are levied, are unidentifiable, the improvement
22. projects grind to a halt even though assessments and taxes
23. which have been collected are available to meet bond payment.
24. House Bill 2289 gives municipal authorities the statutory
25. power to make bond payments for improvements by using
26. funds collected prior to any portion of special assessments
27. and special taxes being declared uncollectable. In this
28. case, uncollectable means delinquent for a period of thirty
29. years. It passed the Local Government by eight to nothing
30. and I would appreciate a favorable vote.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Newhouse, your light
33. is lit. The question is shall House Bill 2289 pass. Those

1. in favor vote Aye. Those opposed Nay. The voting is open.
2. ...voted who wish? Take the record. On that question the
3. Ayes are 55, the Nays are none. House Bill 2289 having
4. received a constitutional majority is declared passed.
5. House Bill 2290, Senator Joyce. Read the bill, Mr. Secretary.
6. SECRETARY:
7. House Bill 2290.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Joyce.
12. SENATOR JOYCE:
13. Thank you, Mr. President. 2290, the intention of the
14. bill is...as amended is to prevent the further abuse of the
15. Downstate Firemen's Pension Fund by defining what
16. positions qualify as firemen. The bill should save money
17. since it restricts membership in the fund to just those
18. certified positions indicated in the bill. In other words,
19. that means no more janitors, CETA people or groundskeepers
20. will be included as firemen in the pension fund.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Further discussion? Question is shall House Bill 2290
23. pass. Those in favor vote Aye. Those opposed vote Nay.
24. The voting is open. Have all voted who wish? Have all
25. voted who wish? Take the record. On that question the
26. Ayes are 42, the Nays are 8, none Voting Present. House
27. Bill 2290 having received a constitutional majority
28. is declared passed. House Bill 2291, Senator Nimrod.
29. Read the bill, Mr. Secretary.
30. SECRETARY:
31. House Bill 2291.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yes, Mr. President and fellow Senators. What
5. this bill...is a conservation bill on energy for the
6. Illinois urban areas and it's an application of thermal
7. infrared overflight scanning. Now, here in March 1st,
8. 1977 through NASA here in Springfield, we did have such
9. a test plan that was made and there are several advantages
10. that we can derive from this program. Number one, of
11. course, is the emphasis on heat loss resulting from the
12. inadequate home insulation. This program is entirely a
13. cooperative program between the local municipality,
14. county or township with the State. But the funds provided
15. for this money come from the Federal program, the State will
16. put up no money in providing funding for this area.
17. And what will happen is our Energy Conservation Act
18. this year will bring Illinois two million dollars of
19. Federal money and a portion of that money will be provided
20. for the funding. Each community that chooses to do this, of
21. course, may do so by making an application and then
22. there's a priority list for the funds that are available
23. and only in...when those funds are expended, then no other
24. applications can be used for the purpose. This is for
25. homeowners and residential and institutional building
26. owners. This, of course, is at no cost to them, but anyone
27. that's a manager of commercial or industrial property
28. receiving this information. They pay for the cost of it.
29. This is a good program. It provides no loss for...no cost
30. for the State. The program is an accurate one and there
31. are a number of companies that are able to provide this.
32. It does provide special equipment. The accuracy is within
33. one degree and I think this is very vital for us to have the

1. people who own homes have this information available to
2. them so they can intelligently decide whether or not they
3. want to insulate their homes. Be happy to answer any
4. questions on this particular program.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Donnewald.
7. SENATOR DONNEWALD:
8. The Senator indicated that he would yield. What color
9. is infrared?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Nimrod.
12. SENATOR NIMROD:
13. In the photograph it turned out black.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Donnewald.
16. SENATOR DONNEWALD:
17. That's absolutely correct.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Demuzio.
20. SENATOR DEMUZIO:
21. I'd like to ask the sponsor a couple of questions.
22. Number one, first of all, how much is this going to cost?
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Nimrod.
25. SENATOR NIMROD:
26. The cost, I assume you are meaning, how much is it
27. going to cost the State of Illinois and on this program, it
28. will cost the State of Illinois no monies at all on the
29. matching funds. Those funds will come from the Energy
30. Conservation Act and that money comes from the Federal
31. Government for this purpose and for other purpose that
32. we're working on. Now, the administrative cost, of course,
33. within the Division of Energy are the people administering
34. this, are also included in the program so it will cost no

1. direct cost. The indirect cost, I imagine, would be some of
2. our personnel who would be working on this particular
3. program.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. You're...you're telling me that the State match
8. is another Federal grant? In other words, you're matching
9. Federal with Federal, is that right, is that what you're
10. telling me?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. No, we...the match comes...first of all, the
15. local community who would like to participate may get
16. their money from whatever source they desire. The...
17. the matching money that comes from the State is a Federal
18. money and can not come from anywhere else. On the
19. bill on page 4, it very specifically says, it says for all
20. funds available or expended, that is until all the funds
21. are expended and the only funds that can come for this
22. program, have to come from the Energy Conservation Act.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. In order to get this straight then the...the match is...
27. the State match is that money that we received from the
28. Federal Government and the other...the other fifty percent
29. is that which is put up by the local communities and
30. municipalities and they have to pay for this?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, it's...this is a...this is a request of their
2. part. If they decide to participate, they would put up
3. their half of the funds. They may get their funds
4. ...wherever they come, either Federal funds or local funds,
5. whatever they choose, but that's their choice.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Demuzio.

8. SENATOR DEMUZIO:

9. He's answered all of my questions.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Joyce.

12. SENATOR JOYCE:

13. Yes, thank you, Mr. President. Senator, would you
14. yield for some questions?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates that he will yield. Senator Joyce.

17. SENATOR JOYCE:

18. Yes, this is supposedly going to cost three to four
19. thousand dollars per square mile?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. The actual costs are based on the infrared overflights
24. on the area. It gets down to somewhere within one to
25. five or dollars per individual home and it could go as high
26. as ten for smaller numbers. But that would be the actual
27. cost that are involved in producing this. But, that money
28. for that cost comes from the Federal program and not from
29. the State.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Joyce. Could we have some order, Gentlemen. Senator Joyce.

32. SENATOR JOYCE:

33. Yes, that...well, that's half of the money would come

1. from that. Then, will...the local...how much would the
2. local municipality have to put up?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Nimrod.

5. SENATOR NIMROD:

6. The local municipality, if it chooses to participate,
7. puts up half the cost of providing this information and
8. they may get it from any source, Federal funds or State
9. or their local community funds. The other half of the
10. money, if it's available from the State, will come
11. from our Federal Energy Conservation Act money,
12. which is two million dollars at the present time.
13. If we do not have any money we cannot provide it because
14. it...because within the Act it provides that there is
15. a priority list, there's a deadline for submitting the
16. list, the division must publish that list and only those
17. who are on the list who qualify with the money available
18. would be eligible.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Joyce.

21. SENATOR JOYCE:

22. All right. How do you get to be eligible, then?
23. You must...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Any county, township or municipality may submit
28. from any urban area, five square miles or more may be
29. eligible by submitting an application according to procedure
30. which is established by the Division of Energy.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further questions? Senator McMillan.

33. SENATOR McMILLAN:

1. Question for the sponsor, please.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates that he will yield. Senator McMillan.

4. SENATOR McMILLAN:

5. I apologize if you've already responded to this
6. John, but my question is this. There was in the House,
7. a companion bill, House Bill 2292, which would have
8. provided five hundred thousand dollars as a companion
9. bill to this one. Now, what's the status of that bill and
10. what is its relationship to this bill?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Senator McMillan, at the time I accepted the
15. sponsorship of this bill, I discussed this with the House
16. sponsor and told him that I did not sponsor this bill if there
17. were any appropriation...come from the State and he agreed to
18. Table that bill which he has done.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator McMillan.

21. SENATOR McMILLAN:

22. Well, his agreement to Table the bill doesn't
23. explain why it was he appropriated it in the first place.
24. Has it been changed so that there...that there isn't need for
25. it?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, the present bill says only on funds that are
30. available and those funds, if they're not available, then
31. the State cannot provide it, so the only way we can go ahead
32. is to appropriate these funds and when we...when we get the
33. money from the Federal money which is coming...for this year, that

1. a portion of that will be appropriated by the Legislature
2. for this particular function from the Federal Energy
3. Conservation funds. But we cannot proceed with this program
4. until we take that action.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator McMillan.

7. SENATOR McMILLAN:

8. I thank the sponsor for his response. I...I do rise
9. in opposition to the bill and I really think it's a program
10. into which we need not begin to go.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. The money that will be used in this program is money
15. that the State of Illinois is qualified for as a result of
16. a study and a plan that was submitted to the Federal
17. Government last year. Senator Nimrod was very active in
18. the work that was done with BED in this regard. It's
19. estimated that it will be somewhere between one and
20. two million dollars. Since there is no appropriation that
21. money will come from those funds from the Federal
22. Government which is...which is very desirous...desirous
23. of establishing conservation in the energy field. It's
24. estimated that twenty-five percent of energy that we use
25. could be saved through methods of conservation and we're
26. working very closely with the Federal Government in this
27. regard and this is one of the ways we're attempting to
28. effectuate conservation. This is a good bill without
29. an appropriaton just as the bill ahead of it with respect
30. to car pooling and I think it should be adopted.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Question is shall House Bill
33. 2291 pass. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that
3. question the Ayes are 27, the Nays are 8, 1 Voting
4. Present. House Bill 2291 having...Senator Nimrod postpones
5. further consideration. Is there leave? Leave is granted.
6. The bill will be placed on the Order of Postponed Consideration.
7. House Bill 2296, Senator Donnewald. Read the bill, Mr.
8. Secretary.
9. SECRETARY:
10. House Bill 2296.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Donnewald.
- 15.
- 16.
- 17.
18. End of reel.
- 19.
- 20.
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- 32.
- 33.

1. SENATOR DONNEWALD:

2. Yes, Mr. President, this does exactly what the
3. Calendar says. This is the appropriation for the
4. multi-license plate. I would appreciate a favorable
5. roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? The question is shall
8. House Bill 2296 pass. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I just want to say one thing. I'm going to support
11. the bill. I think it's a good bill, but I'm just
12. amazed in this Session of the General Assembly at
13. the lethargy that has grasped this group concerning
14. the use of automobiles, energy and the conservation
15. thereof. And if we're all walking twenty years
16. from now, it's our own fault.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? The question is
19. shall House Bill 2296 pass. Those in favor vote
20. Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish?
22. Take the record. On that question the Ayes are
23. 53, the Nays are 1, none Voting Present. House
24. Bill 2296 having received the constitutional majority
25. is declared passed. For what purpose does Senator
26. Donnewald arise?

27. SENATOR DONNEWALD:

28. Well, I was busy here and I...I really wanted
29. to vote for my own bill. Would the record...would...
30. could we record that electronically that I was in
31. favor of it. Or else the Secretary...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. It will be recorded electronically. We'll all

1. sign a note to take to...Secretary Dixon for you.
2. House Bill 2306, Senator Hynes. Read the bill, Mr.
3. Secretary.
4. SECRETARY:
5. House Bill 2306.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Hynes.
10. SENATOR HYNES:
11. Mr. President and members of the Senate. This
12. bill as amended would provide that a real estate
13. broker must operate at...under one name at any
14. given time within a given county. The purpose for
15. the bill is to enable the Department of Registration
16. and Education to be able to regulate real estate
17. brokers without having to deal with the same
18. individual or entity under multiple names. It has been
19. a very serious problem in Cook County and in some
20. other parts of the State and I think this will
21. help to ease it. As amended, I think it eliminates
22. all the objections that were raised in the committee
23. and I would appreciate your support.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Further discussion? The question is shall House
26. Bill 2306 pass. Those in favor vote Aye. Those
27. opposed vote Nay. The voting is open. Have all
28. voted who wish? Have all voted who wish? Take
29. the record. On that question the Ayes are 53,
30. the Nays are none, none Voting Present. House Bill
31. 2306 having received a constitutional majority is
32. declared passed. House Bill 2307, Senator Grotberg.
33. Senator Grotberg, do you wish the bill read? Read

1. the bill, Mr. Secretary.

2. SECRETARY:

3. House Bill 2307.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBORG:

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

10. This bill does as we've done in so many other cases,

11. it eliminates the interest ceiling.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. We have a slight malfunction in the system

14. when the Secretary clears the board...

15. SENATOR GROTBORG:

16. There we are.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. ...sometimes our...my...our microphones go dead.

19. Senator Grotberg.

20. SENATOR GROTBORG:

21. I know you're going to try to kill some of my
22. bills, but this wasn't the one, Mr. President. This
23. bill does as so many others that we've done in the...
24. in the Legislature in these escalating interest markets,
25. it eliminates the interest ceiling on municipal and
26. industrial revenue bonds. I'd be pleased to answer
27. questions or I'd like a favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Rock.

30. SENATOR ROCK:

31. Well, if...if the sponsor will yield.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates that he will yield. Senator Rock.

1. SENATOR ROCK:

2. What...what other interest ceilings have we, in
3. fact, removed. We do, in fact, raise them from time
4. to time, but I've yet to vote for one that removes
5. one.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. I think you've got me on that one, Senator Rock,
10. I'd have to do my homework, but I recall voting for
11. a lot of interest ceiling bills and I thought that
12. some had been lifted entirely and some just raised. The
13. present interest ceiling is eight percent on
14. municipal revenue bonds and industrial revenue
15. bonds are not backed by the full faith and credit
16. of a municipality, as we all know, hence they're
17. riskier and therefore require higher interest
18. rates to be marketable. As I understand there are
19. some problems with trying to market some of
20. these bonds. If the venture is worth the risk,
21. it's up to the proponents of such an issue.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Rock.

24. SENATOR ROCK:

25. Well I...I can...I can sympathize with the problem. That
26. they are, in fact, probably would be a little more readily
27. saleable if the interest ceiling was raised and I don't
28. have any problem with raising it. In past years, Senators
29. McCarthy and Carroll would be up against the raising of
30. any ceiling on any bond and Senator Dougherty and I did,
31. in fact, raise the ceilings on some bonds. But to
32. take it off altogether I think, is a terrible, terrible,
33. mistake and I would urge a no vote on House Bill 2307.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Joyce.

3. SENATOR JOYCE:

4. Yes, thank you, Mr. President. I also would urge
5. a no vote. With no ceiling on the thing, that's a
6. scary situation.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Weaver.

9. SENATOR WEAVER:

10. Thank you, Mr. President. Well, I think it should
11. be pointed out that on these industrial revenue bonds.
12. They're not backed by the full faith and credit of
13. the issuing municipality, so many of them are not
14. marketable. Whatever the tariff will bear, whatever
15. the revenues will support, plus interest, is what
16. they have to be sold for. If there's any advantage
17. in issuing municipal revenue bonds, I don't know
18. what it might be because the municipality is not
19. backing these bonds, they're not liable for their
20. default.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Bowers.

23. SENATOR BOWERS:

24. Thank you, Mr. President. I do have a problem, as
25. has been expressed on the other side of the aisle with
26. this fact of taking the ceiling off altogether. I'm
27. not total...I'm not totaling in favor of this concept.
28. I would hope he'd take it out of the record and let's
29. talk about a ceiling.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Grotberg asks leave to take the bill from
32. the record. Is there leave? Leave is granted. House
33. Bill 2308, Senator Schaffer. Read the bill, Mr. Secretary.

1. SECRETARY:

2. House Bill 2308.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. House Bill 2308 is a response to a recent court
9. decision in my district that affected individual
10. subdivisions ability to use the special assessment
11. technique to improve and upgrade their private
12. subdivision roads. The Act provides clearly the
13. private roads were intended to be part of the
14. special assessment technique. Provides that
15. there be a three-fifths signature requirement of
16. owners instead of a majority and as amended in
17. the Senate, provides clearly that the roads once
18. improved shall become part of the township or
19. district road system. I...I think these meet
20. the objections of the court and will once again
21. provide a mechanism for people in subdivisions
22. to, at their own expense, improve their roads
23. and bring them into the township road systems.
24. Be happy to answer any questions.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator Bowers.

27. SENATOR BOWERS:

28. Sponsor yield to a question.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Indicates that he will yield, Senator Bowers.

31. SENATOR BOWERS:

32. What are the significant, if any differences,
33. between this method of...of special assessment that

1. you've provided here than...than the regular municipal
2. special assessments. Is there any particular difference?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Schaffer.
5. SENATOR SCHAFFER:
6. I suspect the principal district is that these
7. subdivisions along the rivers and lakes in my area
8. were platted with private roads.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Bowers.
11. SENATOR BOWERS:
12. Well, I understand that, and...and I've always
13. thought the counties ought to have the power to...to...
14. for special assessments in this area. My only question
15. relates to the procedures. Are the procedures exactly
16. the same for this type of special assessment as it
17. is for...for municipalities?
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Can we have some order, Ladies and Gentlemen.
20. Senator Schaffer.
21. SENATOR SCHAFFER:
22. I don't know.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Bowers.
25. SENATOR BOWERS:
26. Is...in, under the municipal code, the municipality
27. itself can start the special assessment. Now, if...if
28. I understood your...your explanation, the only method
29. by which it can be started under this bill is by a
30. three-fifths petition of the..of the owners of property.
31. Is that correct? The county cannot start it on its
32. own. Okay.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rhoads.

2. SENATOR RHOADS:

3. Will the sponsor yield?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates that he will yield. Senator Rhoads.

6. SENATOR RHOADS:

7. At what point does the title passer, at what point

8. does the private roads cease to be a private road

9. and become a public township road?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Schaffer. Senator Schaffer.

12. SENATOR SCHAFFER:

13. When the road meets county standards.

14. PRESIDING OFFICER: (SENATOR RHOADS)

15. Well, I just want to be sure we're not talking

16. about any limited access road such as in a subdivision

17. which has a gate house or anything like that.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. No, the road would have to meet the county

22. standards, we're not talking about that type of

23. situation. I think I know what you mean.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Glass. Senator Glass, your microphone does

26. not work, perhaps you could use Senator Rhoads'.

27. Senator Glass.

28. SENATOR GLASS:

29. Oh, thank you. As I understand the bill, unless

30. the...description is not correct, Senator Schaffer.

31. there is no dedication of these roadways. These remain

32. private roads, is that wrong?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. As I mentioned, the amendment in the Senate specifically
4. provides that when the roads are upgraded they have to go
5. into the township road system.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Glass.

8. SENATOR GLASS:

9. So they do become public roads after they're brought
10. up to standards. I...in the only, I guess the...and
11. the significant change of course is that at the
12. present...when...when this proceeding begins they are
13. ...they are private roads and by a three-fifths vote
14. of the owners and again does...does that represent
15. Senator Schaffer, three-fifths of the...of the individual
16. owners or does it represent three-fifths of the...of the
17. property, do you know?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Schaffer. Senator Glass, your microphone
20. is now functioning.

21. SENATOR SCHAFFER:

22. Three-fifths of the owners of record of properties
23. abutting or served by such private street or roadway.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further...further discussion? The question is
26. shall House Bill 2308 pass. Those in favor vote Aye.
27. Those opposed vote Nay. The voting is open. Have
28. all voted who wish? Have all voted who wish? Take
29. the record. On that question the Ayes are 38, the
30. Nays are 3, 5 Voting Present. House Bill 2308 having
31. received a constitutional majority is declared passed.
32. House Bill 2309, Senator Vadalabene. Read the bill,
33. Mr. Secretary.

1. SECRETARY:
2. House Bill 2309.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Vadalabene.
7. SENATOR VADALABENE:
8. Thank you, Mr. President and members of the Senate.
9. Presently a board of township auditors does not
10. have specific Statutory authority to demolish or repair
11. unsafe or dangerous buildings. House Bill 2309 gives
12. the board of township auditors the authority to demolish
13. or repair dangerous uncompleted or unsafe buildings
14. within the township. The board of township auditors
15. must follow a set procedure which basically includes
16. applying for the local circuit court of the county
17. in which the buildings is located and notify the
18. owners of the buildings so that this may...so that
19. they may appear for the court hearing to determine
20. whether or not the proposed action may take place.
21. The township officials are not opposed to this bill
22. and it passed Local Government by a vote of eleven
23. to nothing and I would appreciate a favorable vote.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Is there discussion? Senator Wooten.
26. SENATOR WOOTEN:
27. Yes, Mr. President and colleagues. May raise
28. money by taxation. How do they do this? This is
29. not an additional tax without referendum, is it?
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Vadalabene.
32. SENATOR VADALABENE:
33. No, for any purpose authorized by law in townships

1. having an equalized assessed valuation of fifteen million
2. or more, tax as authorized by this section may not be
3. extended at a rate in excess of two and a half cents of value
4. as equalized, or assessed by the Department of Local
5. Government Affairs of all taxable property in the town-
6. ship. In townships having an equalized assessed value
7. of less than fifteen million dollars, taxes authorized
8. by this section may not be extended at a rate in excess
9. of four and a half cents of value as equalized or assessed
10. by the Department of Local Government Affairs or all
11. taxable property in a township.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Well, Senator, I think what you said, in...after
16. reading that then is...is they may raise the tax without
17. referendum.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Well, in Section 28, I see where it says except that
22. in any county having adopted by referendum or otherwise
23. a county health department as provided and so forth.
24. So evidently, they do it by referendum.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. That is not clear to me, Senator. A lot of counties
29. have adopted such units and it seems to me the language
30. is not that easy for me to follow, but I think what
31. I'm hearing is that if counties have adopted such
32. units then they may raise this tax without referendum,
33. up to a certain limit. And I, quite frankly, do not
34. want to give them the power to raise any additional

1. tax without referendum. And that's why it's very important
2. clearly to understand what's at issue in this matter.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further...further discussion? Is there further
5. discussion? The question is shall House Bill 2309
6. pass? Those in favor vote Aye. Those opposed vote
7. Nay. The voting is open. Have all voted who wish?
8. Have all voted who wish? Take...take the record.
9. On that question the Ayes are 24, the Nays are 16,
10. 2 Voting Present. Senator Vadalabene asks leave of
11. the Senate to place...on that question the Ayes
12. are 24, the Nays are 16, 2 Voting Present. House
13. Bill 2309 having failed to received a constitutional
14. majority is declared lost. House Bill 2318, Senator
15. Glass. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 2318.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President, Ladies and Gentlemen of
24. the Senate. This bill would allow bail deposits, which
25. are unclaimed after a three year period, to be transferred
26. to the county where the bails were deposited. There
27. are many unclaimed bail deposits and at the present
28. time the only recourse for taking these deposits is
29. under the Unclaimed Property Act. Uniform disposition
30. of Unclaimed Property Act. And this bill would permit
31. the...the clerk after the three year period after the
32. conditions of the bail had been performed and after
33. giving written notice to the depositer at his last

1. address to transfer the sums to the general treasury
2. of the county. Prove a...I would appreciate a favorable
3. roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Harber Hall.

6. SENATOR HARBER HALL:

7. Would the sponsor yield for a question?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates that he will yield, Senator Hall.

10. SENATOR HARBER HALL:

11. In respect to the Unclaimed Property Act, it would
12. seem that this is in direct conflict with it. Now,
13. this authority that you would give does not specifically
14. state in there that the, even though it's transferred
15. to the county, that...that it would be separated from
16. the counties other unclaimed property. And unless
17. that would be stated, it would seem to me that the
18. county treasurer would segregate this money and
19. consider it unclaimed property and then it would
20. revert to the State where it would eventually get
21. into the Pension Funds, including yours. So, I just
22. wonder, do...do you want the county to hold that...
23. similarly to the way the State holds money for a
24. period of time after they take it in from the counties
25. before they put it in the General Fund.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Glass.

28. SENATOR HARBER HALL:

29. Or...or the Pension Fund.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Glass.

32. SENATOR GLASS:

33. Well, Senator Hall, I take it...well, let me...let

1. me say this. The purpose of the bill as recommended by
2. the Judicial Advisory Council is to allow these
3. unclaimed deposits to go to the county rather than eventually
4. to the State under the unclaimed...disposition of
5. Unclaimed Property. Act where the money has to be
6. held. I think it's longer, I know it's a longer period
7. tha three years, I think it may be seven. The money
8. does go to the county treasurer...to the county treasury
9. and I see no restriction in that regard as to the use
10. of the fund, so I...I think this is appropriate and
11. I think that counties can use this money.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Harber Hall.

14. SENATOR HARBER HALL:

15. I...I am not objecting to the bill at all. I just
16. say that if the...the county treasurer has to have
17. some authority to receive that money and if your
18. authority, which permits them to transfer that, does
19. not specifically specify that...and does say that
20. it's unclaimed property from...from a circuit court
21. or from where ever they're getting it. If it does
22. not specify then they will propably put that on
23. their books as unclaimed property and it never will
24. be available for the counties to spend, but it will
25. come down here eventually.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Glass.

28. SENATOR GLASS:

29. Well, you may have a point, Senator Hall, which
30. I think we could address perhaps with another bill.
31. I...I would say though that...that the county clerk
32. is...is protected under this, the language of this
33. bill because it...it does say notwithstanding the
34. provisions of the uniform disposition of Unclaimed

1. Property Act and it...it also provides that the county
2. clerk is relieved of any claim which exists or which
3. thereafter may be raised when he...makes the transfer.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? The question is
6. shall House Bill 2318 pass. Those in favor vote Aye.
7. Those opposed vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Take
9. the record. On that question the Ayes are 56, the
10. Nays are none, none Voting Present. House Bill
11. 2318 having received the constitutional majority is
12. declared passed. House Bill 2320, Senator Johns.
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 2320.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Johns.

20. SENATOR JOHNS:

21. Well, Ladies and Gentlemen of the Senate, this is
22. a real biggie. It's a...makes it a petty offense, a
23. Class C misdemeanor to kill an albino deer. And...if
24. there can be much explanation over that...I don't have
25. it. I'm at a loss for words today.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion, Senator Egan.

28. SENATOR EGAN:

29. Would this apply to a snowgoose, Senator?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Johns.

32. SENATOR JOHNS:

33. No. I'd like to give you a snowgoose.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there further discussion? Senator Berning.
3. SENATOR BERNING:
4. Question of the sponsor.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Indicates that he will yield.
7. SENATOR BERNING:
8. What...what is the definition of an albino animal?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Johns.
11. SENATOR JOHNS:
12. Senator Berning, must we prolong this agony.
13. What is an albino? It's often just a pure white
14. animal of a nature or bird and I'm only talking
15. about deer, four legged deers. Well, so far, right.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there...Senator Berning.
18. SENATOR BERNING:
19. Well, I...I was not intending to make light of
20. the problem, just...or the question. It appears
21. that the bill would prevent the slaughter of a
22. white horse and frequently those animals get to
23. the point where they have to be terminated.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Is there further discussion? Senator Hickey.
26. SENATOR HICKEY:
27. What about the squirrels in Olney?
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Johns.
30. SENATOR JOHNS:
31. Mr. President, would you help me out with that,
32. the two legged or the four legged.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Those comments are ruled out of order. Is there
2. further discussion? The question is shall House Bill
3. 2320 pass. Those in favor vote Aye. Those opposed
4. vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record.
6. On that question the Ayes are 41, the Nays are 8,
7. 1 Voting Present. House Bill 2320 having received
8. the constitutional majority is declared passed.
9. House Bill 2322, Senator Merlo.

10. SECRETARY:

11. House Bill 2322.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Merlo.

16. SENATOR MERLO:

17. Mr. President and members of the Senate. House
18. Bill 2322 amends the State Employees Retirement
19. System. It establishes a more practical procedure
20. for the filing and disposition of occupational
21. disability claims for the benefit of the disabled
22. employees and to insure more effective administration
23. of such claims by the retirement system. I want to
24. tell you that in its original form, this bill was
25. approved by the Pension Laws Commission and however
26. there were a number of amendments that were placed on this
27. bill and in order for the membership to make a...a
28. fair evaluation and determination, I would like to
29. very briefly tell you about some of the amendments
30. and then, of course, you can vote accordingly. One
31. amendment provides that the claims made be for the
32. occupationally disabled employee would be within
33. a period of twelve months. At the present time, it

1. is six months. There's another amendment which modifies
2. the Pension Code sections concerning credit time for
3. formerly elected police magistrates and justices of
4. the peace providing, of course, they make the appropriate
5. contributions. There was another amendment which was
6. sustained by this Body earlier this week when an
7. attempt was made to remove the amendment, which would
8. provide for the widow of a former State employee
9. who was killed in action during World War II and had
10. fifteen years of service to receive a one hundred
11. dollar a month pension. And then there was a provision
12. that...which rectifies an oversight that was made
13. through legislation concerning the legislative
14. contractual service employees, namely the secretaries
15. of the Legislators. This committee amended the bill
16. which would allow them to receive service credit for
17. a period of three months. This in essence is what
18. the bill consists of. I think it streamlines the
19. administrative procedures and I would certainly
20. appreciate a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President and members of the Senate.
25. Senator Merlo is quite correct. When House Bill 2322
26. was under consideration originally or as introduced,
27. it was a good bill. In its present condition with
28. the amendments that have been placed on it. It is
29. a bill that no longer is acceptable and I again
30. respectfully suggest to the members of this Senate,
31. it is totally indefensible to open up any pension
32. system, any pension system, to the benefits of
33. someone who expired or the beneficiaries or survivors

1. of someone who expired long before a pension system
2. was even established. Ladies and Gentlemen of the
3. Senate, this is... this is totally indefensible and
4. contrary to even the basic principles of a sound
5. pension system. If it is allowed to occur here,
6. there's no question but what it would be expanded
7. to every other system. I submit to you that in
8. all good common sense irrespective of the inclination
9. to accommodate persons in distress, this is not
10. the way to do it and Senate...House Bill 2322,
11. because of these amendments, should be rejected.
12. And I urge a no vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Harber Hall.

15. SENATOR HARBER HALL:

16. I also arise to oppose the bill for another reason
17. and that is that this would include police magistrates
18. and justice...justices of the peace, who had chosen
19. not to enter into the Illinois Municipal Retirement
20. System or any other public retirement system and now
21. they would go back and retroactively pick up these
22. people simply by having them pay an amount of money
23. into the system. First of all, they don't pay in
24. the State's portion. The State has been paying their
25. share all along, but now they just ask them to...to
26. pay the employee's part plus a five percent interest
27. rate on...on there, but that means the State has got
28. to pick up eventually all the deficit that...represent-
29. ating the money that they would have placed in that
30. pension fund over a course of years. This is a raid
31. on another pension fund and I suggest with these
32. amendments having been added subsequent to the hearing
33. that we should defeat this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Shapiro.

1. SENATOR SHAPIRO:

2. Well, Mr. President and Ladies and Gentlemen of
3. the Senate. I don't think anyone in this Body really
4. knows what's in this bill with all the amendments that
5. it has on it. The thing that distresses me the most
6. is the, evidently House Amendment No. 2, which goes
7. back thirty-three years and picks up the pension for
8. a widow and I'm absolutely sure it was prior to the
9. time that this State even had a State Employees
10. Retirement System. Now, thirty some odd years
11. later, we have decided to vote the widow of this
12. veteran, who was killed in action, a pension. It's
13. obvious that it's special interest legislation and
14. I am sure that probably was put in because the widow
15. does need the hundred dollars a month. But when you implement
16. this type of legislation into a pension system, you
17. almost can be assured that within a relatively short
18. time, every other system will be in asking for the
19. same thing. And if we do it for one, we might as
20. well do it for everyone else and I would urge a
21. no vote on this bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan.

24. SENATOR EGAN:

25. Thank you, Mr. President and members of the Senate.
26. Well, I...Senator Shapiro, I...I...I have to technically
27. agree with what you say. Let me point out that each of
28. these amendments are similiar to proposals which have
29. been submitted to the Pension Laws Commission with
30. their approval. Except for the one that involves
31. one widow who will receive one hundred dollars a
32. month. Rather than oppose the bill with these amend-
33. ments, let me just suggest that if these proposals

1. were deliberated upon by the commission, they may or
2. may not receive favorable consideration. But let
3. me reiterate, they may as well as they may not.
4. And I suggest that there's nothing really obnoxious
5. about this bill, as amended, and consequently with
6. the time of...lapse, with the time remaining, there
7. is no way to submit this to the commission. But
8. each of these proposals, with that one exception,
9. are similiar to proposals that have been agreed upon
10. by the commission in the past. And I only suggest
11. that I don't oppose this because I leave it to the
12. membership and the entire Senate and with that...I'm
13. going to vote Aye, but I.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bowers.

16. SENATOR BOWERS:

17. Thank you, Mr. President. I just wanted to say
18. I voted for this in committee, but I thought we had
19. an understanding that that particular amendment
20. was going to come off on the House Floor. Now I
21. understand that the...that the, or on the Senate
22. Floor. I understand that the House sponsor refuses
23. to take that amendment off, but I don't really think
24. that's any reason to...to vote for this bill. It
25. seems to me that we had an agreement in committee
26. and it was going to come off and I...I would urge
27. a No vote if it's not going to come off.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Mr. President and members of the Senate. One
32. would think that you should do the widow of a deceased
33. veteran a favor in some way, but this...this widow of
34. this veteran no doubt has received a number of different

1. benefits, both from the State and from the Federal
2. Government through the Veteran's Administration to
3. compensate in some small way for the loss of her
4. husband during a period of war. But when you stop
5. and think, I hope you listen to what Senator Berning
6. said and that's the whole crux here, the principle
7. behind this. That you're going back even before
8. a pension system was formed and provide benefits to
9. somebody that you couldn't be in the system because
10. it was happened way before the pension system was
11. formed. Now all I can say, if you're going to start
12. doing that, you're going to create the downfall
13. of a democracy. Because this is the theory. You
14. know you're governed by the people. You're represent-
15. ing the people and the people can do anything they
16. want with their government through their...represent-
17. ative form of government. But the downfall is when
18. they find that they can vote themselves great largest
19. and great benefits that they take from the tax dollars.
20. Well that can work for so long and then all at once
21. you find that they are behind the eight ball because
22. they voted themselves more than they have to give
23. themselves and they do it through you and I. Look
24. at the Social Security System, it's in a shambles
25. because Congress has found that they can gain votes
26. and the favor of the people by just voting all this
27. largest back to them and now they're going to have
28. to pay for it and who has to go to pay for it, your
29. children, your grandchildren and it's bankrupt. Now,
30. that's what you're going to do to these pension
31. systems in Illinois, all of them. And listen to Senator
32. Berning what he has to say. What he has said just
33. a few minutes ago is the whole crux of this bill and

1. it should get a negative vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, all I can say is that if Merlo says it's
6. good it ought to be good and if the Pension Commission
7. says it's bad, it's gotta be good.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Soper. Senator Soper. Is there further
10. discussion? Senator Graham.

11. SENATOR GRAHAM:

12. I listen to Senator Egan and I want to compliment
13. him having got some instructions from Senator Netsch
14. on those informative speeches on sponsorship of
15. bills, you're doing real well there Bob.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator...further discussion? Senator Bloom. Is
18. there further discussion? Senator Merlo may close
19. the debate.

20. SENATOR MERLO:

21. Thank you very much, Mr. President. I...I just
22. want to reiterate that this question that was brought
23. up just a moment ago, has been determined by this
24. Body when an attempt was made to remove this from
25. the present bill, so it sustained the view point, of
26. course, of the amendment that was attached on. And
27. very seriously, I don't think that it's too far
28. wrong. The employee had to work fifteen years in
29. order to have this benefit and this gives the widow
30. a choice which her husband was denied to...to his
31. death in the service of his country. And I am
32. sure that if he would have survived that he would
33. have taken advantage of this, providing of course
34. the fund existed. In closing, I can only say that

1. I've always been taught that you can...have to take some
2. bad with the good. There's a lot of good amendments and
3. a lot of good points to this bill and yes, there are
4. a few, but I think that the good outweigh the bad and
5. I certainly would appreciate your favorable consideration
6. of this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is shall House Bill 2322 pass. Those
9. in favor vote Aye. Those opposed vote Nay. The
10. voting is open. Have all voted who wish? Have all
11. voted who wish? Take the record. On that question
12. the Ayes are 23, the Nays are 22, 7 Voting Present.
13. Sponsor asks leave...further consideration of the
14. bill be postponed. It will be postponed. For what
15. purpose does Senator Soper arise?

16. SENATOR SOPER:

17. On a point of personal privilege, in the...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. State your point.

20. SENATOR SOPER:

21. ...in the north gallery, the right north gallery, we
22. have a lovely lady sitting there and I believe she's
23. the wife of our Assistant Secretary, Eddie Fernandes,
24. Lola Fernandes, Lola.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Would she please stand and be recognized by the
27. Senate.

28. SENATOR SOPER:

29. Would you please stand up so they can all see you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. What purpose does Senator Maragos arise?

32. SENATOR MARAGOS:

33. Point of personal privilege.

HB 2326
3rd Reading
6/25/77

- 1. PRESIDING OFFICER: (SENATOR BRUCE)
- 2. State your point.
- 3. SENATOR MARAGOS:
- 4. On the House Floor we have a visitor who is a
- 5. former member of the State Legislature...Senate
- 6. Floor, I'm sorry...the...the judge from the
- 7. Blue Island area and a former Representative, Romie
- 8. Palmer.
- 9. PRESIDING OFFICER: (SENATOR BRUCE)
- 10. Judge Palmer. House Bill 2325, Senator Buzbee.
- 11. Senator Buzbee on the Floor? For what purpose does
- 12. Senator Shapiro arise?
- 13. SENATOR SHAPIRO:
- 14. Mr. President, I think it's refreshing to note
- 15. that we have a judge here on the Senate Floor who's
- 16. not lobbying for judicial pay raise.
- 17. PRESIDING OFFICER: (SENATOR BRUCE)
- 18. Well...House Bill 2326, Senator Weaver. Read the
- 19. bill, Mr. Secretary.
- 20. SECRETARY:
- 21. House Bill 2326.
- 22. (Secretary reads title of bill)
- 23. 3rd reading of the bill.
- 24. PRESIDING OFFICER: (SENATOR BRUCE)
- 25. Senator Weaver.
- 26. SENATOR WEAVER:
- 27. Thank you, Mr. President. This bill does just
- 28. as the Calendar states. It specifies that a
- 29. contract of a unit of local government or a school
- 30. district with a local financial institution is...
- 31. permissible even though a member of the governing
- 32. board has an interest in such financial institution.
- 33. It requires disclosure of the interest of such
- 34. member and prohibits his participation in the

1. vote, also it provides that he may not have more than
2. five percent of the interest in that financial
3. institution. If there are any questions, I'd be
4. happy to try to answer them. Would appreciate a
5. favorable roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there any discussion? The question is shall
8. House Bill 2326 pass. Those in favor vote Aye. Those
9. opposed vote Nay. The voting is open. Senator
10. Carroll, you vote me Present. Have all voted who
11. wish? Have all voted who wish? Take the record.
12. On that question the Ayes are 47, the Nays are
13. none, 6 Voting Present. House Bill 2326 having
14. received a constitutional majority is declared
15. passed. House Bill 2325, Senator Buzbee.

16. SECRETARY:

17. House Bill 2325.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Yes, Mr. President. I've just been informed
24. that I'm going to be punished because of some
25. action that some House members are going to take
26. so let's just take this out of the record/right
27. now and I'll do some punishing also.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Take it out of the record. House Bill 2327,
30. Senator Philip. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 2327.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Philip.

4. SENATOR PHILIP:

5. Thank you, Mr. President and Ladies and Gentlemen
6. of the Senate. House Bill 2327 as amended amends
7. the Illinois Insurance Code. Adds a section providing
8. for automatic issuance to those applicants who have
9. passed certain examinations. Sets out procedure and
10. requirements for those certificates. The amendment
11. simply says this. Within a two year period you
12. may apply without taking the test again. I know
13. of no opposition. This is a request from the
14. Department of Insurance and I ask your favorable
15. consideration.

16. PRESIDENT:

17. Is there any discussion? If not, the question
18. is shall House Bill 2327 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay.
20. The voting is open. Have all voted who wish?
21. Have all voted who wish? Take the record. On
22. that question the Ayes are 52, the Nays are 1, none
23. Voting Present. House Bill 2327 having received
24. a constitutional majority is declared passed. House
25. Bill 2330, Senator Philip. Read the bill.

26. SECRETARY:

27. House Bill 2330.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Philip.

32. SENATOR PHILIP:

33. Thank you, Mr. President and Ladies and Gentlemen
34. of the Senate. House Bill 2330 amends the...Illinois

1. Insurance Code. Eliminates the current prohibition
2. against an agent or broker being rescheduled for an...
3. examination in more than twice in a twelve month period.
4. It's also a request from the Department of Insurance.
5. I know of no opposition. I ask for your favorable
6. consideration.

7. PRESIDENT:

8. Is there...is there any discussion? If not,
9. the question is shall House Bill 2330 pass. Those
10. in favor will vote Aye. Those opposed will vote
11. Nay. The voting is open. Have all voted who
12. wish? Have all voted who wish? Take the record.
13. On that question the Ayes are 50, the Nays are 1,
14. 2 Voting Present. House Bill 2330 having received
15. the constitutional majority is declared passed.
16. House Bill 2331, Senator Grotberg. Read the bill.

17. SECRETARY:

18. House Bill 2331.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Yes, Mr. President and members of the Senate.
25. Senate...House Bill 2331 is a much better version
26. of a bill that was in the Senate sponsored by me
27. regarding the problem of penalties for those
28. insurance salesmen who would rip off premiums and
29. skip town and not allow for any...proceedings for
30. the State's Attorney to act upon in...in a criminal
31. way. This provides that no agent or broker shall
32. make application for, procure, negotiate for a
33. place for others. Any policy for any line of

1. insurance for which he's...not qualified. Any person
2. violating it shall be guilty of a Class A misdemeanor.
3. There's no problem now with dividing the funds and
4. all of that funny business that was in my version
5. of the bill and I'd be glad to answer questions
6. or otherwise ask for a favorable roll call. This
7. went out of the House, I think, a hundred and forty
8. to three or something like that.

9. PRESIDENT:

10. Is there any discussion? If not, the question
11. is shall House Bill 2331 pass. Those in favor
12. will vote Aye. Those opposed will vote Nay. The
13. voting is open. (Machine cut-off) voted who wish?
14. Have all voted who wish? Take the record. On
15. that question the Ayes are 41, the Nays are 4,8...
16. 3 Voting Present. House Bill 2331 having received
17. the constitutional majority is declared passed.
18. House Bill 2334, Senator Philip. Read the bill.

19. SECRETARY:

20. House Bill 2334.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Philip.

25. SENATOR PHILIP:

26. Thank you, Mr. President and Ladies and Gentlemen
27. of the Senate. House Bill 2334 amends the Illinois
28. Insurance Code. Redefines agents, brokers, provides
29. that annuities are included in term insurance. Provides
30. that all parties to an insurance contract, including
31. agents or brokers, shall disclose their legal capacity
32. in which they act. This is also requested by the
33. Department of Insurance. I know of no opposition.
34. I ask for your favorable consideration.

1. PRESIDENT:

2. Is there any discussion? Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President, earlier I was handling the
5. House...

6. PRESIDENT:

7. Excuse me, Senator Maragos, we're on...about
8. to go on roll call... Is there any discussion
9. with respect to House Bill 2334. If not, the
10. question is shall House Bill 2334 pass. Those
11. in favor will vote Aye. Those opposed will vote
12. Nay. The voting is open. Have all voted who
13. wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 53, the Nays are none,
15. none Voting Present. House Bill 2334 having
16. received a constitutional majority is declared
17. passed. House Bill 2338, Senator Carroll. Read
18. the bill.

19. SECRETARY:

20. House Bill...

21. PRESIDENT:

22. Excuse me, for what purpose does Senator Maragos
23. arise?

24. SENATOR MARAGOS:

25. No, Mr. President, I just want to say that I'm...
26. whenever the Chair feels up to it, before we finish
27. this order of business, I'd like to go back to House
28. Bill 2063 because I have to answer that questions
29. that I had to satisfy myself, if I will please.

30. PRESIDENT:

31. Is leave granted for that purpose? After this
32. bill is finished, Senator Maragos. Leave is granted.

33. SECRETARY:

1. House...House Bill 2338.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

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

8. House Bill 2338 comes to us from the Economic and

9. Fiscal Commission in an attempt to get a better handle

10. on the operation of State funds and all monies that

11. are being spent by the State of Illinois. This

12. particular one is to prohibit State agencies from

13. holding funds outside of the State Treasury without

14. a specified authorization from the General Assembly.

15. These would be dispersed by the State Treasurer

16. and would have to be State funds. There is a delayed

17. effective date to allow them some...a one year period

18. to do their necessary bookkeepings to bring all these

19. funds under State scrutiny and I would ask for a

20. favorable roll call.

21. PRESIDENT:

22. Is there any discussion? If not the question is

23. shall...Senator Hickey.

24. SENATOR HICKEY:

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

26. question.

27. PRESIDENT:

28. Indicates he will yield.

29. SENATOR HICKEY:

30. What would...what would this do, Senator Carroll,

31. to funds that go into our universities for research

32. and never show up in State books anyplace.

33. PRESIDENT:

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, I didn't realize it was already on.
4. Senator Hickey, this deals first of all with only
5. State agencies in this bill. Secondly, the univer-
6. sities have a Statutory exemption for those funds
7. already. This bill says where there is no Statutory
8. exemption the Federal funds must come into the State
9. Treasury, all funds, all funds, and you shouldn't talk
10. with a mouth full.

11. PRESIDENT:

12. Is there any discussion? If not, the question is
13. shall House Bill 2338 pass. Those in favor will vote
14. Aye. Those opposed will vote Nay. The voting is
15. open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question the Ayes
17. are 54, the Nays are none, none Voting Present.
18. House Bill 2338 having received a constitutional
19. majority is declared passed. House Bill 2342, Senator
20. Regner. Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members of the Senate. One
23. of our members has asked me to pull this back to 2nd
24. reading in an attempt to put an amendment on. I agreed
25. to do that, however, I will inform that I am going to
26. oppose the amendment. So whenever you get to that
27. stage of business.

28. PRESIDENT:

29. House Bill 2343. (Machine cut-off) Senator Maragos.
30. House Bill 2063, Senator Maragos. Read the bill.

31. SECRETARY:

32. House Bill 2063.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Maragos.

4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. Since
6. I...we had an earlier discussion on this bill, I
7. checked with...Representative Sandquist and he advised
8. me that the particular ownership is still with the
9. owner who happens to be of the Huber family, but
10. does not directly connected with the other corporation
11. in Wisconsin. His other members of his family own
12. it. But it's still owned and...it's...and run by
13. a Chicagoan who lives in Chicago and as regards to
14. this particular issue, I think we should give some
15. assistance to a...even though it's a novel approach,
16. we should give assistance just like other states
17. do to keep this particular entity in our State and
18. operating. Because if that's the only...there's
19. only three breweries operating and this is the
20. third one left and if we let this one succumb as
21. I stated earlier, it would lose not only the...the
22. jobs, but all the distributors...the distributors will
23. lose ...it's like a snowball effect and I think we
24. should give the support to this novel idea, but a
25. very important idea to bring money and jobs and keep
26. money and jobs in the State of Illinois. I ask for
27. your support.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. Well, despite the fact
32. that the objective of the sponsor may be laudatory
33. in the fact that we've determined who owes the brewery

1. and the fact that the brewery is in Senator Netsch'
2. district, it still has many defects. And I think those
3. were well discussed during the earlier debate. The
4. most significant is that the State is, in effect, handing
5. three hundred and thirty thousand, seven hundred and
6. fifty dollars to this brewery in an apparent effort
7. to keep it here in Illinois with really no guarantee
8. that that's going to do the job even if it was a good
9. practice, which it isn't, it's a bad precedent and
10. I think we should defeat the bill.

11. PRESIDENT:

12. Is there any further discussion? If not the
13. question...Senator Regner.

14. SENATOR REGNER:

15. Well, I'm going to rise in support of the bill.
16. I know Senator Glass feels very strongly about keeping
17. business here in Illinois and since this is the
18. last surviving brewery in Illinois, I think we should
19. do everything we can to help it stay here, keep the
20. jobs and keep the people working. I urge a favorable
21. roll call.

22. PRESIDENT:

23. Is there any further discussion? If not, the
24. question is shall House Bill 2063 pass. Those in
25. favor will vote Aye. Those opposed will vote Nay.
26. The voting is open. (Machine cut-off) voted who
27. wish? Have all voted who wish? Take the record.
28. On that question the Ayes are 38, the Nays are 17,
29. 1 Voting Present. House Bill 2063, having received
30. a constitutional majority is declared passed. House
31. Bill 2343, Senator Maragos. Read the bill.

32. SECRETARY:

33. House Bill 2343.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDENT:
4. Senator Maragos.
5. SENATOR MARAGOS:
6. Yes, Mr. President and members of the Senate. Senate
7. Bill 2343 is exactly...does what it exactly says in the
8. ...a particular...in the synopsis. It has been amended
9. to provide that it will...it took out the word, technical
10. services, and because it was ambiguous and it shows the
11. form by which the Comptroller should have...we should
12. have a better control of what the...the contracts are
13. and therefore I ask for its adoption.
14. PRESIDENT:
15. Is there any discussion? If not, the question
16. is shall House Bill 2343 pass. Those in favor will
17. vote Aye. Those opposed will vote Nay. The voting
18. is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question the
20. Ayes are 55, the Nays are none, none Voting Present.
21. House Bill 2343 having received a constitutional
22. majority is declared passed. House Bill 2345, Senator
23. Carroll. Read the bill.
24. SECRETARY:
25. House Bill 2345.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDENT:
29. Senator Carroll.
30.
31.
32.
33.

1. SENATOR CARROLL:

2. Thank you, Mr. President and members of the Senate.
3. This bill is basically recommended by the Commission on
4. Intergovernmental Cooperation and is to provide proper
5. information on the total Federal project cost so that
6. the legislature has direct and easy access to information
7. on the receipts and use of Federal funds. Their system
8. will be by merely in the A95 review forms presently used.
9. There's a box in there for the total amount of Federal
10. funds to come to the State and they will just require
11. that that box, in fact, be filled out the information
12. provided to Intergovernmental Cooperation and thereby
13. keep a handle on the total Federal dollar cost and the
14. Federal dollars flowing so that we have some cross check
15. on all of these other bills that give us access over
16. Federal dollars and I would ask for a favorable roll
17. call.

18. PRESIDENT:

19. Senator Regner.

20. SENATOR REGNER:

21. Mr. President and members of the Senate and Senator
22. Carroll will know what I'm saying. I had requested a
23. fiscal note on this particular bill and it was one of
24. the more interesting fiscal notes I ever saw because
25. it didn't mention one thing about a dollar and cents
26. cost. The problem with this bill, the final outcome
27. may be laudatory and all that, but it's going to
28. produce so many reams and reams of paper that nobody
29. will use any of the reports that come out that are re-
30. quired by this committee. I have talked to members of
31. both our staff and your staff, Senator Carroll, and they
32. feel basically the same way. That there'll be so much
33. paper they won't use any of the information. I...see

1. no sense in keeping Xerox or whoever it is that's going
2. to sell the paper to produce all these reports to keep
3. them and making more money and I would suggest a No
4. vote and get rid of one more step in government that's
5. nothing but a papermill.

6. PRESIDENT:

7. Senator Regner. Is there any further discussion?

8. Senator Weaver.

9. SENATOR WEAVER:

10. Thank you, Mr. President and members of the Senate.
11. I stand in opposition to this bill. Senator Carroll, I...
12. I think it's going to preclude many grants obtained by
13. various State agencies having to go through a grant appli-
14. cation with the Intergovernmental Cooperation Commission
15. and I'm on that commission. But I...I see no reason why
16. they should get their approval to...apply for a grant.
17. Now after they get a grant...maybe having them notify
18. the commission that they obtained a grant. That might
19. be all right but many grants are applied for and never
20. obtained. So I see no reason for this legislation.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. Senator Weaver, it is not
25. ...approval is not required. Approval is not required
26. under this Act. What is required is that they supply the
27. information so that we do have adequate total cost figures.
28. They have to make the grant application through B.O.B
29. with total dollars and then a copy of that goes to Inter-
30. governmental Cooperation. I might add to Senator Regner
31. that if you review the fiscal note, they're talking about
32. less than three thousand sheets of paper a year, which is
33. six reams, which is two inches thick. Take up less than

1. half a file drawer and would be a total cost of a hundred
2. and fifty dollars per year.

3. PRESIDENT:

4. Senator Weaver.

5. SENATOR WEAVER:

6. Well, Senator Carroll, the Bureau of the Budget has
7. to approve the grant application. That's giving them
8. a great deal of authority. Life and death over many
9. agencies, commissions, boards, whatever. And for what
10. useful purpose, I cannot see.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Well, if I heard Senator Weaver correct, he said the
15. Bureau of the Budget would have to approve and I find nothing
16. wrong with...saying to the the Governor's Bureau of the
17. Budget that you have to approve all Federal grant requests
18. before the departments of State government asks for money
19. from the Federal government. And I thought the Governor
20. would want that kind of control over...what his agencies
21. are requesting. The point of Intergovernmental Cooperation
22. Commission approach is that they should also know how
23. much monies are actually coming in. Be able to advise
24. the Comptroller, let the Comptroller also know the exact
25. dollars that will be flowing forward of Federal dollars
26. of total project cost. Not the estimated like what
27. happens now. Now they come in with an estimated project
28. knowing full well that they'll be somewhat substantially
29. less than that. But never really advise anybody and
30. there's no checkoff as to what those Federal dollars
31. flowing actually will be. So we never really have a
32. handle on the amount of money that these agencies are
33. spending. That is, as I understand, the purpose of just

1. requesting this very simple information on a form they
2. are now using the A95 review form, which is there re-
3. quest and it just hasn't put in the total dollars of
4. the grant award and the Bureau of the Budget must approve.
5. Yes.

6. PRESIDENT:

7. Is there any further discussion? Senator Weaver.

8. SENATOR WEAVER:

9. Well, just to give you an idea of the magnitude of
10. this. Every grant given the...the Department of Trans-
11. portation for every road project would have to be approved
12. by the Bureau of the Budget. We have thousands and thou-
13. sands of grant applications for Federal participation
14. on highway work Statewide that would have to be approved
15. by the Bureau of the Budget whether or not they were
16. approved by the Department of Transportation in Washington
17. or not. We find out through our appropriations every
18. year what the Federal grants are. What the Federal
19. participation is on every program. We've tried to
20. appropriate all Federal funds and I think that's sufficient
21. notice to the General Assembly as to what use we're making
22. of Federal funds.

23. PRESIDENT:

24. Is there any further discussion? If not, the question
25. is, shall House Bill 2345 pass. Those in favor will vote
26. Aye. Those opposed will vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take
28. the record. On that question, the Ayes are 32, the Nays
29. are 21. 1 Voting Present. House Bill 2345 having re-
30. ceived a constitutional majority is declared passed.
31. House Bill...Senator Philip, for what purpose do you
32. arise?

33. SENATOR PHILIP:

1. A point of personal privilege.

2. PRESIDENT:

3. State your point.

4. SENATOR PHILIP:

5. In the President's gallery is the lovely, charming

6. wife of Senator Bowers, Selma, and I might add that she

7. was born and raised in a little town of Olney, Illinois

8. where we have the white squirrel. Also, included is his

9. son, John, the daughter-in-law and two grandchildren. So would

10. they be...please rise and be recognized by the Senate.

11. PRESIDENT:

12. Will our guests please rise? (Machine cut-off)

13. Bill 2346, Senator Maragos. Read the bill.

14. SECRETARY:

15. House Bill 2346.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Maragos.

20. SENATOR MARAGOS:

21. Mr. President and members of the Senate. This bill

22. amends the State Purchasing Act by lowering the dollar

23. limit for filing professional or artistic contracts with

24. the Comptroller from two...twenty-five hundred dollars to

25. fifteen hundred dollars. This bill brings the Purchasing

26. Act into conformance with the Comptroller Act. And I

27. ask for its adoption.

28. PRESIDENT:

29. Is there any discussion? Senator Shapiro.

30. SENATOR SHAPIRO:

31. Would the sponsor yield to a question?

32. PRESIDENT:

33. Indicates he will yield.

1. SENATOR SHAPIRO:

2. Senator Maragos, even though I understood your
3. explanation...why we are lowering it, don't you think
4. it would be best to bring the Comptroller's Act into
5. conformity with the present level of twenty-five hundred.
6. It...it appears to me that a...a relatively short time
7. ago you voted to increase from twenty-five hundred to
8. five thousand the non-competitive bidding level for
9. local units of government in Cook County. Shouldn't
10. we go...be going the maintaining it at twenty-five
11. hundred. Bring the Comptroller's Act into conformity
12. with the Purchasing Act.

13. PRESIDENT:

14. Senator Maragos.

15. SENATOR MARAGOS:

16. Mr...Senator Shapiro, I would state that the mission
17. of this...this bill came out of the recommendation from
18. the economic...Illinois Economic and Fiscal Commission,
19. which is an arm of our Legislature. And the reason why
20. is because we have all long stated that the things that
21. we control in the Legislature which...which we appropriate
22. for, we should have a better handle on. And I think
23. lowering, I mean increasing the Purchasing Act or the
24. Comptroller's Act rather and...and leaving this as is,
25. would be defeating the purpose, of which, we as legis-
26. lators are trying to do a better job as legislators and
27. watch where the money is going. So I think that would
28. be reverse effect. If the local governments want to
29. ask for a mandate in certain areas let them do so be-
30. cause that's...that's their own funding, their own
31. tax base and they have to respond to their own constituents.
32. But I think we as legislators in Illinois have our own
33. constituency to respond to and I think we should keep it

1. at fifteen hundred.

2. PRESIDENT:

3. Is there any...Senator Shapiro.

4. SENATOR SHAPIRO:

5. Well, you're not keeping it at fifteen hundred.

6. You're lowering it to fifteen hundred.

7. PRESIDENT:

8. Senator Maragos.

9. SENATOR MARAGOS:

10. Well, we are lowering it to make it uniform through-
11. out the State because we have many throughout the State
12. of Illinois. We have many agreements and...and Statutes
13. that say fifteen hundred. And this is a...an anomaly
14. and, therefore, we want to make it uniform with the others.
15. If you're going to do it, you're going to have to make it
16. twenty-five hundred for all...for all purchases and I
17. think sometimes we are going to find that many things
18. can go on to the twenty-five hundred dollars which cannot
19. go under fifteen hundred dollars. And we can, maybe, have
20. a series of small contracts under twenty-five hundred
21. dollars, which add up to a lot more than that, whereas
22. I think we have a better opportunity to...to watch and
23. safeguard the peoples money by leaving it at fifteen
24. hundred.

25. PRESIDENT:

26. Is there any further discussion? Senator Glass.

27. SENATOR GLASS:

28. Thank you, Mr. President and Ladies and Gentlemen.
29. I...I would point out, Senator Maragos, the bills we just
30. passed, I think, yesterday increased from twenty-five
31. hundred to five thousand dollars the amount the Sanitary
32. District does not have to put out to competitive bidding,
33. which I believe you supported. We've also increased the

1. fifteen hundred limit to twenty-five hundred for
2. municipalities Statewide. So I...I just don't think
3. your argument is well founded.

4. PRESIDENT:

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President, as Lincoln had said one time when he
8. was...pleading before a court, "I may have been wrong
9. yesterday, but I'm not wrong now."

10. PRESIDENT:

11. Senator Harber Hall.

12. SENATOR HARBER HALL:

13. Mr. President. This is ridiculous. As I recall it,
14. it was only two years ago that we raised from fifteen
15. hundred to twenty-five hundred dollars the amount subject
16. to competitive bidding and we did it for a reason. We
17. did it with the support of the Audit Commission and now
18. we have another agency of this legislature lowering it
19. again. There's nothing that's been evidenced since the
20. time we raised this a short two years ago to indicate
21. that it should now be lowered again. This is the trouble
22. with our Legislature with its full time legislators.
23. Everybody comes in and wants to raise something one
24. year and another individual wants to lower it the next
25. year. It's just ridiculous. There have been no examples
26. of malfeasance or misappropriation because we raised it
27. to twenty-five hundred dollars. I think we should let
28. it go until...till we see some...some cases where it's
29. not working out well.

30. PRESIDENT:

31. The question is, shall House Bill 2346 pass. Those
32. in favor will vote Aye. Those opposed will vote Nay. The
33. voting is open. Have all voted who wish? Have all voted

1. who wish? Take the record. On that question, the Ayes
2. are 26, the Nays are 23. None Voting Present. House
3. Bill 2346 having failed to receive a constitutional
4. majority is declared lost. House Bill 2347, Senator
5. ...Hold that bill, Senator Maragos. House Bill 2348,
6. Senator Carroll. Read the bill.

7. SECRETARY:

8. House Bill 2348.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

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

15. The bill does as the Secretary just indicated and that is

16. to prevent Federal expenses from being shifted to the

17. State when Federal funds are received for a specific

18. purpose. I would ask for a favorable roll call. Attempt

19. to answer any questions.

20. PRESIDENT:

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

22. Senator Berning.

23. SENATOR BERNING:

24. Question of the sponsor. Is this...

25. PRESIDENT:

26. Indicates he will yield.

27. SENATOR BERNING:

28. Is this intended to prevent the Federal Government

29. from establishing a spending program and then suddenly

30. stepping out and leaving the State holding the bag and

31. responsible for carrying it on.

32. PRESIDENT:

33. Senator Carroll.

SENATOR CARROLL:

1. Well, most specifically it's requiring the Federal
2. Government when it's, for example going to give up
3. some manpower money or monies for employing personage.
4. That they also provide all the auxiliary monies that go
5. with it. The withholding, the pension funds, et cetera.
6. Most often what they have done recently, is say here's
7. money for the manpower, but we're not going to let you
8. take out the equivalent of social security. We're not
9. going to pay any added cost that go with it. It doesn't
10. really deal with the specific problem of where they stop
11. a program and shift it on the State. Except they can't
12. do it within the fiscal year on that particular program.
13. If in future years they stop a program all together, then
14. they've stopped it. But when they pay us for a program they
15. have to pay us the total cost of that program. Not just
16. part of the cost.

17. PRESIDENT:

18. Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President and members of the Senate. I'd
21. just like to comment this bill and the next two are the
22. other three bills in the package from the last...a lot
23. of people didn't care for, but these are okay.

24. PRESIDENT:

25. If there's no further discussion, the question is,
26. shall House Bill 2348 pass. Those in favor will vote
27. Aye. Those opposed will vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Take
29. the record. On that question, the Ayes are 54, the Nays
30. are None. None Voting Present. House Bill 2348 having
31. received the constitutional majority is declared passed.
32. House Bill 2349, Senator Carroll. Read the bill.

33. SECRETARY:

1. House Bill 2349.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. ...House Bill, excuse me,
8. 2349 is to require State agencies to use the funds in
9. exactly the manner in which the General Assembly
10. appropriated them and not to shift funds for other
11. purposes not specifically authorized by the General
12. Assembly and I would ask for a favorable roll call.

13. PRESIDENT:

14. Is there any discussion? If not, the question is,
15. shall House Bill 2349 pass. Those in favor will vote
16. Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question, the Ayes are 52,
19. the Nays are None. None Voting Present. House Bill
20. 2349 having received the constitutional majority is
21. declared passed. House Bill 2350, Senator Carroll.
22. Read the bill.

23. SECRETARY:

24. House Bill 2350.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and members of the Senate.
31. This bill prohibits retention of funds outside of the
32. State Treasury, any kind of local retention. They must
33. be put into the State Treasury other than the forty-eight

1. hour deposit that we allow and I would ask for a favorable
2. roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is,
5. shall House Bill 2350 pass. Those in favor will vote
6. Aye. Those opposed will vote Nay. The voting is open.
7. Have all voted who wish? Have all voted who wish? Take
8. the record. On that question, the Ayes are 51, the Nays
9. are None. None Voting Present. House Bill 2350 having
10. received the constitutional majority is declared passed.
11. House Bill 2355, Senator Guidice. Read the bill.

12. SECRETARY:

13. House Bill 2355.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Guidice.

18. SENATOR GUIDICE:

19. Thank you, Mr. President and members of the Senate.
20. The bill does just what the synopsis indicates. And
21. I would ask for a favorable roll call.

22. PRESIDENT:

23. Is there any discussion? Question is, shall House
24. Bill 2355 pass. Those in favor will vote Aye. Those
25. opposed will vote Nay. The voting is open. Have all
26. voted who wish? Have all voted who wish? Take the
27. record. On that question, the Ayes are 51, the Nays
28. are None. None Voting Present. House Bill 2355 having
29. received the constitutional majority is declared passed.
30. House Bill 2358, Senator Maragos. Read the bill.

31. SECRETARY:

32. House Bill...

33. PRESIDENT:

1. Excuse me. Is Senator Maragos...Senator...House
2. Bill 2358. Read the bill.
3. SECRETARY:
4. House Bill 2358.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator Maragos.
9. SENATOR MARAGOS:
10. Just a minute till I get my files. Mr....I under-
11. stand there's a technical...a technical amendment:
12. We have to just take it out of the record.
13. PRESIDENT:
14. Take it out of the record. House Bill 2367, Senator
15. Vadalabene. Read the bill.
16. SECRETARY:
17. House Bill...
18. PRESIDENT:
19. Excuse me, Mr. Secretary. The...remaining bills
20. on the Calendar are appropriation bills and I think
21. with, perhaps, one possible exception they are
22. noncontroversial and have been worked out by the
23. committee who are the sponsors of those bills please
24. be prepared to call them. Senator...2367. Read the
25. bill.
26. SECRETARY:
27. House Bill 2367.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Vadalabene.
32. SENATOR VADALABENE:
33. Yes, thank you, Mr. President and members of the Senate.

1. Just like the digest says House Bill as amended 2367 is
2. a supplemental appropriation for the Secretary of State
3. and I would move for a favorable vote.

4. PRESIDENT:

5. Question is, shall House Bill 2367 pass. Those in
6. favor will vote Aye. Those opposed will vote Nay. The
7. voting is open. Have all voted who wish? Have all voted
8. who wish? Take the record. On that question, the Ayes
9. are 50, the Nays are None. None Voting Present. House
10. Bill 2367 having received the constitutional majority
11. is declared passed. House Bill 2369, Senator Davidson.
12. Read the bill.

13. SECRETARY:

14. House Bill 2369.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. The annual budget for the State Treasurer amendment
21. was put on yesterday was line item the...E.D.P. Amend-
22. ment. Ask for a favorable roll call.

23. PRESIDENT:

24. The question is, shall House Bill 2369 pass. Those
25. in favor will vote Aye. Those opposed will vote Nay. The
26. voting is open. Have all voted who wish? Have all voted
27. who wish? Take the record. On that question, the Ayes
28. are 54, the Nays are None. None Voting Present. House
29. Bill 2369 having received the constitutional majority
30. is declared passed. House Bill 2370, Senator Rock. Read
31. the bill.

32. SECRETARY:

33. House Bill 2370.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Rock.

5. SENATOR ROCK:

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

7. appropriation for the Secretary of State Merit Employ-

8. ment Commission in the amount of ninety-eight thousand

9. dollars. I would solicit your favorable support.

10. PRESIDENT:

11. The question is, shall House Bill 2370 pass. Those

12. in favor will vote Aye. Those opposed will vote Nay.

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

14. all voted who wish? Take the record. On that question,

15. the Ayes are 53, the Nays are None. None Voting Present.

16. House Bill 2370 having received the constitutional

17. majority is declared passed. House Bill 2375, Senator

18. Lemke. Read the bill. For what purpose does Senator

19. Johns arise?

20. SENATOR JOHNS:

21. Mr. President, I was trying to help some colleagues.

22. I'd have voted Aye on the last bill. Just want it record-

23. ed. Thank you, Mr. President.

24. PRESIDENT:

25. The record will so show. House Bill 2375, Senator

26. Lemke.

27. SECRETARY:

28. House Bill...

29. PRESIDENT:

30. Read the bill.

31. SECRETARY:

32. House Bill 2375.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Lemke.

4. SENATOR LEMKE:

5. This is the appropriation for a bill that we just

6. passed to sent up the work study program for high school

7. students in high employment area. I ask for a favorable

8. roll call.

9. PRESIDENT:

10. Is there any discussion? Senator Regner.

11. SENATOR REGNER:

12. Yes, Senator Lemke. A question?

13. PRESIDENT:

14. Indicates he will yield.

15. SENATOR REGNER:

16. The way I understand it the substantive bill that

17. passed states that those areas over nine percent unemploy-

18. ment?

19. SENATOR LEMKE:

20. I believe it says, I think, if I'm not mistaken

21. over five percent unemployment.

22. SENATOR REGNER:

23. Well, how many areas fit into that category?

24. SENATOR LEMKE:

25. Well, I would...I would say quite a few.

26. SENATOR REGNER:

27. Your statement was...

28. PRESIDENT:

29. Senator Regner.

30. SENATOR REGNER:

31. ...the appropriation was two hundred thousand

32. dollars again, which we now and I agree on. What would

33. you estimate the cost for this entire program would be

1. once it gets off the ground and...rolling?

2. PRESIDENT:

3. Senator Lemke.

4. SENATOR LEMKE:

5. I...I have not way of knowing, but I don't think
6. the...the cost would be too great because this would
7. also be a way of aiding business who also we're trying
8. to stimulate people to get off the welfare roles and I
9. think it's a good program.

10. SENATOR REGNER:

11. Senator Lemke, this is out of General Revenue. It
12. is on budget and we know our General Revenue funds are
13. in some jeopardy these days and what I would suggest
14. is because and the reason I'm suggesting this is because
15. I think it's going to be an extremely high cost program
16. and in future years there are all kinds of Federal
17. grants around. And I would suggest that you, at least,
18. if you persist in trying to pass this particular
19. appropriation that you at least, hold it and try to
20. prepare an amendment to take it out of the CETA funds
21. because I think the Federal Government, the way they
22. throw money around has a lot more dollars and cents
23. available then we do here in General Revenue.

24. SENATOR LEMKE:

25. Well, I mean, can we do it out CETA funds? We had
26. some problems with another bill that we talked about
27. and then after they said it could be done and then they said it
28. couldn't be done. So, this is the problem we have.

29. SENATOR REGNER:

30. Well, in the last couple of days we've seen several
31. proposals come in the way of appropriation bills and
32. it appears that CETA funds are available for virtually
33. everything. There was one proposal that we looked at

1. the other day. CEDA funds is for pre...preinvestigators
2. for OSHA programs or some silly thing such as that. And
3. we did take it out in committee, but I do think that if
4. you look around there would be CEDA funds available.

5. PRESIDENT:

6. Is there any further...Senator Lemke.

7. SENATOR LEMKE:

8. I...it's my thing. It's...it's very complicated
9. to put this out of CEDA funds and I...I think that the
10. bill should go up or down on its merits and I think it's
11. a good program and I...I think something should be done
12. in...in this realm. I think the work study program
13. is necessary and I think, of course, it's going to
14. cost us some money, but I think it also is going to
15. put some money back into our system because it's going
16. to take people off of unemployment or welfare and put
17. them back working and they spend money on sales tax and
18. pay income tax and all this money is going to come back
19. twofold, if they're skilled in their jobs and make
20. better incomes.

21. PRESIDENT:

22. The question is, shall House Bill...Senator Regner.

23. SENATOR REGNER:

24. Well, you know, I...I still think that the CETA funds would
25. be available through the cities if they did apply for
26. them and I think that's the proper place. And I don't
27. think we should be creating new programs and obligating
28. State General Revenue funds to very large amounts...
29. very near future. And I'd urge a No vote on the bill
30. the way it's currently written and presented.

31. PRESIDENT:

32. The question is, shall House Bill 2375 pass. Those
33. in favor will vote Aye. Those opposed will vote Nay.

1. The voting is open. Have all voted who wish? Have all
2. voted who wish? Take the record. On that question, the
3. Ayes are 32, the Nays are 24. None Voting Present. House
4. Bill 2375 having received the constitutional majority is
5. declared passed. House Bill 2378, Senator Egan. Read
6. the bill.

7. SECRETARY:

8. House Bill 2378.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President and members of the Senate.
15. This is a supplemental appropriation to bring up to the
16. pay out level the Judicial Retirement System expenditures
17. for the fiscal year '77. It was...when the budget was
18. prepared they did not anticipate the number of judges
19. that would retire. This will supplement the appropriation
20. which is necessary to bring the level of pay out...to
21. bring the level of the expenses of the system to the pay
22. out level and I solicit your support.

23. PRESIDENT:

24. Is there any...Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, there's several
27. systems that went over pay out. This is the only system
28. that's come in with a supplemental, Senator Egan. Why...why
29. haven't the others come in with supplemental? Why
30. shouldn't we consider supplementals or holding this
31. and...well, we can't hold it but, why...why treat one
32. system different than the others?

33. SENATOR EGAN:

1. Well, I...I agree that they should. I...I would
2. support the supplemental appropriations. The Governor
3. has agreed to bring all the systems expenses to the
4. pay out level. As you know for...for the past four
5. years this has not been the case. Consequently, the
6. unfunded liability of all the systems has been in-
7. creasing to a dangerous point. This is the system,
8. however, which is the least or the most unfunded and
9. maybe this is a good beginning, but I...I would...I
10. agree, Senator Weaver, that we should do it to all
11. of them.

12. PRESIDENT:

13. Is there any further discussion? If not, the
14. question is, shall House Bill 2378 pass. Those in favor
15. will vote Aye. Those opposed will 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 are
18. 32, the Nays are 13. 5 Voting Present. House Bill
19. 2378 having received the constitutional majority is
20. declared passed. House Bill 2381, Senator Vadalabene.
21. Read the bill.

22. SECRETARY:

23. House Bill 2381.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, thank you, Mr. President and members of the
30. Senate. House Bill 2381 amended is the annual appropriation
31. of the Secretary of State and I would appreciate a
32. favorable vote.

33. PRESIDENT:

1. Is there any discussion? If not, the question is,
2. shall House Bill 2381 pass. Those in favor will vote
3. Aye. Those opposed will vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take
5. the record. On that question, the Ayes are 55, the Nays
6. are None. None Voting Present. House Bill 2381 having
7. received the constitutional majority is declared passed.
8. House Bill 2383, Senator Vadalabene. Read the bill.

9. SECRETARY:

10. House Bill 2383.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President and members of the
17. Senate. House Bill...2383 is the appropriation funds
18. to provide for negotiated wages of the Secretary of
19. State and I would appreciate a favorable vote.

20. PRESIDENT:

21. The question is, shall House Bill 2383 pass. Those
22. in favor will vote Aye. Those opposed will vote Nay.
23. The voting is open. Have all voted who wish? Have all
24. voted who wish? Take the record. On that question, the
25. Ayes are 50, the Nays are 6. None Voting Present. House
26. Bill 2383 having received the constitutional majority
27. is declared passed. House Bill 2388, Senator Davidson.
28. Read the bill.

29. SECRETARY:

30. House Bill 2388.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Davidson.

2. SENATOR DAVIDSON:

3. This is passed through money from the Federal Match
4. Fund on the different railroad relocation projects in
5. five areas in the State of Illinois. I appreciate a
6. favorable roll call.

7. PRESIDENT:

8. The question...is there any discussion? If not,
9. the question is, shall House Bill 2388 pass. Those in
10. favor will vote Aye. Those opposed will vote Nay. The
11. voting is open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question, the Ayes
13. are 54, the Nays are None. None Voting Present. House
14. Bill 2388 having received the constitutional majority
15. is declared passed. House Bill 2391, Senator Bruce.
16. Read the bill.

17. SECRETARY:

18. House Bill 2391.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr. President. This is a fiscal 77
25. appropriation line changes for the Illinois State
26. Scholarship Commission. It adds thirty thousand
27. dollars additional out of the student loan fund which
28. will reduce the General Revenue Fund requirement. It
29. takes a eighty-six thousand dollar reimbursement to the
30. General Revenue Fund from the student loan fund and also
31. adds thirty-five thousand dollars as a transfer line item
32. for MIA and POW scholarships for summer school this summer.
33. They did not anticipate that they would have that many

1. young lads back but they need the additional thirty-five
2. thousand. I would move the adoption of House Bill
3. 2391.

4. PRESIDENT:

5. Is there any discussion? If not, the question is,
6. shall House Bill 2391 pass. Those in favor will vote
7. Aye. Those opposed will vote Nay. The voting is open.
8. Have all voted who wish? Have all voted who wish? Take
9. the record. On that question, the Ayes are 55, the Nays
10. are None. None Voting Present. House Bill 2391 having
11. received the constitutional majority is declared passed.
12. House Bill 2393, Senator Lemke. Senator Lemke. House
13. Bill 2396, Senator Coffey. Read the bill.

14. SECRETARY:

15. House Bill 2396.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Coffey.

20. SENATOR COFFEY:

21. Yes, Mr. President and members of the Senate. House
22. Bill 2396 deals with the Motor Fuel Tax formula...that
23. provides that all receipts into the fund be distributed
24. monthly. The Comptroller has ruled that this level
25. of appropriation controls the distribution instead of
26. the amount received. This bill will appropriate MFT
27. dollars in excess of the present appropriations and
28. make them available for distribution. Additional funds
29. will be to counties seven million two hundred thousand.
30. Municipalities ten point five. Road districts four
31. point three for a total of twenty-three million dollars
32. supplement any appropriations to be distributed. And I
33. ask your favorable vote.

1. PRESIDENT:
2. Is there any discussion? Question is, shall House
3. Bill 2396 pass. Those in favor will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all
5. voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 54, the Nays
7. are None. None Voting Present. House Bill 2396 having
8. received the constitutional majority is declared passed.
9. House Bill 2399, Senator Chew. Read the bill.

10. SECRETARY:
11. House Bill 2399.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.

14. PRESIDENT:
15. Senator Chew.

16. SENATOR CHEW:
17. Mr. President. It's just as the synopsis gives.
18. It appropriates money to the Department of Transportation
19. for cleaning some areas from the fenced in area of
20. expressways and that's all it does.

21. PRESIDENT:
22. Is there any discussion? Senator Regner.

23. SENATOR REGNER:
24. Just a short statement. It's unbudgeted money and
25. I think it's providing for a job that should be done
26. locally rather than under the State level. I'd urge
27. defeat of the bill.

28. PRESIDENT:
29. Senator Hall. Kenneth Hall.

30. SENATOR HALL:
31. Senator Chew, would you tell them how much this is?

32. PRESIDENT:
33. Senator Chew.

1. SENATOR CHEW:
2. A hundred dollars.
3. SENATOR REGNER:
4. Does that...
5. PRESIDENT:
6. Senator Regner.
7. SENATOR REGNER:
8. ...with your...
9. PRESIDENT:
10. Senator Regner.
11. SENATOR REGNER:
12. Well, knowing Senator Chew and his likeness for...for
13. the good things in life I'm sure that it would have been
14. cheaper if he would have made this contribution rather
15. than the cost of entering a bill in the Legislature
16. and working it through.
17. PRESIDENT:
18. The question is, shall House Bill 2399 pass. Those
19. in favor will vote Aye. Those opposed will vote Nay. The
20. voting is open. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question, the Ayes
22. are 31, the Nays are 23. None Voting Present. House Bill
23. 2399 having received the constitutional majority is de-
24. clared passed. House Bill 2408, Senator Rock. Read the
25. bill.
26. SECRETARY:
27. House Bill 2408.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Rock.
32. SENATOR ROCK:
33. Thank you, Mr. President and Ladies and Gentlemen of

1. Senate. This is the FY 78 appropriation for the Judicial
2. system of our State in the amount of some forty-eight
3. million dollars. It has undergone the committee scrutiny
4. in committee amendments. I would seek a favorable roll
5. call.

6. PRESIDENT:

7. Is there any discussion? If not, the question is,
8. shall House Bill 2408 pass. Those in favor will vote
9. Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish? Take
11. the record. On that question, the Ayes are 53, the Nays
12. are 2. None Voting Present. House Bill 2408 having
13. received a constitutional majority is declared passed.
14. Do we have leave to return to House Bill 2371, of which
15. the Chair is the sponsor? Senator Rock, would you
16. handle that bill? Leave is granted. House Bill 2371.
17. Read the bill.

18. SECRETARY:

19. House Bill 2371.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. This is the...pardon me, the FY '78 appropriation
27. in the amount of four million dollars for the two hundred
28. and thirty-six district office allowances. It has been
29. amended to reflect the proposed increase. I would seek
30. your favorable support.

31. PRESIDENT:

32. Is there any discussion? If not, the question is,
33. shall House Bill 2371 pass. Those in favor will vote Aye.

1. Those opposed will vote Nay. The voting is open. Have
2. all voted who wish? Have voted who wish? Take the
3. record. On that question, the Ayes are 48, the Nays
4. are 4. None Voting Present. House Bill 2371 having
5. received a constitutional majority is declared passed.
6. Ladies and Gentlemen of the Senate that concludes the
7. first run through the Calendar and tomorrow we will
8. start back through it again and it is our intent...for
9. what purpose does Senator Chew arise?

10. SENATOR CHEW:

11. Oh, I can wait until you finish your announcement,
12. Sir. Go ahead.

13. PRESIDENT:

14. Well, why don't you make yours, Senator.

15. SENATOR CHEW:

16. Yah. Two things. Senator Daley is...is stealing
17. keys to keep us from voting and I paid Senator Regner
18. the hundred dollars so he'll be cleaning the highways.

19. PRESIDENT:

20. We have also distributed a memorandum with respect
21. to Agreed Bill List No. 6 and as has been the procedure
22. with the prior Agreed Bill List any member wishing to
23. have a bill removed must file an objection with the
24. Secretary of the Senate no later than 4:30 p.m.
25. tomorrow, Sunday. Any members wishing to vote No or
26. Present on a bill on that list must file that request
27. no later than 4:30 p.m. tomorrow. ...The Agreed
28. Bill List No. 6 will be called for a vote on Monday. And
29. as previously announced any bill that is stricken will be
30. given immediate consideration on Monday out of order and
31. as a package so that any member whose bill is on this
32. list and then has it taken it off will not be unduly
33. burdened. For what purpose does Senator Regner arise?

1. SENATOR REGNER:

2. Mr. President, I was wondering if we could go out
3. of the order to the business to consider House Bill 1115?
4. That was a bill that was being held by Senator Carroll and
5. myself and we have agreement that it should be called at
6. this time.

7. PRESIDENT:

8. On the Order of 3rd reading. Senator Regner, we are
9. approaching the hour of adjournment and we have a concur-
10. rence we'd like to go to and a 2nd reading. If it would
11. be agreeable to you we could and agreeable to the member-
12. ship and we will set that as a first bill to be called or at
13. your...at your choice tomorrow.

14. SENATOR REGNER:

15. 2nd's. There's no problem.

16. PRESIDENT:

17. What's the number of the bill?

18. SENATOR REGNER:

19. 15.

20. PRESIDENT:

21. On the Order of House Bills, 3rd reading is House Bill
22. 1115. Do we have leave to call that? Leave is granted.
23. Read the bill.

24. SECRETARY:

25. House Bill 1115.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Regner.

30. SENATOR REGNER:

31. Mr. President and members of the Senate. This is the
32. Ordinary and Contingent Expense for the Attorney General.
33. Eleven million thirty thousand four hundred and thirty

1. five dollars and it's two hundred and seventy-four
2. thousand six hundred less than introduced. And I'd ask
3. for a favorable roll call.

4. PRESIDENT:

5. Senator Walsh. Senator Regner, if this bill is going
6. to prove controversial I think we...we ought to take it
7. out of the record. There are two other speakers now on their
8. feet. Senator Regner, can we take...can we take the bill
9. out of the record. Go back to it tomorrow. We will go
10. to it tomorrow. Thank you, Senator Regner, for your
11. cooperation. Take it out of the record. For what purpose
12. does Senator Buzbee arise?

13. SENATOR BUZBEE:

14. Well, Mr. President, while there's a little bit of
15. a lull in the action, I thought it would be a good time
16. to announce that Appropriations I Committee by mutual
17. consent, the Chairman and myself, Appropriations I Committee
18. will be meeting here on the Senate Floor as soon as...
19. pardon me. Appropriations II Committee will be meeting
20. in Room 212. I don't know where Appropriations I will
21. be meeting.

22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you. Senator Buzbee and members of the Senate.
26. Appropriations I with the graciousness of the House will
27. be meeting in Room 114 on the first floor, which is their
28. equivalent to 212 unless we get chased out by a caucus.
29. But we'll meet immediately after adjournment in Room 114.

30. PRESIDENT:

31. Do we have leave to go to the Order of Concurrences
32. for a purpose of considering Concurrence in House Amend-
33. ment No. 1 to Senate Bill 1. Leave is granted. For what

1. purpose does Senator Buzbee arise?

2. SENATOR BUZBEE:

3. I apologize, Mr. President. I intended to ask this
4. question while I was on my feet the first time. I did go
5. home last night when we left here about 10:30 and
6. immediately read through all the Agreed Bill List and
7. there's some on there that I want to take off and I was
8. just wondering, I know you made the announcement awhile
9. ago, but I missed it. When do we have to get that done?

10.

11.

12.

13.

The following typed previously

14.

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33.

1. PRESIDENT:

2. 4:30 tomorrow, Sunday and the memorandum has been
3. distributed and...

4. SENATOR BUZBEE:

5. Thank you.

6. PRESIDENT:

7. ...there should be a copy underneath all of the
8. other materials on your desk.

9. SENATOR BUZBEE:

10. Thank you.

11. PRESIDENT:

12. Message from the House.

13. SECRETARY:

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

15. Mr. President - I am directed to inform
16. the Senate that the House of Representatives has concurred
17. with the Senate in the passage of a bill with the following
18. title:

19. Senate Bill No. 1 with House Amendment No. 1.

20. Senator Soper is the chief sponsor of this bill.

21. PRESIDENT:

22. Senator Soper.

23. SENATOR SOPER:

24. Thank you, Mr. President, members of the Senate.
25. I've distributed the...the amendment and I move that we
26. concur with the amendment. What?

27. PRESIDENT:

28. Senator Soper. Senator Soper moves to suspend
29. the rules for the purpose of moving to concur in House
30. Amendment No. 1 to Senate Bill 1. Senator Soper, would
31. you explain the amendment and the bill?

32. SENATOR SOPER:

33. I'll do that. This is the bill that outlaws off-
34. track betting, messenger service betting. I'll read...I'll

1. read the bill as it's amended. It's easier than trying to
2. put the amendment in the bill. The bill now reads,
3. "No person shall for a fee directly or indirectly
4. accept anything of value from another to be transmitted
5. or delivered for wager in any parimutuel or certificate
6. system of wagering on horse races. Nothing in this
7. Section prohibits wagering transactions authorized under
8. this Act. Any person who violates this Section is guilty
9. of a Class 4 felony." And the only thing that this amended
10. was the...was the part that says "for a fee" and it
11. tightened up the lines from 12 to 14 which read,
12. "Nothing in this Section prohibits wagering transactions
13. authorized under this Act." Tightens up the whole bill.
14. Does the same thing it did before. Less language. I move
15. that we concur in the amendment and get this up so the
16. Governor can sign it.

17. PRESIDENT:

18. Senator Rhoads.

19. SENATOR RHOADS:

20. Well, the amendment, for a fee, does that mean that
21. if they don't do it for a fee, that's okay?

22. PRESIDENT:

23. Senator Soper.

24. SENATOR SOPER:

25. Anybody that wants to run a messenger service...
26. understand isn't going to run it except for a fee. That's
27. what we're trying to get out. They can't do it anyway.

28. PRESIDENT:

29. Senator Rhoads.

30. SENATOR RHOADS:

31. Well, they could do it for a commission or for some
32. other consideration, but...

33. PRESIDENT:

1. Senator Soper.

2. SENATOR SOPER:

3. Or anything of value s a fee.

4. PRESIDENT:

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate.

8. I commend Senator Soper for concurring on this particular
9. amendment because it is a very practical amendment.

10. More importantly, because it brings this vital issue
11. to the front and that we finally take some action.

12. As you are aware, I'm a member...I'm the Senate sponsor
13. of the House Bill 246 and because of that I've
14. been holding in abeyance until further action was completed

15. on Senator Soper's bill in the House. At this time,
16. I'm going to hold 246 to see what action is being taken

17. on this bill by the Governor because it treats the
18. same subject and I want it to be known to the members

19. of the press who were giving innuendos and some...and
20. blasting these sponsors of these bills for being...

21. doing something...nefarious. I'd like to state

22. that there was nothing...and I know from Senator Soper's
23. position or my own, that we were trying to hold these

24. bills just for any particular gain or for any other
25. purpose but to get this bill in the proper fashion so it

26. could be approved by the whole Legislature and I commend
27. the sponsor, Senator Soper, for this action and I...

28. PRESIDENT:

29. Is there any further discussion? If not, the question

30. is shall the Senate concur in Amendment No. 1 to Senate Bill

31. 1...shall...the question is shall the Senate concur in House

32. Amendment No. 1 to Senate Bill 1. Those in favor will vote

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

1. Have all voted who wish? Have all voted who wish?
2. Take the record. On that question the Ayes are
3. 56, the Nays are none, none Voting Present. The
4. Senate does concur in House Amendment No. 1 to
5. Senate Bill 1 and the bill having received the
6. required constitutional majority is declared
7. passed. House Bills, 2nd reading. House Bill
8. ...on the Order of House Bills, 2nd reading,
9. House Bill 17...17, Senator Knuppel.

10. SENATOR KNUPPEL:

11. Mr. President,...

12. PRESIDENT:

13. Yes, Senator Knuppel.

14. SENATOR KNUPPEL:

15. ...I had a bill that was passed here yesterday
16. that there was an amendment that Senator D'Arco
17. wanted to put on it and I wanted to recall that bill
18. if I could to 3rd reading and then to 2nd reading
19. for the purpose of amendment.

20. PRESIDENT:

21. This was a...this was a...

22. SENATOR KNUPPEL:

23. I...

24. PRESIDENT:

25. This was a bill that passed the Senate?

26. SENATOR KNUPPEL:

27. Yeah, 1521.

28. PRESIDENT:

29. House Bill 1521?

30. SENATOR KNUPPEL:

31. Yes, it passed, but I filed a motion to reconsider
32. the vote but at this time, I'd like to recall, if it's
33. possible at this time for the purpose of placing it on

1. 3rd reading to recall to 2nd for amendment.

2. PRESIDENT:

3. Senator Knuppel, you have filed a written Motion
4. to reconsider the vote by which House...

5. SENATOR KNUPPEL:

6. 1521.

7. PRESIDENT:

8. ...Bill 1521 passed.

9. SENATOR KNUPPEL:

10. Yes.

11. PRESIDENT:

12. Is there leave of the Body to consider Senator
13. Knuppel's motion to reconsider the vote by which House
14. Bill 1521 passed? Leave is granted. I believe this
15. will take a...a record vote, Senator Knuppel. The question
16. is, shall the vote by which House Bill 1521 passed be
17. reconsidered. Those in favor will vote Aye. Those
18. opposed will vote Nay. The voting is open. Have all
19. voted who wish? Have all voted who wish? Take the
20. record. On that question, the Ayes are 48, the Nays
21. are None. None Voting Present. The motion to reconsider
22. having received the requisite 30 votes is adopted. The
23. vote has been reconsidered. The bill is now back on the
24. Order of 3rd reading. On the Order of House Bills, 2nd
25. reading, House Bill 17. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Facts are, I saved the day. I've got an...

28. PRESIDENT:

29. Senator Knuppel has...has asked for leave to advance
30. the bill without amendment and he will bring it back
31. tomorrow for the purpose of any amendments that members
32. wish to offer. Is that agreeable? Is leave granted?
33. Leave is granted. Read the bill.

1. SECRETARY:

2. House Bill 17.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor? 3rd reading. House
7. Bill 41, Senator Chew. Read the bill.

8. SECRETARY:

9. House Bill 41.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Executive
12. offers 1 amendment.

13. PRESIDENT:

14. Senator Chew.

15. SENATOR CHEW:

16. Mr. President, Ladies and Gentlemen of the Senate.
17. The amendment that was offered in the Executive Committee
18. is totally unacceptable to the House sponsor, to the Senate
19. sponsor and to the many persons that now know what this
20. amendment does. I would move that Amendment No. 1 be
21. Tabled.

22. PRESIDENT:

23. For what purpose does Senator Graham arise?

24. SENATOR GRAHAM:

25. I don't know if this bill ever had a chance or not.
26. But with the Tabling of this amendment, it certainly
27. should have less chance than it had before. And all
28. this amendment really did was to take this operation of
29. this proposed policy game and put it in the same sense
30. as we did the lottery and the others and leave it in the
31. Department of Revenue. And I think it was a wholly, a
32. good amendment and I would resist the Motion at this
33. time to Table it.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Well, Senator Graham, I too, was in the Committee
5. on Executive as were you when Senator Soper offered the
6. amendment. At that time, frankly, the House sponsor
7. and...and the Senate sponsor did express some reluctance
8. to accept the amendment. And, frankly, due to Senator
9. Soper's persuasiveness, in that he said, take it or the
10. Governor won't sign it, they took it. But, I think as a
11. general rule, around here as we always have done, at
12. least, is we allow the members to have the bill in the
13. shape they wish to present it. And if in fact, Senator
14. Chew and the House sponsor don't wish this amendment
15. and you feel that without the amendment that's a bad
16. bill so be it. It's his bill. And I would support the
17. motion to Table.

18. PRESIDENT:

19. Senator Soper.

20. SENATOR SOPER:

21. Thank you, Mr. President. Now...

22. PRESIDENT:

23. Excuse me, Senator. Senator Soper, in order...in
24. order to make the record straight, Senator Chew is
25. withholding his motion to Table to give you an opportunity
26. to speak against it, since it's not debatable. Senator
27. Soper.

28. SENATOR SOPER:

29. Thank you. The...the fact that...that this came out
30. with a...that was a committee amendment. It was offered
31. as a committee amendment and if we're going to take and
32. ...and have committee amendments and then have them
33. Tabled. I think that this bill should go back to committee

1. and let the committee decide what they want to do. We
2. take...committee amendments and we say this is a committee
3. amendment and...and unless there's something wrong with the
4. committee amendment as a typo..error or something, then ...
5. ...then we...we take them back and we agree on them. We
6. have the members and the Chairman and the Vice-Chairman
7. of the committee or the minority spokesman. But to say
8. that a bill gets out of committee because it's amended
9. by the committee and then you can Table the committee
10. amendment. Well, that seems to be ridiculous. That's
11. the only reason that that bill passed out of committee.
12. And I...I...I think this...this amendment should go on.
13. Then we'll...we'll treat it like any other committee
14. amendment. Put it on.

15.
16.
17.
18. End of reel.
19.
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1. PRESIDENT:

2. Senator Graham. Senator Soper has moved the adoption of the
3. committee amendment and Senator Chew will move to Table it after...
4. Senator Graham.

5. SENATOR GRAHAM:

6. Senator Rock brought up a very valid point. I can say this
7. I think without fear of contradiction. This bill wouldn't have
8. gotten out of committee without the amendment. Now if the sponsor
9. has a right, I presume to take that into consideration when he
10. makes this motion. I think if the bill ever had a chance to pass
11. it was very small indeed but without this amendment it certainly
12. should never because all this amendment did was put this proposed
13. policy game under State control. That's all it did.

14. PRESIDENT:

15. Senator Washington.

16. SENATOR WASHINGTON:

17. Mr. President and members of the Senate. I don't subscribe
18. to the old...statement around here that a bill should be presented
19. in the form that the sponsor wants it in but there are exceptions
20. to that general rule and I think this is one. The House sponsor
21. of this bill, Representative Caldwell, has studied this entire
22. field for about thirty some odd years. He wrote a Masters
23. thesis on the problem of policy or the game of policy and has put
24. out a popular novel which sold some thirty years ago. There was
25. a House commission which studied this bill or this area for three
26. years. Former Congressman, Sam Young, who I think was instrumental
27. in putting together the Securities regulation law of the Secretary
28. of State's Office conducted a feasibility study and the product of
29. ...of House Bill 41 is the product of that commission and of the
30. feasibility study. I don't think any bill has been more tightly
31. ...I don't...I don't...I don't think any bill has been more tightly
32. drawn than this bill. The clear issue is whether this policy game
33. if it's passed into law should be conducted through private enterprise

1. or shall it be conducted by the State. Now we have precedent
2. for gambling operations being conducted by private enterprise.
3. Race tracks is the clearest example of that. The Bingo game
4. is another clear cut example of that. The lottery game which
5. is a more general game, not indigenous to any particular group or
6. following is the only gambling entity or enterprise which is
7. conducted in this State by the State. This particular game
8. is as old in this country as one can think of, as a matter of
9. fact, Harvard College and some other Eastern colleges were
10. financed and funded through the policy game. For the past
11. some hundred years or more, it has been indigenous to Latino
12. and black communities. It can only thrive, we feel, and Repre-
13. sentative Caldwell feels, if it is conducted through private
14. enterprise. It will bring five or more thousand jobs to our
15. community. It will give entrepreneur expertise and training
16. in a legitimate form to our community. It is a game which the
17. police have been unable to wipe out or even substantially
18. erode over the period of years that it has been illegal. There
19. are allegations that it is syndicate controlled. I can't prove
20. that. But the allegations rebound and are strong...may I have
21. some quiet, Mr. President? The point I'm trying to make is
22. that this bill, with this background of experience and input
23. from skilled people who are knowledgeable in the field, cries
24. to be presented to this full Body in its unadulterated form.
25. I think the House sponsor is perfectly within his rights, and I
26. think Mr. Chew has expressed that very clearly, perfectly within his
27. rights in asking us to vote on the unadulterated version of House Bill 41
28. and when the motion to Table is made, I will support it.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Yes, thank you, Mr. President. Again I don't wish to...to
33. beat the subject to death but again in the committee, the conversation

1. was that the amendment kind of came out of nowhere and that
2. Senator Chew and Representative Caldwell agreed that they
3. would take a look at it. Now to say that this was a bona fide
4. committee amendment frankly is not the fact. It was offered
5. by the Governor's Office to change the control to a State
6. operated system and we accepted it in the committee on the
7. basis that the House and Senate sponsor were going to take a look
8. at it. They have obviously done that and obviously decided to
9. reject it and wish to represent the bill in the form in which the
10. House sponsor wants it. Now the fact of the matter is, if you
11. look at the breakdown on the committee, I think it is 10 to
12. 7. This bill would have gotten out with or without the amendment.
13. The House sponsor and the Senate sponsor were kind enough to
14. go along with the amendment on Senator Soper's representation
15. that even if it passed, the Governor would not sign it in that
16. form and that was the representation that was made. The
17. House and Senate sponsor have now decided to take that chance
18. and I think they should have that chance and I would urge resistance
19. to this amendment.

20. PRESIDENT:

21. Ladies and Gentlemen, the hour is late. Could we put the
22. question. Senator Soper has moved the adoption of the amendment.
23. Senator Chew moves to Table. Senator Chew for five seconds.

24. SENATOR CHEW:

25. I just want to give a better explanation, not to condemn
26. what Senator Rock said by any means, but the amendment did not
27. come from the Governor's Office. The amendment came from the
28. Department of Revenue and the Governor had nothing to do with it.
29. I've had a conference with the Governor and I had a conference
30. with the Director of Revenue. It was a dream of the Director
31. of Revenue who just arrived on the scene and did not come from
32. the Governor's Office. I'll take my chances on the Governor
33. signing the bill without the amendment.

1. PRESIDENT:

2. Senator Soper moves the adoption of Amendment No. 1.

3. Senator Chew moves to Table. All those in favor of the motion

4. to Table signify by saying Aye. Senator...opposed. A roll call

5. has been requested. Those in favor of the motion to Table and

6. supporting Senator Chew's position will vote Aye. Those opposed

7. supporting Senator Soper's position will vote No. The voting is

8. open. Have all voted who wish? Have all voted who wish? Take

9. the record. On that question the Ayes are 28, the Nays are 26,

10. none Voting Present. The amendment having received the majority

11. of the votes cast is adopted. It's been a long week. It's

12. been a long week. The motion to Table having received a majority

13. of the votes cast is adopted. The amendment is Tabled. Senator

14. Soper.

15. SENATOR SOPER:

16. Verification.

17. PRESIDENT:

18. Senator Soper requests a verification of the roll call. The

19. Negative votes, Senator Soper? Secretary will verify the

20. affirmative votes.

21. SECRETARY:

22. The following voted in the affirmative: Bruce, Buzbee, Chew,

23. Clewis, Collins, D'Arco, Daley, Demuzio, Donnewald, Egan, Guidice,

24. Kenneth Hall, Hickey, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,

25. Leonard, Maragos, Netsch, Newhouse, Rock, Smith, Vadalabene, Washington,

26. Mr. President.

27. SENATOR SOPER:

28. Where's Lemke? Where's Savickas?

29. PRESIDENT:

30. Is Senator Lemke on the Floor? Senator Lemke on the Floor?

31. Take his name from the roll.

32. SENATOR SOPER:

33. Daley.

34. PRESIDENT:

1. Is Senator Daley on the Floor? Senator...Is Senator Daley on
2. the Floor? Take his...Senator Daley is on the Floor.
3. SENATOR SOPER:
4. Guidice.
5. PRESIDENT:
6. Senator Guidice. Senator Guidice is on the Floor.
7. SENATOR SOPER:
8. Clewis.
9. PRESIDENT:
10. Senator Clewis is in his seat. Congratulations, Senator
11. Clewis on following the rules. The roll has been verified on
12. that question. The Ayes are 27...Savickas voted No. The Ayes
13. are 27, the Nays are 26. The motion to Table carries. Are there
14. any further amendments.
15. SECRETARY:
16. No further amendments.
17. PRESIDENT:
18. Senator Chew, for what...3rd reading. Senator Chew.
19. SENATOR CHEW:
20. I had an amendment drawn but I can't find my drawer.
21. PRESIDENT:
22. All right, Senator Chew, you...you will bring the bill
23. back then for purpose...
24. SENATOR CHEW:
25. I'll bring it back to 2nd reading for the purpose of an
26. amendment.
27. PRESIDENT:
28. All right, fine. House Bill 64, Senator Kosinski. House
29. Bill 113, Senator Guidice. House Bill 192, Senator Lemke. House
30. Bill 921, Senator Guidice. House Bill 922, Senator Collins.
31. House Bill 1205, Senator Lane. House Bill 1228, Senator Roe.
32. House Bill 1325, Senator Joyce. House Bill 1348, Senator Lane.
33. House Bill 1424, Senator Lane. House Bill 1500, Senator Egan.

1. House bill 1508, Senator Berman. House Bill 1650, that went
2. to 3rd. House Bill 2409, Senator D'Arco. House Bill 2409,
3. Senator D'Arco. Read the bill.
4. SECRETARY:
5. House Bill 2409
6. (Secretary reads title of bill)
7. 2nd reading of the bill.
8. PRESIDENT:
9. Any amendments from the Floor? 3rd reading.. Senator Rock.
10. SENATOR ROCK:
11. 2126, is that what...
- 12.
- 13.
- 14.
15. (the following typed previously)
- 16.
- 17.
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1. PRESIDENT:

2. Senator Rock, on House Bill 2126, it was moved
3. to the Order...3rd reading. Earlier, House Bill 1650
4. was moved to the Order of 3rd reading with the understanding that
5. it would be brought back for the purpose of amendment.
6. Is Senator Netsch on the Floor? Is Senator Netsch on the
7. Floor? House Bill 1650. Is leave granted to bring the
8. bill back to the Order of 2nd reading for the purpose
9. of amendment? Leave is granted. On the Order of 2nd
10. reading, House Bill 1650.

11. SECRETARY:

12. Amendment No. 1 offered by Senator Schaffer.
13. Senator Schaffer, it's the smaller of the two.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President, this is an extremely controversial
18. bill. There are a great number of amendments on it. The
19. Appropriations Committees have a tremendous work load.
20. This is the last day. Can't we consider this bill
21. on another day?

22. PRESIDENT:

23. Senator Netsch.

24. SENATOR NETSCH:

25. Well, if I'm not mistaken, Senator Shapiro,
26. there are not a great many amendments. I think there are
27. only two that the Secretary had a short while ago,
28. maybe a third now and I thought it had been understood that
29. we could get this over with today.

30. PRESIDENT:

31. Senator Shapiro, I thought that was the understanding
32. but...on the Order of 2nd reading...House Bills 2nd reading
33. House Bill 1650.

1. SECRETARY:
2. Amendment No. 1 offered by Senator Schaffer.
3. PRESIDENT:
4. Senator Schaffer.
5. SENATOR SCHAFFER:
6. Well, I...probably won't be controversial.
7. I think Senator Netsch can support all of these amendments.
8. This simply deletes the provision in the bill that would allow
9. substitution by an oral discussion rather than writing.
10. We think that this is very important and if somebody
11. sends someone down to pick up a drug for them, that we
12. think it should be in writing, not an oral agreement that
13. the drug can be substituted.
14. PRESIDENT:
15. Is there any discussion of the amendment?
16. Senator Netsch.
17. SENATOR NETSCH:
18. Thank you, Mr. President. I would urge the rejection
19. of this amendment as I would urge the rejection of the
20. other two that I have had an opportunity to see. This
21. one sounds, perhaps, reasonable on its face but, in fact,
22. it really creates a tremendous hardship on the very people
23. whom we hope to benefit, eventually, from this Act. If someone
24. is confined to their home, for example, and someone goes down
25. to pick up a prescription for them, and then all of the
26. procedures take place and the druggist wants to know if the
27. substitution is possible, it is then possible for him just
28. to pick up a telephone and call the person and discuss
29. it with them. The same in the case of a child who is
30. taking a prescription down and is not able to make that
31. kind of decision and the druggist can make that phone call.
32. I think that the amendment would actually stifle the effective
33. use of the generic prescription or generic substitution

1. technique and I would urge its rejection.

2. PRESIDENT:

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Mr. President, I did not intend to speak on this
6. amendment. I have another one.

7. PRESIDENT:

8. Senator Shapiro.

9. SENATOR SHAPIRO:

10. Well, Mr. President and Ladies and Gentlemen of the
11. Senate. As a person engaged in a profession that is allowed
12. by law to write prescriptions, I think Senator Netsch's
13. argument to retain a commitment or a law that states that
14. a change in a prescription can be made orally just flies
15. in the face of the safeguards written into our law
16. in society concerning the prescribing of drugs.
17. I think that the...the way the law is written when
18. a guardian, parent or spouse can go to the drugstore
19. with a prescription from a physician and tell the
20. pharmacist unless there is the written prohibition on the
21. prescription and tell the pharmacist that she or he
22. wishes a change in a prescription from a brand name
23. drug to a generic drug just flies in the face of
24. the standards set by the medical profession and the
25. group of people that we depend on our well-being
26. and health. I just can't see this type of thing written
27. into the law by the General Assembly in the name of
28. safeguarding the health of the people of this State of
29. Illinois. This provision in the bill as it stands at the
30. present is absolutely horrible. This amendment should be
31. adopted as well as several others.

32. PRESIDENT:

33. Senator Schaffer may close the debate on the amendment.

1. SENATOR SCHAFFER:

2. Well, simply put, I think that Senator Shapiro has
3. ...has hit the nail on the head. This wouldn't prohibit
4. someone from giving the...sending someone down to the
5. druggist with a written request. This doesn't mean that
6. the sick person has to physically appear in the drugstore.
7. The pharmacist may get a call to substitute a drug.
8. Something may happen and the pharmacist won't be at all
9. protected. The person will say, I never told you
10. you could do that. But if it's in writing, it's in
11. writing. I think that this would put an unconscionable
12. burden on the pharmacist and I think endanger...well,
13. what probably is the well meaning of this bill. I think
14. this amendment clearly should be adopted. I don't think
15. it does anything unreasonable and I think it makes this
16. bill better.

17. PRESIDENT:

18. The...the question is shall Amendment No. 1 be adopted.
19. There's a request for a roll call. Those in favor
20. of the adoption of the amendment will vote Aye.
21. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question the Ayes are
24. 23, the Nays are 28, none Voting Present. The amendment
25. having failed to receive a majority of the votes cast
26. fails. Amendment No. 2.

27. SECRETARY:

28. Amendment No. 2 offered by Senator Schaffer.

29. PRESIDENT:

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Amendment No. 2 would simply provide that if a
33. generic drug is substituted in the original prescription
34. that all subsequent refills must be filled with the same

1. generic drug. The situation...this bill is billed as a
2. great saver of money for the little people. The situation
3. we envision is a brand name that say, is a dollar a bottle
4. or a dollar a pill and the druggist substitutes for a
5. ...a generic substitute that costs fifty cents a pill
6. in the original subscription and in the next
7. subscription when they come in for a refill he gives
8. them a pill that's worth five cents a piece and pockets
9. forty-five cents. We're just trying to protect people
10. from being gouged under the guise of generic drug substitution.
11. I do not see how anyone can argue against this amendment
12. unless one has just taken a position that one is not going
13. to amend the bill at all, which I think gives you a
14. ...gives anyone on the Floor a very valid reason for
15. opposing this bill.

16. PRESIDENT:

17. Is there any discussion? Senator Netsch.

18. SENATOR NETSCH:

19. I rise in opposition to the amendment. I think that
20. the language as proposed here, just simply...so that the
21. bill will, in fact, be amended and will have to go back
22. to the House where, hopefully, the...it might be lost.
23. I really think that this is unnecessary and some
24. pharma ists with whom I have consulted say that the
25. normal...pharmacy practice is to use the same product
26. after the prescription is once written. If that is not the
27. case, then it probably is a good idea, anyway, but, in fact,
28. it is normal practice. I think that the amendment is
29. really a straw man, if I may put it that way, Senator
30. Schaffer and it adds nothing to the bill. The bill has
31. already been written, rewritten, amended and reamended
32. and I think it is in very good shape now. This does
33. nothing to strengthen it. I think it, in fact, weakens it.

1. PRESIDENT:
2. Senator Nimrod.
3. SENATOR NIMROD:
4. Question of the sponsor, Mr. President.
5. PRESIDENT:
6. Indicates she will...of the amendment or the bill?
7. SENATOR NIMROD:
8. On the amendment.
9. PRESIDENT:
10. Indicates he will yield.
11. SENATOR NIMROD:
12. Senator Schaffer, it's come to my attention that
13. when you receive a particular kind of a drug and you do
14. go for refills, that if you are, in fact, getting a
15. different drug when you go back, has it come to your
16. attention at all that it could have a different effect upon
17. the patient?
18. PRESIDENT:
19. Senator Schaffer.
20. SENATOR SCHAFFER:
21. Well, I think to answer that question gets to
22. debate the merits of the whole bill. In my opinion, clearly
23. that is possible. That's one of the reservations I have
24. about the bill. But that's also, I think, a very good
25. argument for the amendment simply because if a person
26. thinks they're being substituted with one thing, and
27. low and behold it turns out to be another and yet there's
28. no prohibition in this Act...by the way, I'd like to
29. admonish Senator Netsch, if she's listening. I think you
30. meant to say straw person. But I think this is...Senator
31. Nimrod, have I answered your question?
32. PRESIDENT:
33. Senator Nimrod.

1. SENATOR NIMROD:

2. Yes, Senator Schaffer, you have because, I think, what
3. we're doing here is then not insuring the patient of having
4. the same kind of medicine available to him when they are
5. going back for refills and, in fact, could develop
6. different reactions as a result of this that we are
7. certainly causing some possible harm to that individual
8. without any protection that we can give him. Thank you.

9. PRESIDENT:

10. The question is shall Amendment No. 2 be adopted.
11. Those in favor will vote Aye. Those opposed will vote Nay.
12. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that
14. question the Ayes are 21, the Nays are 32, none Voting
15. Present. The amendment having failed to receive the
16. necessary majority of the votes fails. Amendment No. 3.

17. SECRETARY:

18. Amendment No. 3 offered by Senator Regner.

19. PRESIDENT:

20. Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members of the Senate.
23. This amendment does four things. One, it requires
24. a physician or authorized prescriber to make a written
25. prescription, not oral, when he's going to allow substitution
26. of a generic drug. Point two, it deletes...number
27. two, it deletes the provision that the pharmacist
28. could substitute if the prescriber failed to check
29. and to sign beside...

30. PRESIDENT:

31. For what purpose does Senator Harber Hall arise?

32. SENATOR HALL:

33. Mr. President, the Minority Leader some time
34. ago suggested this is a very controversial bill. It has

1. taken fifteen minutes so far. Now, we have an amendment
2. being proposed where the sponsor of the bill doesn't
3. have a copy and we're going to be here a long time making
4. those copies. I suggest that we do what had been
5. stated by the President we would do at 2:00 o'clock.

6. PRESIDENT:

7. Well, Senator, we went through that and I think
8. we are about finished with the amendments on this bill.
9. Senator Regner. Senator Regner.

10. SENATOR REGNER:

11. The second thing this amendment does, it deletes the
12. provision that the pharmacist could substitute if the
13. prescriber failed to check and to sign besides one of
14. the alternatives. That phrase that was in allowed the
15. pharmacist to fill the subscription without the physician's
16. signature. Number three, it requires the pharmacist
17. to inform the patient in writing of the different brand
18. name or nonbrand name product and the amount of the total
19. cost savings. If this is a consumer bill, the patient
20. should, at least, know what the cost savings will be.
21. And number four, it clarifies the liability language
22. by stating that the pharmacist will not be liable for
23. negligence if the substitution is made, as provided in the
24. Act, and that the substituted drug is permitted under the
25. drug formerly listed...formerly listed established
26. by Public Health. The reference to the physician
27. liability was removed because it referred to the physician's
28. failure to indicate if substitution was allowed because
29. the language allowing the pharmacist to substitute without
30. the doctor's written consent was removed and I'd ask for the
31. adoption of Amendment No. 3.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Regner has moved the adoption of Amendment No.

1. 3 to House Bill 1650. Any discussion? Senator Netsch.

2. SENATOR NETSCH:

3. This amendment would totally gut the bill. I
4. oppose it as strongly as I can.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Regner has
7. moved the adoption of Amendment No. 3 to House Bill
8. 1650. All those in favor signify by saying Aye. All those
9. opposed. The opinion of the Chair, the Noes have it.
10. The amendment fails. Roll call has been requested.
11. Those in favor of the adoption of Amendment No. 3
12. will vote Aye. Those opposed will vote Nay. The voting
13. is open. Senator Bruce, vote me No please.
14. Have all voted who wish? Take the record. On that question
15. the Ayes are 21, the Noes are 32. The amendment fails.
16. Further amendments?

17. SECRETARY:

18. Amendment...amendment No. 4 offered by Senator Rhoads.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Thank you, Mr. President and members of the Senate.
23. Hello.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Yes, Senator Rhoads.

26. SENATOR RHOADS:

27. Amendment No. 4 attempts to address itself to the
28. problem of mail order prescription drugs. Now, this bill
29. has continually been...been presented by its proponents
30. as a consumer oriented piece of legislation, yet there
31. is nothing in the bill which would pass on any cost savings
32. to the consumer. Further, there's a problem of mail order
33. drugs, both out of State and within the State of Illinois.

1. With respect to out of State mail order houses, we don't
2. know that they would have a...a copy of the Illinois
3. Positive Drug Formula. So, this amendment would
4. forbid the dispensing of prescribed drugs through the
5. mail.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Rhoads has moved the adoption of Amendment
8. No. 4 to House Bill 1650. Any discussion? Senator Netsch.

9. SENATOR NETSCH:

10. This amendment would discriminate against
11. downstate areas, against people who live in small towns
12. and rural areas and I urge its defeat.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Some of us from Chicago don't like it either.
15. Senator Rhoads.

16. SENATOR RHOADS:

17. Now, Senator Netsch, we're talking about consumer
18. protection here. What about out of...out of...mail
19. order drug houses which are not even located in the
20. United States? Now, if you want to bring in generic
21. substitutions from Canada and if you think that's
22. protecting the consumer, you're out of your tree.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. The Gentleman has addressed a question to the
25. Lady as to whether or not she was out of her tree.

26. Senator Netsch.

27. SENATOR NETSCH:

28. Thank you, Mr. President. You're a great help
29. at times. Well, I did not mean it facetiously,
30. Senator Rhoads. I had told you before that this is
31. a long ancient issue. I genuinely believe that a total
32. prohibition on mail order purchases...and this is not just
33. mail order. The way it's worded, you understand, that if

1. someone lived, literally, in a farm house and had to
2. communicate by phone and then by mail in order to get
3. their drugs, this would just totally leave them out of
4. the entire protection of this bill and not just with
5. respect to the generic substitution part of it but it
6. would totally preclude them from ordering any drugs and
7. having them delivered by mail to them. This is something
8. the pharmacists long ago tried to institute in this State.
9. It's been rejected time and time again and I genuinely
10. believe it is highly discriminatory against people
11. who are housebound and not able to go in person
12. to pick up their prescriptions.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. Senator Rhoads may close the debate.
15. Oh, I beg your pardon. I beg your pardon. Senator
16. Shapiro. I didn't see your light lit. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Will the sponsor yield to a question?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Sponsor of the amendment?

21. SENATOR SHAPIRO:

22. Oh, I'm sorry. The sponsor of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Yes, indicates she will yield. Senator Shapiro.

25. SENATOR SHAPIRO:

26. Yes, Senator Netsch, it's my understanding
27. that the American Association of Retired People,
28. who are one of the prime movers and sponsors of this
29. bill, do have a mail order drug establishment connection
30. in Washington, D.C. in that the inclusion or...of this
31. particular provision in the bill would enhance their
32. situation as far as profits are concerned, extra income.
33. Do you know whether this is true or not?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Netsch.

3. SENATOR NETSCH:

4. To the best of my knowledge, that is not true.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Soper. Oh, your
7. light is...your light, as always, is on. Senator Rhoads
8. may close the debate.

9. SENATOR RHOADS:

10. Mr. President, members of the Senate. I apologize
11. to the Lady for indicating that she might have fallen
12. out of a tree or something. I do apologize. I am sincere
13. in this amendment. I think it is a consumer protection
14. device if we are going to go to generic substitution.
15. When you order drugs through the mail, you have to pay for
16. them in advance. If they are going to substitute at the
17. mail order house, this is just an impossible situation to
18. monitor without this amendment on and I move its
19. adoption.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Senator Rhoads has moved the adoption
22. of Amendment No. 4 to House Bill 1650. Those in favor
23. will vote Aye. Those opposed will vote Nay. The voting
24. is open. Have all voted who wish? Have all voted who
25. wish? Take the record. On that question the Ayes
26. are 21, the Nays are 30, the amendment fails.
27. Any further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. 3rd reading. Senator Shapiro, for what purpose do
32. you arise?

33. SENATOR SHAPIRO:

1. I'm wondering if the sponsor would be willing to bring
2. this bill back to 2nd tomorrow. I have an amendment
3. that I would like to place on it. It's not a frivolous...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Well, it's up to the sponsor. Senator Netsch. Senator Netsch.

6. SENATOR NETSCH:

7. Well, I'm not inclined to do it, Senator Shapiro.

8. I, you know, the bill has been sitting on 2nd reading
9. for a long time and it was done so that everyone
10. could have a chance to get their amendments in shape
11. and I just...I'm sorry. I don't think I'll do it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Shapiro.

14. SENATOR SHAPIRO:

15. Well, Senator Netsch, I would like to remind you
16. that yesterday as a courtesy to you, in the absence of
17. Senator Schaffer, I allowed...you came and asked
18. me and I granted you the permission to move it from 2nd
19. to 3rd to save a legislative day. But, furthermore, I thought
20. the...the amendment that I am going to propose, I thought,
21. was incorporated in Senator Schaffer's second amendment and
22. it was not.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right. Just so the membership will know, Senator
25. Hynes, do you wish to give the schedule for the balance of
26. the afternoon? As I understand it, there will be
27. Messages from the House to be read in, placed on the
28. Secretary's Desk with one exception and then we'll
29. go to the Consent Calendar and then immediately
30. adjourn for committees. Is that correct, Senator Hynes?
31. All right. Messages from the House.

32. SENATOR HYNES:

33. That is correct.

1. SECRETARY:

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

3. Mr. President - I am directed to inform the
4. Senate that the House of Representatives has passed a bill
5. with the following title in the passage of which I am
6. instructed to ask the concurrence of the Senate, to-wit:
7. House Bill 689.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Berman, for what purpose do you arise?

10. SENATOR BERMAN:

11. Thank you, Mr. President. I ask for leave to waive
12. the applicable rules so that House Bill 689
13. can be discharged from the Committee on Assignment of Bills,
14. assigned to Appropriations II, the Six Day Posting Notice
15. be waived so that it can be heard this afternoon in
16. that committee.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. You have heard the Senator's request. This is
19. the Distributive Aid Formula bill. Senator Berman,
20. I presume your motion would include the reading of this
21. bill a first time. Is leave granted? So ordered. Read the
22. bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 689.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman. Yeah, it will be immediately referred
29. to Appropriations II for hearing this afternoon.

30. All right. I am informed by the Secretary that it will take
31. but a very few moments just to read the Messages
32. from the House, then we will move to adopt the Consent Calendar
33. and then adjourn until noon tomorrow. Messages from the House.

1. SECRETARY:

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

3. Mr. President - I am directed to inform the
4. Senate that the House of Representatives has concurred
5. with the Senate in the passage of the bill with the
6. following title, to-wit:

7. Senate Bill 502 with House Amendments Nos.
8. 1, 2, and 3.

9. A like message on Senate Bill 762, with House
10. Amendment No. 2.

11. A like message on Senate Bill 878 with House
12. Amendment No. 2.

13. A like message on House...Senate Bill 944
14. with House Amendment No. 2.

15. A like message on Senate Bill 964 with House
16. Amendments No. 1, 2, and 3.

17. A like message on Senate Bill 1092 with House
18. Amendment No. 2.

19. A like message on Senate Bill 1121 with House
20. Amendment No. 1.

21. A like message on Senate Bill 1149 with House
22. Amendments Nos. 1 and 2.

23. A like message on Senate Bill 1358 with House
24. Amendments Nos. 2 and 3.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Secretary's Desk. Resolutions Consent Calendar.
27. Mr. Secretary, has there been any objections to the resolutions
28. placed upon the Consent Calendar?

29. SECRETARY:

30. I have received no objections.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Proceed. All right. The question is shall the
33. Resolutions contained on the Consent Calendar, Resolutions 187,

1. 188, 189, 190, 191, 192, 193, 195, 196, 197, 198, 199,
2. 200, 201, 203. Question is shall these resolutions be adopted.
3. All those in favor signify by saying Aye. All those
4. opposed. The Ayes have it. The resolutions are adopted.
5. Any further business to come before the Senate?
6. Any announcements? If not,...Senator Carroll.
7. SENATOR CARROLL:
8. Just to remind those who hadn't been listening
9. before Appropriations I is in Room 114, Room 114 immediately.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Any further business to come before the Senate?
12. If not, Senator Kosinski moves that the Senate stand adjourned
13. until Sunday, June 26th at the hour of noon.
14. Senate stands adjourned.
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