

80th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 26, 1977

1. PRESIDENT:

2. The hour of twelve o'clock having arrived, the Senate
3. will please come to order. Prayer will be by Senator Collins.
4. Will our guests in the galleries please rise.

5. SENATOR COLLINS:

6. (Prayer by Senator Collins)

7. PRESIDENT:

8. Senator Collins, you just picked up a new assignment.
9. ...Journal. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Mr. President, I move that reading and approval
12. of the Journals of Wednesday, June 22nd, Thursday, June
13. 23rd, Friday, June 24th, Saturday, June 25th, in the
14. year 1977 be postponed pending arrival of the printed
15. Journals.

16. PRESIDENT:

17. You've heard the motion. Is there any discussion? If
18. not, all those in favor signify by saying Aye. Opposed.
19. The Ayes have it. The motion carries. Message from the House.

20. SECRETARY:

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

22. Mr. President - I am directed to inform
23. the Senate that the House of Representatives has passed bills
24. with the following titles in the passage of which I am in-
25. structed to ask concurrence of the Senate, to-wit:

26. House Bills 22...2422 and 2424.

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

28. Mr. President - I am directed to inform the
29. Senate that the House of Representatives has concurred with
30. the Senate in the passage of the following...bill with the
31. following title, to-wit:

32. Senate Bill 466 with House Amendments No. 1
33. and 3. Senate Bill 203 with House Amendment...

34. A like message on Senate Bill 203 with House Amendment No. 1.

A like message on Senate Bill 466 with House Amendments 1 and 3.

1. A like message on Senate Bill 689 with House
2. Amendment NO. 1.

3. A like message on Senate Bill 830 with House
4. Amendment No. 1, 5, 6, and 10.

5. A like message on Senate Bill 1039 with House
6. Amendment No. 2.

7. A like message on Senate Bill 1025 with House
8. Amendments 1 and 2. That's House Amendments 1 and 3.

9. A like message on Senate Bill...Senate Bill 325
10. with House Amendment No. 2.

11. PRESIDENT:

12. Secretary's Desk.

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 refused
17. to recede from their Amendment No. 1 to a bill with the
18. following title, to-wit:

19. Senate Bill 5...153.

20. I'm further directed to inform the Senate that
21. the House of Representatives has requested a First
22. Conference...Committee of Conference to consist of five
23. members from each House to consider the differences of the
24. two Houses in regards to Amendment No. 1 to the bill.
25. The Speaker of the House has appointed as such committee
26. on the part of the House, Representative Matijevich,
27. Kozubowski, Leverenz, Cunningham and Regner.

28. PRESIDENT:

29. Secretary's Desk. House Bills, 2nd reading.
30. House Bill 64, Senator Kosinski. House Bill 113, Senator
31. Guidice. House Bill 192, Senator Lemke. Senator Lemke.

32. SENATOR LEMKE:

33. ...Floor Amendments.

PRESIDENT:

1. Senator Lemke, there's a request for a fiscal note
2. which has not been answered.

3. SENATOR LEMKE:
4. We haven't got an answer back? Well, I just want
5. to move it to 3rd so we don't lose a day.

6. PRESIDENT:
7. We can't read the bill unless whoever requested a
8. fiscal note withdraws the...

9. SENATOR LEMKE:
10. Well, who requested it? I never received such
11. a request.

12. PRESIDENT:
13. Senator Mitchler. So, we may get back to it later,
14. if you would discuss it with Senator Mitchler or try to
15. respond to the fiscal note request. House Bill 409,
16. Senator Buzbee. House Bill 921, Senator Guidice.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. House Bill 922, Senator Collins. Senator...
19. Senator Collins. House Bill 922. We're on the Order of
20. 2nd reading. Read the bill, Mr. Secretary.

21. SECRETARY:
22. House Bill 922.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. The Committee on Pensions,
25. Personnel and Veterans Affairs offers one amendment.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Collins.

28. SENATOR COLLINS:
29. Committee Amendment No. 1 deleted everything after
30. the enacting clause except the reversionary provision
31. and it also included the Chicago teachers in the bill and I
32. move for its adoption.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)
34. Is there further discussion? Question is shall Amendment

1. No. 1 to...Senator Glass.

2. SENATOR GLASS:

3. Could you give us a little background Senator Collins,

4. for the...what you're doing?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Collins.

7. SENATOR COLLINS:

8. Yes, could you just hold it for a minute? Could

9. you take that out of the record,...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Take it out of the record. House Bill 966, Senator

12. McMillan. House Bill 970, Senator Harber Hall.

13. House Bill 1026, Senator Coffey. House Bill 1039, Senator

14. Bowers. 1039. House Bill 1046, Senator Hynes. Read the

15. bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 1046.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

22. House Bill 1047. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 1047.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

29. House Bill 1071, Senator McMillan. 1071. House Bill

30. 1205, Senator Lane. House Bill 1226, Senator Graham.

31. House Bill 1228, Senator Roe. House Bill 1325, Senator

32. Joyce. House Bill 1348, Senator Lane. House Bill

33. 1424, Senator Lane. House Bill 1500, Senator Egan.

34. 1500. House Bill 9...1593, Senator Sommer. House

HB 106
Recalled
6-26-77

1. Bill 1736, Senator Regner. House Bill 2137, Senator
2. Maragos. House Bill 2374, Senator Rhoads. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. House Bill 2374.

6. (Secretary reads title of bill)

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

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

10. House Bill 2417, Senator Bruce. We're going to the
11. Order of pulling 3rd reading bills back to the Order of
12. 2nd for the purposes of amendment: We have a list
13. of bills that include 106, 236, 318, 417, 560, 623,
14. 714, 820, 1011, 1025, 1115, 1521, 1566, 1633, 1650, 1958,
15. 1997, 2130, 2161, 2173, 2212, 2229, 2272, 2307 and 2342.
16. Senator Vadalabene as to House Bill 106. Do we have...
17. do you wish to pull that bill back? Just a moment.
18. Do we have leave to return to the Order of 2nd reading
19. for consideration of House Bill 106? Leave is granted.
20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the
23. Senate. What I intend to do with Amendment...Floor Amendment
24. No. 2 to House Bill 106 is to move to Table that amendment.
25. It has been agreed upon that this amendment is not necessary.
26. I talked to the Senate sponsor and he has agreed to Table
27. Amendment No. 2.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Well, Senator Vadalabene, your having voted on the
30. prevailing side, you now move to reconsider the vote by
31. which Amendment No. 1 is passed?

32. SENATOR VADALABENE:

33. No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Or No. 2. Amendment No. 2 is adopted. Those in
2. favor indicate by saying Aye. Those opposed Nay. The
3. Ayes have it. The matter is reconsidered. Senator Vadalabene
4. now moves to Table Amendment No. 2. All those in favor
5. indicate by saying Aye. Those opposed Nay. The Ayes have it.
6. Amendment No. 2 is Tabled. Are there further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. House Bill 236, Senator Rock.
11. House Bill 318. House Bill 417. Do we have leave to
12. return to the Order of 2nd reading for the purposes
13. of amendment? Leave is granted. We are now on 2nd
14. reading. Senator Lemke. Senator Lemke.

15. SENATOR LEMKE:

16. Yeah, this amendment reduces the amount of money to...

17. SECRETARY:

18. Amendment No. 1 offered by Senator Lemke.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Lemke.

21. SENATOR LEMKE:

22. ...I think it reduces the amount of money...

23. Howie Carroll gave that to me and where in the hell...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just...

26. SENATOR LEMKE:

27. What this amendment does is deletes on line...page
28. 1, line 23, by deleting one million eight hundred and
29. twenty-seven thousand and inserting in lieu thereof,
30. one million seven hundred and seventy-six thousand six
31. hundred and seventy-four thousand and on page 2, by deleting
32. five million one hundred and three...five million one hundred
33. and thirty-one thousand and inserting in lieu thereof, five

1. million one hundred and fifteen thousand six hundred and
2. seventy-four dollars. It reduces the amount of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there...is there further discussion? Question is
5. shall Amendment No. 1 to House Bill 417 be adopted. Those
6. in favor vote Aye. Those opposed Nay. Motion is shall Amendment
7. No. 1 be adopted. Those in favor indicate by saying
8. Aye. Those opposed Nay. The Ayes have it. Amendment No.
9. 1 is adopted. Are there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Senator Kenneth Hall, do you wish
14. House Bill 560 recalled? Senator Kenneth Hall.
15. Do we have leave to return to the Order of 2nd reading
16. for the purposes of amendment? Leave is granted.
17. We're now on 2nd reading. Senator Hall.

18. SENATOR KENNETH HALL:

19. Senator Soper. Senator Soper has an amendment to
20. put on the bill. I thought he was on the Floor.
21. Isn't it up there? Senator Regner, Senator Soper has an
22. amendment he wants to put on all these bills. You know
23. where Senator Soper is? Well, maybe we'll just hold it
24. till he comes...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Take it out of the record.

27. SENATOR KENNETH HALL:

28. Yeah.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. House Bill 623, Senator Netsch. House Bill 714,
31. Senator Kenneth Hall. We'll hold that also. House Bill
32. 820, Senator Bloom. House Bill 1011, Senator Margagos.
33. Do you wish to bring the bill back for purpose of amendment?

1. Do we have leave to return to the Order of 2nd reading
2. for the purpose of amendment? Leave is granted.
3. Senator Maragos.
4. SENATOR MARAGOS:
5. Mr. President, this amendment...
6. SECRETARY:
7. Amendment No. 1 offered by Senator Maragos.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator...Senator Maragos.
10. SENATOR MARAGOS:
11. Yes, Amendment No. 1...Senate...restores the
12. bill in its original form and I ask for its adoption.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Sommer.
15. SENATOR SOMMER:
16. Senator Maragos, does this remove the provision about
17. merit selection of judges?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Maragos.
20. SENATOR MARAGOS:
21. It...well, I don't know what the provision is of
22. merit selection. All I know is that it leaves each
23. jurisdiction of the courts to select their own vacancies.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Sommer.
26. SENATOR SOMMER:
27. Well, didn't the House put on an amendment which
28. called for merit selection of judges and haven't you just
29. taken that off?
30. SENATOR MARAGOS:
31. To be honest with you, Senator Sommer, I didn't
32. know the full extent of what the House amendment did as it
33. came over here because I did not know what the previous bill

1. was before...the shape that we're...the way we're putting
2. it now that's what we're...try to do.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Sommer.

5. SENATOR SOMMER:

6. Senator Maragos, would you mind holding this until
7. we find out what the amendment does?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Maragos.

10. SENATOR MARAGOS:

11. I've held it, Senator Sommer, now for three or four
12. days since the bill was put into 2nd reading. The amendment
13. has been sitting on the Secretary's Desk now for two
14. days, so...I have no objection. I'll hold it back.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Take it from the record. 3rd reading and then we will
17. have to come back from 3rd to 2nd. House Bill 1025,
18. Senator Kenneth Hall. House Bill 1115, Senator Regner.
19. Do you wish the bill recalled? House Bill 1228, Senator
20. Roe. Do you wish the bill recalled? Do we have leave to
21. return to the Order of 2nd reading for the purpose of
22. amendment? Leave is granted. Senator Roe.
23. Senator Roe, that bill is on 2nd reading. House Bill 1521,
24. Senator Knuppel. Is it your desire to return this bill to the
25. Order of 2nd reading for the purpose of amendment?
26. 1521. House Bill 1566, Senator Demuzio. Do you wish the bill
27. returned for the purpose of amendment? Do you wish to call
28. the bill back? House Bill 1650, Senator Netsch. Where is she?
29. Senator Netsch. House Bill 1833, Senator Rock. Do you
30. wish to have the bill recalled? 18...House Bill 1958,
31. Senator Bruce. House Bill 1997, Senator Kenneth Hall.
32. House Bill 2126, Senator Rock. Do we have leave to return
33. to the Order of 2nd reading for the purpose of amendment?

1. Leave is granted. Senator Rock.
2. SECRETARY:
3. Amendment No. 1 offered by Senator Rock.
4. SENATOR ROCK:
5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. Amendment No. 1 to House Bill 2126 which contains
7. the money for the probation subsidy, merely changes the
8. designated recipient from the Office of the Supreme Court
9. to the Office of the Comptroller. This is at the request of the
10. Supreme Court and I know of no objection. I would urge the adoption
11. of Amendment No. 1.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Is there further discussion? Senator Graham.
14. SENATOR GRAHAM:
15. Senator Rock, please. Is the amounts of money the
16. same, Senator? Yes, thank you.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there further discussion? Question is shall
19. Amendment No. 1 to House Bill 2126 be adopted. Those in
20. favor indicate by saying Aye. Those opposed. The Ayes have it.
21. Amendment No. 1 is adopted. Are there further amendments?
22. 3rd reading. House Bill 2173, Senator Rock, Do you wish
23. the bill recalled? Do we have leave to return to the Order
24. of 2nd reading for the purpose of amendment?
25. Leave is granted. Senator Rock.
26. SENATOR ROCK:
27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. This is an amendment to House Bill 2173
29. which sets up the program calling for the State subsidy

1. of probation officers. Again, this...this amendment was
2. ...was at the request...we had...the way the bill was
3. originally introduced and passed from the House, it had
4. the Administrative Office of the Supreme Court as...as the
5. office primarily responsible for the functioning of this
6. program. Currently, the juvenile probation officers
7. have a similar program which is run by and administered
8. by the Conference of Chief Circuit Judges. All this
9. amendment does now is take out the Administrative Office
10. of the Illinois Courts and put in the Conference of Chief
11. Circuit Judges. I would move the adoption of Amendment No.
12. 3 to House Bill 2173.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Graham.

15. SENATOR GRAHAM:

16. Again, Senator Rock, you know my interest in this.
17. Is this in conformity with and you can just nod your head,
18. you don't have to get up. Is this in conformity with
19. the juvenile probation officers group that have been
20. asking for some help in this area? Thank you.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The record will show that he shook his head yes.
23. Further discussion? The question is shall Amendment No.
24. 3 to House Bill 2173 be adopted. Those in favor indicate
25. by saying Aye. Those opposed. The Ayes have it. Amendment
26. No. 3 is adopted. Are there further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. 3rd reading. House Bill 2272, Senator Soper.
31. House Bill 2307, Senator Grotberg. Do you wish the bill
32. recalled? 2307. Do we have leave to return to the Order of
33. 2nd reading for the purpose of amendment? Leave is granted.

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Yes, that's the amendment...if Senator Rock would
4. listen, Senator Rock.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR GROTBORG:

8. Yesterday, he objected to this bill that had...that
9. removed the entire ceiling from the revenue bond eight
10. percent act. This adds one percent to it to make nine
11. percent. So it does have a cap on...I move the adoption
12. unless Senator Rock has objections.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is shall
15. Amendment No. 1 to 2307 be adopted. Those in favor indicate
16. by saying Aye. Those opposed. The Ayes have it. Amendment
17. No. 1 is adopted. Are there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. House Bill 2342, Senator Regner. Do you
22. wish the bill recalled? Senator Regner. 2342. Do you
23. wish the bill recalled? Senator...Senator Bruce as to
24. House Bill 318, do you wish the bill recalled? Do we have
25. leave to return to the Order of 2nd reading for the purposes
26. of amendment? Leave is granted. Senator Bruce.

27. SENATOR BRUCE:

28. Thank you. I think Senator Nimrod has placed the
29. amendment down there. I will explain it in his absence. Oh,
30. he's here. Well, I'll explain it even in his presence and
31. that is it clarifies the...the number of members on the Illinois
32. State Scholarship Committee, the amendment which I placed on
33. was in error by adding an additional member. It's a non-
voting member now, so there will be no need for an additional

1. member and I would move its adoption...of Amendment No. 2.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall
4. Amendment No. 2 to House Bill 318 be adopted. Those
5. in favor indicate by saying Aye. Those opposed. The
6. Ayes have it. Amendment No. 2 is adopted. Senator Roe,
7. as to...are there further amendments as to...

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. 3rd reading. Senator Roe as to House Bill 245.
12. Do you wish the bill recalled? Do we have leave to return
13. to the Order of 2nd reading? Leave is granted. Senator
14. Roe.

15. SECRETARY:

16. Amendment No. 2 offered by Senator Roe.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Roe. Senator Roe. Senator, could you use
19. the microphone to your immediate right?

20. SENATOR ROE:

21. Mr. President and members of the Senate. This amends
22. Senate Bill 240...or House Bill 245 to make a technical
23. change that should have been covered by Amendment No. 1.
24. Amendment No. 1 provides that should be on the third conviction
25. on page 1 and Amendment No. 2 provides that should be on
26. a third conviction on page 2. I move adoption of the amendment.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Question is shall
29. Amendment No. 2 to House Bill 245 be adopted. Those in
30. favor indicate by saying Aye. Those opposed. The Ayes
31. have it. Amendment No. 2 is adopted. Are there further
32. amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. 3rd reading. Senator Savickas as to House Bill
4. 341. Do you wish the bill recalled for the purpose of
5. amendment? Do we have leave? Leave is granted.

6. SECRETARY:

7. Amendment No. 2 offered by Senator Savickas.

8. SENATOR SAVICKAS:

9. Yes, Mr. President and members of the Senate.
10. Amendment No. 2 would add the lines where the State or
11. national bank or law enforcement agency. This deals with
12. the employers requiring a job applicant to disclose
13. conviction of a crime if the end of the sentence opposed
14. to such crime is more than seven years prior to the
15. job application. And this exempts the State or national
16. bank or law enforcement agencies from this provision.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Question is shall
19. Amendment No. 2 to House Bill 341 be adopted. Those in
20. favor indicate by saying Aye. Those opposed. The Ayes have
21. it. Amendment No. 2 is adopted. Are there further
22. amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. 3rd reading. House Bill 155, Senator Grotberg.
27. Yes, do you wish the bill recalled? Do we have leave to
28. return to the Order of 2nd reading for the purpose of
29. amendment? Leave is granted. House Bill 155.

30. SECRETARY:

31. Amendment No. 2 offered by...Amendment No....Amendment
32. No. 3 offered by Senator Grotberg.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Thank you, Mr. President. I would move to reconsider
4. the vote by which Amendment No. 2 was placed upon 155
5. and then ask to Table it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Question is shall
8. Amendment No. 2 to House Bill 155 be adopted.

9. Those in favor indicate by saying Aye. Those opposed.

10. The Ayes have it. Amendment No. 2 is adopted.

11. Just a moment. Senator Weaver. I...I beg your pardon.

12. The motion...doing too many things at one time. Motion

13. is to reconsider the vote by which Amendment No. 2

14. was adopted. Those in favor indicate by saying Aye. Those

15. opposed. The Ayes have it. Amendment No. 2 is reconsidered.

16. Senator Grotberg now moves to Table Amendment No. 2.

17. Those in favor indicate by saying Aye. Those opposed.

18. The Ayes have it. Amendment No. 2 is Tabled. Now, we

19. consider Amendment N. 3.

20. SENATOR GROTBORG:

21. Amendment No. 3 clarifies some of the language

22. that there was some objection to by Senator Bruce.

23. Just a few words that he asked for and they're in there

24. and we will ask for the adoption of Amendment

25. No. 3.

26.

27. The following typed previously.

28.

29.

30.

31.

32.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Question is shall
3. Amendment No. 3 be adopted to House Bill 155. Those in
4. favor indicate by saying Aye. Those opposed. The Ayes
5. have it. Amendment No. 3 is adopted. Are there further
6. amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. House Bill 1313, Senator Schaffer.
11. You wish the bill recalled? Do we have leave? Leave
12. is granted. Proceed. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Mr. President, we should have Tabled Amendment
15. No. 2 when we adopted Senate Amendment No. 4. I didn't
16. at that time. I'd like to now, having voted on the
17. prevailing side, I move to reconsider the vote by which
18. Senate Amendment No. 2 was adopted to House Bill...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You've heard the motion. Those in favor indicate
21. by saying Aye. Those opposed. The...the amendment
22. No. 2 is reconsidered. Senator Schaffer now moves to Table
23. Amendment No. 2 to House Bill 1313. Those in favor indicate
24. by saying Aye. Those opposed. The Ayes have it. Amendment
25. No. 2 is Tabled. Are there further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. 3rd reading. Senator Knuppel, do you wish 206
30. recalled? Do we have leave? Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr. President, I'd like to move to Table Amendment...
33. I think, is there just one amendment on there, isn't there

1. Mr. Secretary? Move...move...first of all, having prevailed
2. on the...having voted on the prevailing side, to Table
3. the amendment...Amendment 1 to House Bill 206.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Knuppel, having voted on the prevailing side,
6. you wish to reconsider the vote by which Amendment No. 1
7. was adopted. Those in favor indicate by saying Aye.
8. Those opposed. The Ayes have it. Amendment No. 1 is
9. reconsidered. Senator Knuppel now moves to Table Amendment
10. No. 1 to House Bill 206. Those in favor indicate
11. by saying Aye. Those opposed. The Ayes have it.
12. Amendment No. 1 is Tabled. Are there further amendments?

13. SECRETARY:

14. Amendment No. 2 offered by Senator Knuppel.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. What this amendment does, is the way the first
19. amendment had been placed on there, would have made
20. a permanent commission out of the Aggregate Mining
21. Commission. This strikes it and makes the commission
22. created by the Act repeal effective July 1st, 1979.

23. I move the adoption of Amendment No. 2.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You've heard the motion. Those in favor of adopting
26. Amendment No....is there further discussion? Question is
27. shall Amendment No. 2 to House Bill 206 be adopted? Those
28. in favor indicate by saying Aye. Those opposed. The Ayes
29. have it. Amendment No. 2 is adopted. Are there further
30. amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. 3rd reading. House Bill 2342, Senator Regner.
2. 2342. Do we have leave to return to the Order of
3. 2nd reading for the purpose of amendment? Leave is granted.
4. Senator Moore.

5. SECRETARY:

6. Amendment NO. 1 offered by Senator Moore.

7. SENATOR MOORE:

8. Thank you, Mr. President and members of the Senate.
9. Amendment No. 1 to this bill creates the...a commission
10. to study and rewrite the Public Aid Code. It is composed
11. of six members of the Senate, six from the House and six
12. appointed by the Governor. This was Representative Ryan's
13. bill in the House. It came over here and we are using
14. Senator Regner's bill as a vehicle to place it on by
15. amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Rock.

18. SENATOR ROCK:

19. Yes, Mr. President, Ladies and Gentlemen of the Senate.
20. I was opposed to the bill which purported to create or
21. attempted to create this commission in the Committee on
22. Executive. I felt it did not have any merit then and I see even
23. less now at this point. One, I question the germaneness of
24. this amendment to this bill and two, even assuming that
25. it's germane, I think that this commission and the work
26. that it's going to be asked to do, apparently, can, in fact,
27. be adequately done by the standing committees of the House
28. and the Senate and in addition to by Senator Moore's own
29. commission, the Legislative Advisory Commission on Public
30. Aid. I think to create another one is just a boondoggle,
31. frankly. And I would urge opposition to Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Moore. Question

1. is shall Amendment No. 1 to House Bill 2342 be adopted.
2. Those in favor vote Aye. Those opposed Nay. The voting
3. is open. Have all those voted who wish? Take the record.
4. On that question the Ayes are 20, the Nays are 28.
5. Amendment No. 1 to House Bill 2342 fails. Are there
6. further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. I note that Senator Soper is present
11. now. Senator Hall, as to House Bill 560. Do you wish the
12. bill recalled? Do we have leave to recall House
13. 560 to the Order of 2nd reading of the purposes of amendment?
14. Leave is granted. Senator Soper.

15. SENATOR SOPER:

16. Thank you, Mr. President and members of the Senate.
17. This is a very simple amendment. All this does is add
18. the same restriction that we have on the use of our
19. office allowance other...what...it says that it's unlawful
20. for any person holding an elective office in this State,
21. holding a seat in the General Assembly or appointed or
22. ...or employed in any of the offices of State government
23. who is an officer employee of the Illinois Building Authority
24. or the Illinois Toll Highway Authority or who is the wife,
25. husband, child, grandparent, parent, grandchild, aunt, uncle,
26. niece, nephew, brother, sister, first cousin, brother-in-law,
27. sister-in-law, mother-in-law, father-in-law, son-in-law or
28. daughter-in-law of any such person to have or require any
29. contract or any direct or indirect pecuniary interest
30. in any grant or contract issued pursuant to this Act.
31. This is a business violation and offense, same as the other,
32. twenty-five hundred dollar fine.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Question is shall
2. Amendment No. 2 to House Bill 560 be adopted. Those in
3. favor indicate by saying Aye. Those opposed. The Ayes have
4. it. Amendment No. 2 is adopted. Are there further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. 3rd reading. House Bill 714, Senator Kenneth Hall.
9. Do you wish that bill recalled? Leave is granted to recall
10. the bill for the purpose of amendment. Senator Soper.

11. SENATOR SOPER:

12. Thank you, Mr. President. Same amendment to this
13. bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there...

16. SENATOR SOPER:

17. The one I just read.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Do we...the question is shall Amendment No. 2 to
20. House Bill 7...

21. SECRETARY:

22. Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. This is Amendment No. 1. Just a moment. This is
25. Sunday and I think we can all be quiet for a little bit.
26. The question is shall Amendment No....question is shall
27. Amendment No. 1 to House Bill 714 be adopted. Those
28. in favor indicate by saying Aye. Those opposed. The Ayes
29. have it. Amendment No. 1 is adopted. Are there further
30. amendments? 3rd reading. House Bill 1025. Do we have
31. leave to return to the Order of 2nd reading for the purpose
32. of amendment? Leave is granted. Senator Soper is the...

33. SENATOR SOPER:

1. Same amendment.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. ...amendment the same? Question is shall Amendment
4. No. 1 to House Bill 1024 be adopted. 1025. I'm
5. sorry. 1025 be adopted. Those in favor indicate by saying
6. Aye. Those opposed Nay. The Ayes have it. Amendment No. 1
7. is adopted. Are there further amendments?
8. SECRETARY:
9. No further amendments.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. 3rd reading. House Bill 1997, Senator Hall, do you
12. wish the bill to be recalled? Do we have leave to return to
13. the Order of 2nd reading for the purpose of amendment?
14. Leave is granted. House Bill 1997, Senator Soper.
15. SENATOR SOPER:
16. Same amendment.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. All right. The question is shall Amendment No.
19. ...
20. SECRETARY:
21. No. 1.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. ...Amendment No. 1 to House Bill 1997 be adopted.
24. Those in favor indicate by saying Aye. Those opposed. The
25. Ayes have it. Amendment No. 1 is adopted. Are there
26. further amendments?
27. SECRETARY:
28. No further amendments.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. 3rd reading. House Bill 2212, Senator Kenneth Hall.
31. Do you wish that bill returned to the...for the purpose
32. of amendment? Leave is granted. Senator Soper. Same...
33. SENATOR SOPER:

1. Same amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Question is shall Amendment No. 1 to House Bill

4. 2212 be adopted. Those in favor indicate by saying Aye.

5. Those opposed. The Ayes have it. Amendment No. 1 is

6. adopted. Are there further amendments? Just a moment.

7. The question is shall Amendment No. 1 to House Bill 2212

8. be adopted. Those in favor indicate by saying Aye. Those

9. opposed. The Ayes have it. Amendment No. 1 is adopted.

10. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Hall, for what...Senator Kenneth

15. Hall, for what purpose do you arise?

16. SENATOR KENNETH HALL:

17. Senator Soper, may we have a little...little order...

18. whole lot of order. Senator Soper, now that we have these

19. amendments on, I hope that you will not Bartulimize

20. the bills.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Soper.

23. SENATOR SOPER:

24. What...who?

25. SENATOR KENNETH HALL:

26. You have the bills in the shape I assume that you want

27. them right now so that you can support these bills

28. SENATOR SOPER:

29. Well, I Soperized them in case they do have the

30. misfortune to...to pass.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. House Bill 2229, Senator Bloom. Senator Bloom on

33. the floor? House Bill 2272, Senator Soper. Senator Soper

1. asks leave of the Senate to return House Bill 2272
2. to the Order of 2nd reading. Is there leave? Leave is
3. granted. Any amendments, Mr. Secretary? Senator Soper,
4. did you wish to Table an amendment on that?

5. SENATOR SOPER:

6. No, not on...no.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right.

9. SENATOR SOPER:

10. This is Amendment No. 2...

11. SECRETARY:

12. Amendment No....

13. SENATOR SOPER:

14. ...I guess. We...Amendment No. 1 went on, that was
15. the committee amendment. Now, this is an amendment that
16. was...that was...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Let us have the Secretary find it and we'll

19. ...Mr. Secretary, the amendment.

20. SECRETARY:

21. Amendment No. 2 offered by Senator Soper.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Soper.

24. SENATOR SOPER:

25. Well, Amendment of this type was offered in the
26. ...in the committee and the committee thought that it
27. should be changed some so I said I put this amendent
28. on and I'll explain the amendment. This amendment would
29. allow elected officers of the Executive branch to draw
30. their pension benefits based on their own full pay. Presently,
31. their benefits are based on the highest salary of a leader
32. of the General Assembly. This amendment is retroactive. This..thus,
33. ...people like Mike Howlett, Neil Hartigan, George Lindberg,
can buy into the system for this additonal benefit. This would

1. concern our friend, Alan Dixon and...and the Secretary...
2. the General...Attorney General Scott. Now, what they would
3. have to...there's a fiscal note on this and...and there
4. was a fiscal note on the first...on the...on the original
5. bill that had...had no affect on our...on our...on our
6. pension plan, but this other fiscal note is there and the
7. fiscal note shows what the...what the other...what the
8. Executive branch would have to put in before they could
9. get in this program. So, if anybody wants to know what it is,
10. I think the...the Secretary will read it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further...is there...Senator Soper
13. moves the adoption of Amendment No. 2. Is there discussion?
14. Senator Egan.

15. SENATOR EGAN:

16. Yes, what is the fiscal impact of this amendment,
17. Senator?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Soper.

20. SENATOR SOPER:

21. Well, it says here that the fiscal impact over
22. the...over twenty or thirty years would be seven hundred and
23. fifty thousand dollars. And Howlett who has sixteen years...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Soper.

26. SENATOR SOPER:

27. Under this amendment, Howlett has sixteen years
28. and one month of service, he would have to pay an additional
29. sixty-eight thousand to get in. He's already paid forty-
30. nine thousand. Hartigan, who's got four years and one
31. month of service would have to pay an additional contribution
32. of twenty-seven thousand. He paid twelve five. Lindberg,
33. who has four years of service, paid in nineteen thousand, would

1. have to put in an additional twenty-two thousand. Alan
2. Dixon would have to come up with twenty-eight thousand,
3. Scott would have to come up with forty thousand. I
4. don't know about Bakalis. They didn't...they haven't any...
5. they didn't have any track record on him, so I couldn't
6. tell you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Yes, thank you, Mr. President. Well, the General
11. Assembly Retirement Fund is...has some stability, Senator
12. Soper, as you well now. And I think deservedly so. I think that
13. the members of the General Assembly have, over the years,
14. kept their system in tact. Now, what you're proposing
15. is that some Gentlemen who never served one day in the
16. General Assembly retire at a higher benefit with
17. higher benefits than anybody who ever served including
18. all of the Presidents and all of the Minority and major
19. party leaders. So that I know Mike Howlett never served here.
20. He would get a better pension than anybody who ever did
21. serve in the General Assembly. Bill Scott never served one
22. day in the General Assembly. They've rated our system
23. to come up to the top level. They...they now can retire
24. at a...at a benefit which is equal to the...to the President
25. of the Senate and the Speaker of the House having never
26. served one day in the General Assembly. What you're asking
27. now is that they even get a better benefit than the President
28. or the Speaker of the House having never served one
29. minute in the General Assembly, at a detriment to the system.
30. Now, Senator Soper, it escapes my possible imagination in
31. its entirety how we could do this, what madness could
32. prevail upon us to make this...to adopt this amendment.
33. Of course, that...if the amendment had been submitted to the

1. Pension Commission, to the Public Employees Pension
2. Commission, I know it would get the same fate as did the
3. Constitutional Convention delegates who...you are entirely
4. opposed to coming into our system. Let me suggest, Senator
5. Soper, that I am not going to submit to the Body again
6. for a vote, the inclusion of the Constitutional Convention
7. delegates because I don't think we should do it.
8. But I certainly don't think that we ought to let Bill Scott
9. and Neil Hartigan and Mike Howlett into the system at a
10. greater benefit than either the Speaker or the President
11. of the Senate could ever receive. That's total madness and
12. I'm against it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further disucssion? Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President, Ladies and Gentlemen of the
17. Senate. I, too, rise in opposition to Amendment No. 2.
18. This subject was mightily debated a couple of years ago
19. when, in fact, the Constitutional Officers were allowed to
20. become participants in the General Assembly Retirement
21. System. There was a lot of objection at that point, you
22. will recall that the Governor, the Chief Executive, in fact,
23. amendatorily vetoed himself out, but left the other
24. Constitutional Officers in. So, now, in fact, they are in
25. and they have made, what I consider to be a proper
26. contribution to the fund so that the unfunded liability is
27. not really any greater than it would have been had they not
28. been in. But to allow them this step, I think, is a mistake.
29. We would be allowing them by virtue of this proposed
30. amendment, to retire at a...at...and use as the base for
31. computation of their pension benefit, their current
32. salary or salary at the time of retirement. I think, frankly,
33. it's just too much and I would urge the defeat of Amendment

1. No. 2.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Smith.

4. SENATOR SMITH:

5. Mr. President and Ladies and Gentlemen of the Senate.

6. It's never any part of my practice here in this Body
7. to take the mike for the purpose of objecting to that
8. which another has thought out and considers to be of
9. sufficient worth to merit or earn the support of the membership
10. of this Body. The fact concerning this situation was
11. brought about some few years ago when my friend from
12. southern Illinois prevailed upon me to come
13. over and vote on a bill which he had at night...the
14. meeting was being held as of a given night. I left the
15. hotel and came over here to vote for it and upon my arrival
16. I had the chance of reading the bill. At that time, they
17. were seeking to incorporate into our Legislative Pension
18. Fund, two men. I apprised of the then handler of that
19. bill, just what it meant, the probable weakening and I'm
20. surprised that those who are connected with the Pension
21. Fund set up who usually seek to protect that particular
22. pension set up as they do all others I assume, but I
23. watched this one in particular. Because the time probably
24. draws near when I will more or less be dependent upon
25. receiving that which I have contributed toward for a longer
26. period of time than any member of this Body and I look
27. forward to that day but if something has happened
28. when I probably...now will not accept the pension at the
29. close of this Session or the next Session but that particular
30. Pension Fund has been well funded. It has been in the
31. opinion of this humble individual who now stands before you,
32. that it was the safest, perhaps, and the best guarded pension
33. set up of all of our various pension funds. The Body saw

1. fit to do otherwise, support their attempt on the part of
2. two or three others who had made no contribution whatever
3. toward the safety of this Pension Fund, to pass that bill
4. and now my friend from Cicero, of all the members of this
5. Body, a man I would have thought would never have come
6. forward with support, let alone to present to this Body
7. this type of an amendment to a bill, does so. I'm sure
8. he was honest in what he did but there are such things
9. as men being honestly mistaken. I recall it...that
10. ...from my Bible studies where a young man was sold
11. into Egypt, Jacob, I believe, or Joseph, one of the
12. two, his name is insignificant, anyway, and his father
13. began to mourn fast and pray and say his son was
14. dead and what had happened was, they had killed the lad
15. and dipped his blood in lambs blood and the father was
16. honest but he was honestly mistaken. Senator, I'm sure
17. you are honest. You watched this legislation, the
18. various bills that come through and for the most part
19. until today, I think that you've done an excellent
20. job. But insofar as this particular matter is a weakening
21. of the Pension Fund of the members of this Body because
22. of our like, our friendship for others, is, I think, unfair
23. to the membership of this Body and if ever a measure
24. has come before us when I think that even the sponsor,
25. a proponent of that particular piece of legislation, ought
26. to join with the rest of the Senate in voting against
27. it, I think that in order to leave here today with a clear
28. conscience, you, too, should join in voting against
29. that which you here and now present. It's almost
30. unthinkable that the membership would condone even
31. the introduction of it.

32. PPRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Wooten.

End of reel

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is Senator Wooten on the Floor? Oh, Senator, Kenneth
3. Hall. Senator Kenneth Hall, you sought recognition?

4. SENATOR KENNETH HALL:

5. Senator Egan expressed my opinion.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right. Senator Glass, did you seek recognition?

8. SENATOR GLASS:

9. No, I...I'm yielding to Senator Berning. I just
10. wanted to be sure he was on the Floor.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berning.

13. SENATOR BERNING:

14. Mr. President and members of the Body. I echo
15. completely the sentiments of Senator Egan. This is a...
16. an amendment to this bill which ought to be rejected
17. by every member.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Well, just an inquiry of the Chair or the sponsor
22. or whoever. I understand there's a series of amendments
23. to this bill and I wondered if they had been printed
24. and are they on our desks?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. I just inquired, have these amendments been printed
29. and have they been distributed?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. I...Senator Soper, have they been distributed?

32. SENATOR SOPER:

33. Well, we had these distributed the other day. I

1. don't know what happened to them.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. They have been distributed, Senator
4. Rhoads, according to Senator Soper.

5. SENATOR SOPER:

6. I explained the amendments, the...there's no mystery
7. with this. The fiscal note is there. That's the whole
8. thing you got to look at.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. ...Senator Rhoads.

11. SENATOR RHOADS:

12. All right. Now, if somebody is going to make a
13. representation that an amendment has been printed and
14. distributed, I hope that representation is accurate.
15. That's all I'm going to say.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further discussion? Senator Newhouse.

18. SENATOR NEWHOUSE:

19. I wonder if I can get some order, Mr. President.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Can we have some order.

22. SENATOR NEWHOUSE:

23. Mr. President and Senators...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. ...we are back to a position where some unusual
28. action is taking place on the Floor of the Senate that
29. we were a year ago. I recall then, I was the then
30. Chairman of the Pensions Committee. We were approached
31. by some people who asked that the constitutional
32. officers be amended in. In a most unusual action on
33. the Floor and without notice to the committee chairman,

1. the constitutional officers were placed in the Pension
2. system. There was little or no discussion. There was
3. no real committee action taken on this. I wonder if
4. among the amendments being prepared is an amendment
5. to take the constitutional officers out of it. Perhaps
6. that ought to be part of the amendment that's made.
7. There's been no real discussion on this very, very,
8. important issue that's going to affect the Pension
9. Funds of everybody sitting here and in an atmosphere
10. in which all the Pension Funds are absolutely threatened,
11. we're taking an awful lot of loose action at this late
12. hour, when we certainly don't have time to give consider-
13. ation to these measures that we ought to give. As
14. Chairman of the Pensions Committee, I thought the
15. action taken last time around was on tort. I thought
16. it was disgraceful. And I thought it was a deliberate
17. slap in the face to that committee. They should have
18. been...deliberating on the issue. But somehow the
19. muscle was put on and this Body, without any consultation
20. with the committee whatsoever, placed those officers
21. into the system. We're now in a position where we're
22. going to have to live with something and whatever it
23. is sounds pretty pernicious to me. I am no longer a
24. chairman of that committee and I'm happy about that.
25. I'm no longer even on that committee and I'm happy
26. about that. Because what's happened to these
27. pension systems, I certainly don't wish to be in
28. a position to apologize for. And I would suggest to
29. you that we're going to have to do an awful lot of
30. apologizing in the future when we start to try to
31. face down some of the people whose monies we were
32. supposed to protect and which we have not protected
33. at all. This is just another step. That step taken

1. last year without permitted deliberation was the first
2. one. It was a bad one then. It's a bad one now.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Question...Senator
5. Soper may close.

6. SENATOR SOPER:

7. Yes, so...so you have an explanation to this. The
8. original amendment that was proposed before the committee,
9. was an amendment not like this amendment. And the committee
10. didn't like that amendment. That amendment would allowed
11. all of the executive officers to get the full benefit
12. of their salaries without any contribution. When we
13. discussed it, and Senator Merlo knows, and Senator
14. Berning knows, when we discussed this thing, they said
15. that's impossible. I said, well I'll draw an amend-
16. ment where they have to come up with...with the amount
17. of the money because somebody wanted this amendment
18. put on the bill and we'll have a fiscal note and
19. then we'll find out what happens. Well, I made
20. a promise that I present the amendment. Now, you've
21. got the fiscal note, your...I'm...I'm no more desirous
22. of...of raping the General Assembly Pension Plan
23. and you've got, and I explained it to you, the fiscal
24. note is there, you've got the full impact. I'm not
25. trying to do anything underhanded and...Senator Merlo
26. knew about it. I think if he'll get up, he'll explain
27. it. I've showed it to him and we've discussed it.
28. That doesn't mean that we're fully in...in agreement
29. with it, but it's before the Body. And if thirty
30. of you stalwart Senators think you ought to do it, do
31. it. And if you don't, broom it. That's up to you.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator, you've closed the debate, have you not?

1. Senator Merlo, for what purpose do you arise?

2. SENATOR MERLO:

3. Well, my name was mentioned, Mr. President. I
4. just wanted to stand behind the statement to the
5. authenticity of the statement that Senator Soper made.
6. And that is very true that we rejected one of the
7. amendments and this was the process that he was
8. going to proceed on. Thank you.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. All right. The question is shall Amendment No. 2
11. be adopted. Those in favor indicate by saying Aye.
12. Those opposed? I think it failed. Amendment No. 2
13. fails. Are there further amendments?

14. SECRETARY:

15. Amendment No. 3 offered by Senator Egan.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Egan.

18. SENATOR EGAN:

19. Would you read the amendment please, can I...

20. SECRETARY:

21. It's LRB 5089.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Egan. Senator Egan.

24. SENATOR EGAN:

25. Mr. President, I'm sorry, I am not prepared. I'm...I
26. have this...my name on this amendment and I don't remember
27. why.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senate...and another one, I'm advised, Senator Egan.
30. Not only this one, but another one. Senator Wooten.

31. SENATOR WOOTEN:

32. Mr. Chairman, I strongly advise that everyone, including
33. the sponsor of the amendment, have a copy of this one.

1. Because just looking at it, I think the only ones left
2. out are those who attended the Constitutional Convention.
3. And I think that every member of this Body ought to be
4. aware of this amendment and others that are proposed.
5. Let me suggest to the Body, if I could have some attention.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Will the members please be in their seats. Proceed.

8. SENATOR WOOTEN:

9. I would just like to make this observation and...the
10. members take it to heart. You have seated in the press
11. box some ladies and gentlemen who are going to hit you
12. over the head with a hammer if you vote for this bill
13. in the present form. Take care that you don't also
14. apply a mallet to your own head with these additional
15. amendments. I think we ought to read them very carefully.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Egan.

18. SENATOR EGAN:

19. Yes, thank you, Mr. President. I recall now the
20. amendment. Senator...or Representative Terzich requested
21. that we adopt this in the committee. Let me just explain
22. briefly. The amendment would allow the municipal employees
23. or officers, all the other, generally all of the other
24. systems, and I'll enumerate them if requested, to transfer
25. credible service into the General Assembly Retirement
26. System and they would contribute the difference. This...
27. this is...there is...there is...it has been approved by
28. the Pension Laws Commission. It is existing policy. It
29. is not detrimental to the system and it has the full
30. support of all the members of the committee that I know
31. of, along with the Pension Laws Commission. So I...I
32. commend it to your favorable consideration.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Glass.
2. SENATOR GLASS:
3. Request that the amendment be distributed, Mr. President,
4. before we vote on it.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Is...Mr. Secretary, has the amendment been distributed
7. to the members? Egan...Senator Egan, has this amend-
8. ment been distributed to the members?
9. SENATOR EGAN:
10. I don't know.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Well, here, in order to proceed...
13. SENATOR EGAN:
14. I'll make sure that it is.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Well, we're...we're fast running out of time. Would
17. I...I would suggest Senator, that we advance to the
18. 3rd reading and come back later on it after we've
19. considered other matters that...other bills that wish
20. to be returned to the Order of 2nd reading.
21. SENATOR EGAN:
22. That's acceptable.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. For the time being, House Bill 2272, 3rd reading.
25. House Bill 107, Senator Vadalabene. Just a moment.
26. Senator Egan.
27. SENATOR EGAN:
28. Yes, you went by Amendment No. 4 and I just wanted
29. to announce that that was the amendment that would
30. include the constitutional convention delegates that
31. I am Tabling.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Well, we can come back to that when we come back

1. to the bill. House Bill 107, Senator Vadalabene. Do
2. you request that the bill be recalled? Do we have
3. leave? Leave is granted. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, Senator Dawn Netsch has an amendment to
6. ...to a House Bill 107 which was agreed upon in...in
7. the Appropriations II committee and I would refer you
8. to Senator Netsch.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. Senator Vadalabene has
13. accurately stated that this is the Family Practice
14. Residency Act...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Just...just a moment, Senator. Would the members
17. please settle down. Could we have quiet. Proceed.

18. SENATOR NETSCH:

19. Thank you. This is the appropriation that goes
20. with the Family Practice Residency Act and in committee,
21. after questioning those who were concerned with it and
22. the Department of Public Health, it was agreed that the
23. full amount of the original appropriation could not
24. be spent this year in any meaningful way and we have
25. therefore reduced the total appropriation approximately
26. in half. We've cut the...the grants money to...from
27. six hundred and fifty thousand to three hundred and
28. twenty-five thousand dollars. We did leave the
29. scholarship money in tact and we have cut the operations
30. to reflect more accurately what the Department of Public
31. Health feels it will actually expend this year. I would
32. move the adoption of Amendment No. 1 to House Bill 107.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. You've heard the motion. Those in...just a moment.
2. Is there further discussion? Senator Vadalabene.

3. SENATOR VADALABENE:

4. Yes, I'm in full agreement with this amendment and
5. would also move for its adoption. Is there further
6. discussion? The question is shall Amendment No. 1 to
7. House Bill 107 be adopted. Those in favor indicate
8. by saying Aye. Those opposed. The Ayes have it.
9. Amendment No. 1 is adopted. Are there further amend-
10. ments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Bloom, I note that there are
15. several bills. Do you wish House Bill 820 to be recalled
16. for the purpose of amendment? Senator Bloom.

17. SENATOR BLOOM:

18. Well, I...yes. I had an amendment I wanted to offer
19. and I know Senator Berman had...has had an amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Well, it's indicated that there was a request that
22. this bill be returned. Did you make the request and
23. do you wish it recalled?

24. SENATOR BLOOM:

25. Sure...sure, might as well run it now.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Do we have? This is the order of business we're
28. on.

29. SENATOR BLOOM:

30. I know. I know.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Do we have leave to return to the Order of 2nd
33. reading for the purpose of amendment? Leave is granted.

1. House Bill 820. Senator Bloom.

2. SECRETARY:

3. Amendment NO. 2 offered by Senator...Berman.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Berman.

6. SENATOR BLOOM:

7. Mr. President, this is Senator Berman's amendment
8. which I plan to resist.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President, Ladies and Gentlemen of
13. the Senate. Amendment No. 2 to House Bill 820 is an
14. amendment that gives us another chance to consider
15. a program that we have considered twice before in
16. the past month. It is the proposal to allow the
17. Illinois Housing Development Authority to issue bonds
18. for the purpose of making home rehabilitation loans.
19. If you recall the last two times that this bill was
20. considered because of absenteeism and some lack of
21. attention and clarification, we received twenty-nine
22. votes. I have not received any comments from the
23. administration as to the...any of the problems that
24. might be involved. I think it's a good program. What
25. it does is utilize the resources of the State to issue
26. bonds. The amendment has been tightened up so that
27. there will be no actual operation by IHDA in the making
28. of these loans, but a purchasing process where savings
29. and loans and banks will purchase, will make the loans,
30. do the servicing, but IHDA through the use of its bonds,
31. will be able to purchase these loans from the banks and
32. savings and loans and we will have interest rates that
33. can save substantial monies. Instead of...interest rates

1. now of eleven and twelve percent for home improvement loans,
2. we can get home improvement loans at seven and eight percent.
3. If we're going to be able to maintain and improve our older
4. neighborhoods and I mean neighborhoods throughout the State
5. of Illinois, not just in urban areas or in...in Chicago.
6. If we're to recognize the high cost of new homes which
7. are out of the price range of almost everyone of our
8. constituents, we have to make loans available to our
9. people that are affordable. This program will do
10. that. I think this is the vehicle that we can use and
11. I urge your support for amendment No. 2 to House Bill
12. 820.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Weaver.

15. SENATOR WEAVER:

16. Thank you, Mr. President, members of the Senate.
17. I think that Senator Berman is somewhat right in that
18. the Senate thoroughly understood the preceding bills
19. as reflected in this amendment. We understood it and
20. we defeated it. And we should defeat it again.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. Thank you, Mr. President. I rise in support of
25. this bill. Chicago is in the business of giving low
26. interest rates to home owners for rehabilitating their
27. own properties. I live in a urban renewal area and
28. many of my fellow property owners have gotten rates,
29. low interest rates, three to four interest rates, on
30. loans from the City of Chicago to do rehabilitation
31. work on their homes. This has been a tremendously
32. successful program. I think it's about time that the
33. State of Illinois venture into such a program on a

1. small scale, as we're doing here, for twenty million
2. dollars. We can...in depressed areas, we need money
3. like this. This will help every part of the State
4. of Illinois including the Chicago and suburban
5. areas and I support this bill and ask your support.
6. Thank you.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you, Mr. President. I...I am, in fact,
11. rising in opposition to this amendment. In the
12. first place it is technically flawed in two areas.
13. The language in the bottom of Page 1 is repeated
14. in the top of Page 2 in the first two lines. Further,
15. the added Section C adds ninety-five percent of the
16. value. There is...no discretion, there are no
17. safeguards. At least the other bill, bad as it
18. may have been, had some safeguards. Further, this
19. will completely change this bill and as Senator
20. Weaver said, the...the philosophy embodied in
21. 1133 has been considered twice and rejected
22. twice at this time. Therefore I would urge a vote
23. against this amendment because it is technically
24. flawed in two areas as well as having been considered
25. and rejected by this Body. Thank you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Walsh.

28. SENATOR WALSH:

29. Well, just briefly, Mr. President and members
30. of the Senate. Once again, this is the bill that we
31. defeated which would have provided for IHDA guarantees
32. of second mortgages and I think the Senate expressed
33. itself quite definitely on that issue earlier in the

1. Session. It's a shame that we have to devote more
2. time to the same question...by the Senator's effort
3. to amend this bill. It's a bad policy to have
4. government guarantees of second mortgages. We have
5. enough problems with FHA guarantees of first mortgages
6. in some areas of this State. And to further encourage
7. financial institutions to make second mortgages which
8. would be guaranteed by IHDA is a very, very, bad principle
9. and should not be adopted by this Legislature. I urge
10. a No vote on the gentleman's motion.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator Berman, do
13. you wish to close?

14. SENATOR BERMAN:

15. I would point out in closing this bill got twenty-
16. nine votes twice. We didn't get any votes on the
17. minority side of the aisle. We've had other bills
18. to lend the...the financial support of the State
19. of Illinois to numerous projects and numerous special
20. interest groups. Here we're asking to help the little
21. guy how wants to improve and refurbish his home. I
22. can't think of a better way to lend the credit rating
23. and stability of the State to...for a better purpose
24. than along these lines. I ask you to add your vote
25. to the adoption of Amendment No. 2.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is shall Amendment No. 2 to House
28. Bill 820 be adopted. Those in favor indicate by
29. saying Aye. A roll call has been requested. The
30. question is shall...all those in favor of the
31. adoption of Amendment No. 2 indicate by voting Aye.
32. Those opposed Nay. The voting is open. Have all
33. those voted who wish? Take the record. On that
34. question the Ayes are 32, the Nays are 19. House

1. Bill 820...strike that...Amendment No. 2 to House Bill
2. 820 is adopted. Are there further amendments?

3. SECRETARY:

4. Amendment No. 3 offered by Senator Bloom.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bloom.

7. SENATOR BLOOM:

8. Well, thank you very much, Mr. President. While
9. we've got this bill messed up, we might as well
10. mess it up further. At least make it somewhat responsible.

11. Amendment No. 3 inserts the language that says all
12. bonds and notes authorized under this paragraph in
13. House Bill 820 may not be issued until such time as
14. the total aggregate principal amount authorized has
15. been issued. Basically this says we're authorizing
16. an additional three hundred million in Senator Schaffer's
17. bill, let's...let's spend that before we obligate
18. everybody. I urge...urge your support.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Berman.

21. SENATOR BERMAN:

22. Could you just explain again what this is in
23. relation to the three hundred million. The amend-
24. ment we just put on allocates twenty million of
25. the three hundred for this home rehabilitation program.
26. What would this...how would this amendment affect
27. that?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bloom.

30. SENATOR BLOOM:

31. This amendment would say that the other amounts
32. have to be obligated before we can get into this.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berman.

2. SENATOR BERMAN:

3. Well I stand in opposition to this amendment. If
4. it's a good program, I think it ought to be up to IHDA.
5. The financial institutions that are willing to participate
6. to decide the priorities and not put other programs
7. or rather not to put this program which this Body has
8. just endorsed with 32 votes at the bottom of the pile.
9. I stand in opposition to Amendment No. 3.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Carroll.

12. SENATOR CARROLL:

13. I too would rise to oppose Amendment No. 3. I
14. think Senator Bloom is attempting to undo what we
15. just did to the disservice of many of the communities
16. of the State of Illinois. If IHDA is to be a working
17. and viable program as it was created to do and...as it
18. is now proposed to be amended by Senator Berman's
19. concept, it is to go into not only high rise develop-
20. ment, not only single family home new construction,
21. but to allow those who are seeking to upgrade their
22. properties and not turn them into slums, to get
23. low interest money like the big guys do to do that
24. work. This is obviously prejudicial against those
25. people in our society who are really attempting to
26. help themselves and I think it should be soundly
27. defeated.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Might I ask the sponsor a question? I am...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Indicates he will yield.

1. SENATOR NETSCH:

2. Thank you, Senator Bloom. I am strongly supportive
3. of the amendment that we just put on, the home improve-
4. ment loan program. And I could not fully hear your
5. explanation of this amendment, but I want to ask sort
6. of a technical question. Does the amendment deal
7. only with IHDA's responsibility to meet already outstanding
8. commitments and obligations or is it an attempt with
9. respect to any future funding to say or any future
10. bond issues and projects to say that all of them
11. take second place behind the home improvement loan
12. program? There's fairly significant difference
13. between the two things.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bloom.

16. SENATOR BLOOM:

17. We're talking about future funding. That's the
18. intent of the amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Well, then I would also be opposed to it. If you
23. were simply protecting existing projects, I...that...that's
24. perfectly understandable, but if you are attempting to
25. make all of the home improvement programs stand in line
26. behind everything else that IHDA does, then it seems
27. to me it is not consistent with the fact that we have,
28. at least in the amendment just adopted, authorized that
29. program which is a very important program and in some
30. areas at least as important as...some of the other
31. IHDA programs. I also would oppose the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Knuppel.

1. SENATOR KNUPPEL:
2. Can I ask the sponsor a question.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Indicates he will respond.
5. SENATOR KNUPPEL:
6. Are you the sponsor of this bill?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Bloom.
9. SENATOR BLOOM:
10. I am...I am, in fact, the sponsor of this bill and
11. would like it in the shape it could be in on final
12. passage stage.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Knuppel.
15. SENATOR KNUPPEL:
16. If these other people want to make your bill,
17. why in the hell didn't they introduce their own or
18. get a bill they could amend themselves. Do you
19. know the answer to that one?
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Bloom.
22. SENATOR BLOOM:
23. I know not the answer to that, Senator Knuppel.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Knuppel.
26. SENATOR KNUPPEL:
27. I haven't been here very long, but I've been here
28. longer than any of the three people who spoke here and
29. I thought the sponsor had a right to put his bill in
30. the kind of a shape he wanted it in and if I were
31. Senator Bloom and I was getting this kind of an opposition
32. I'd stick this bill in your ear or Table the damn thing.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bloom.

2. SENATOR BLOOM:

3. All in good time.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Is there further
6. discussion? Senator Bloom, do you wish to close?

7. SENATOR BLOOM:

8. Briefly, A, I do want to protect the existing
9. programs and B, try and put some priorities into
10. the bill as it now stands. Because as I said in
11. my opposition to Senator Berning's amendment that
12. there are absolutely no restrictions or guidelines
13. in the amendment which is, in fact, technically
14. a flawed that he offered and this Body adopted. I'd
15. urge a favorable vote. Thank you.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The question is shall Amendment No. 3 be adopted
18. to House Bill 820. Those in favor indicate by saying
19. Aye. Those opposed. The...the Chair rules that the
20. Amendment No. 3 fails. Roll call? Roll call is
21. requested. The question is shall Amendment No. 3
22. be adopted. Those in favor vote Aye. Those opposed
23. Nay. The voting is open. Have all those voted who
24. wish? Have all those voted who wish? Take the
25. record. On that question the Ayes are 26, the Nays
26. are 26. Amendment No. 3 fails. Senator Bloom...Senator
27. Bloom, requests a verification.

28. SENATOR BLOOM:

29. Could we verify the negatives? Negatives.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Of the negative vote. Will the members please
32. be in their seats. The Secretary will call the
33. negative vote.

1. SECRETARY:

2. The following voted in the negative; Berman, Buzbee,
3. Carroll, Chew, Clewis, Collins, D'Arco, Daley, Donnewald,
4. Egan, Kenneth Hall, Hickey, Johns, Kosinski, Lane, Lemke,
5. Leonard, Maragos, Merlo, Netsch, Newhouse, Rock, Savickas,
6. Vadalabene, Washington, Mr. President.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Bloom.

9. SENATOR BLOOM:

10. Senator Egan, Senator Buzbee.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Buzbee is on the Floor. Senator Egan?

13. Is Senator Egan on the Floor? Senator Egan is on
14. the Floor now.

15. SENATOR BLOOM:

16. How about Senator Chew.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Chew on the Floor? He's in his seat.

19. SENATOR BLOOM:

20. I couldn't see him.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. He's invisible. The negative vote has been
23. verified. The Amendment No. 3 fails. Are there
24. further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. 3rd reading. Senator Maragos, as to House
29. Bill 1011. Do you wish the...bill recalled for
30. the purpose of amendment? Is there leave? Leave
31. is granted. Senator Maragos.

32. SENATOR MARAGOS:

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

1. Amendment No. ...Senate Amendment No. 1 which is being proposed
2. puts the bill in the original shape that it was when it was
3. put in the hopper by the sponsor. And it allows each
4. district, each area or each layer of judicial organization
5. to select its own vacancies rather than have the Supreme
6. Court select it for all areas of the Judiciary. And I
7. ask for...move for its adoption.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Maragos has moved the adoption of Amendment
10. No. 1 to House Bill 1011. Any discussion? Senator
11. Glass.

12. SENATOR GLASS:

13. Well, Mr. President and Ladies and Gentlemen. I
14. stand to oppose this amendment. As the bill came over
15. from the House in its amended form, a judicial nominating
16. commission was to be appointed for each judicial district
17. to nominate persons to fill vacancies. This bill replaces
18. that. In effect, merit selection, for the filling of
19. vacancies with a...a procedure which is not that at
20. all and I...I would urge the defeat of the amendment.
21. I...I don't know what the original, really the background
22. of this was as to how the bill got in the shape it is
23. now, but it...it came over from the House, at least the
24. way it looks to me, in the form that...that it's in
25. right now, House Bill 1011 as amended. So when...when
26. Senator Maragos says he's putting it in the shape the
27. sponsor wants it, it seems to me that it got out of
28. the House in the shape the sponsor wanted it or he
29. wouldn't have called it, so maybe he knows something
30. about it we don't, but at least I think we ought to
31. leave it the way it is and I would urge...urge the
32. Body to defeat this amendment.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Maragos to close the
2. debate.

3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. Everyone
5. of us knows what the issue is. I think we should honor,
6. as Senator Knuppel has said many times, the original
7. sponsors, he had no control of the bill after it was
8. passed on 3rd reading because, in fact, I don't even
9. know, there was a little rhubarb going on I understand
10. at the time in the House and he didn't understand the
11. full impact of it. Anyway this is the way we should
12. return it back to what the original purpose of the
13. bill was and ask for the adoption of this amendment.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Maragos moved the adoption of Amendment
16. No. 1 to House Bill 1011. All those in favor signify
17. by saying Aye. All those opposed. The Ayes have it.
18. Roll call has been requested. Those in favor of the
19. adoption of the Amendment No. 1 to House Bill 1011
20. will vote Aye. Those opposed will vote Nay. The
21. voting is open. (Machine cut-off) voted who wish?
22. Have all voted who wish? Take the record. On that
23. question the Ayes are 25, the Nays are 27, the amend-
24. ment fails. Senator Maragos.

25. SENATOR MARAGOS:

26. Mr. President, I ask for verification of the
27. negative roll call.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Request for verification of the negative roll
30. call. Will the members please be in their seats.
31. Will those not entitled to the Floor, please vacate.
32. Secretary will read the negative votes.

33. SECRETARY:

34. The following voted in the negative; Bloom, Bowers,
35. Bruce, Coffey, Collins, Glass, Graham, Grotberg, Hickey,

1. the Senate. This is an appropriation in the amount of
2. two point two million dollars to provide a state-wide
3. program of subsidies for probation officers. As you
4. are well aware, we do now subsidize to the tune of three
5. hundred dollars per month juvenile probation officers.
6. This would extend and enlarge that program to encourage
7. as we will find in House Bill 2173 a little further down
8. on the Calander to allow a five hundred dollar per month
9. State subsidy, for both adult and juvenile probation officers.
10. The testimony in committee was that the Governor has,
11. in fact, approved this program and I would urge a favorable
12. vote.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question is, shall
15. House Bill 2126 pass. Those in favor vote Aye. Those
16. opposed Nay. The voting is open. (Machine cutoff) those
17. voted who wish? Take the record. On that question, the
18. Ayes are 51, the Nays are 5. House Bill 2126 having re-
19. ceived the constitutional majority is declared passed.
20. House Bill 2130, Senator Lemke. Read the bill, Mr.
21. Secretary.

22. SECRETARY:

23. House Bill 2130.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Lemke.

28. SENATOR LEMKE:

29. What this bill does, it amends the Pension Code,
30. required that all retirement systems and funds
31. established under code to identify all members of their
32. boards of trustees, staffs and consultants against all
33. damage, claims and suits for negligent or wrongful acts

1. allegedly committed in the scope of their employment.

2. Excludes identification for willful misconduct and
3. gross negligence. Becomes effective July 1st, 1977.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Question is, shall
6. House Bill 2130 pass. Those in favor vote Aye. Those
7. opposed Nay. The voting is open. (Machine cutoff) voted
8. who wish? Take the record. On that question, the Ayes
9. are 46, the Nays are 6. 2 Voting Present. House Bill
10. 2130 having received the constitutional majority is
11. declared passed. House Bill 2131. Senator Egan.
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 2131.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Egan.

19. SENATOR EGAN:

20. Thank you, Mr. President and members of the Senate.
21. This allows districts, school districts throughout the...the
22. State to use proceeds from the sale of land for any authorized
23. purpose. Currently, the present law restricts the use of
24. such funds for the capital improvements, inquiring and
25. improving sites. This bill because of the attended, declining
26. enrollments and the limited fiscal resources available
27. for most districts in the State would allow the use of this
28. money to be used administratively. Now, Senator Schaffer,
29. are you satisfied that the bill is in...in the form that
30. you wish? I know that I said I'd bring it back if there
31. was an amendment and I don't...yet have not seen that. So I...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Schaffer.

1. House Bills 2nd reading, House Bill 2229, Senator Bloom.

2. SENATOR BLOOM:

3. Yes, I'd like to get this bill in proper shape.
4. After Amendment 3 went on it is technically flawed
5. without removing Amendment No. 1. I'd ask leave
6. to reconsider...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Which...which amendment? Which one you want
9. to take off?

10. SENATOR BLOOM:

11. 22...I want to take one off.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. Question before the Body is the
14. Amendment No. 1 to House Bill 2229. Senator Bloom
15. moves to reconsider the vote by which Amendment No. 1
16. was adopted. All those in favor signify by saying
17. Aye. All those opposed. The Ayes have it. The
18. vote's reconsidered. Any discussion? Senator Egan.

19. SENATOR EGAN:

20. Senator Bloom, which one was that?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Bloom.

23. SENATOR BLOOM:

24. That was the first amendment that was drafted by
25. staff of both sides of the aisles that was technical.
26. When Senator Berning put on Amendment No. 3 the
27. language did not track.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Egan.

30. SENATOR EGAN:

31. So now the bill has the Committee Amendment No. 2
32. and...and Amendment No. 3. It is my understanding from
33. the House sponsor that the intention was to re-refer

1. this back to committee. Do you intend to do that?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Bloom.

4. SENATOR BLOOM:

5. I have not yet heard from the House sponsor. I
6. have discussed this bill with Representative Mudd. The
7. House sponsor is Representative Capparelli.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Egan.

10. SENATOR EGAN:

11. I will insure that they'll speak to you forthwith.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Bloom now moves to Table Amendment No. 1
14. to House Bill 2229. All those in favor signify by
15. saying Aye. All those opposed. The Ayes have it.
16. Amendment No. 1 is Tabled. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 3rd reading. Senator Moore, do you wish to call...
21. have call, Senator Moore is not on the Floor. Okay.
22. 1594, I understood there was an amendment to be
23. offered. Senator Bruce. 1594 is the appropriation
24. for BED. Well, why don't you discuss it with Senator
25. Moore. He's...he's got to bring it back. 1109, Senator
26. Rhoads. Senator Rhoads seeks leave of the Body to bring
27. House Bill 1109 back to the Order of 2nd reading for
28. the purpose of an amendment. Is leave granted? On
29. the Order of House Bills 2nd reading, House Bill 1109.
30. Mr. Secretary.

31. SECRETARY:

32. Amendment...Amendment No. 1 offered by Senator
33. Rhoads.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Thank you, Mr. President and members of the Senate.
5. What this amendment does is lower the threshold to fifty
6. dollars so that transfers of funds between political
7. committees less than fifty dollars, do not have to
8. be reported. I move the adoption of the amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Rhoads has moved the
11. adoption of Amendment No. 1 to House Bill 1109. All
12. those in favor signify by saying Aye. All those
13. opposed. The Ayes have it. The amendment is adopted.
14. Any further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. 3rd reading. 315, Senator Johns. Senator Johns
19. seeks leave of the Body to bring House Bill 315 back
20. to the Order of 2nd reading for purpose of an amend-
21. ment. Is leave granted? On the Order of House Bills
22. 2nd reading, House Bill 315. Mr. Secretary. Senator
23. Johns.

24. SENATOR JOHNS:

25. I...I'm not sure that the Secretary will find
26. the amendment because they just have brought it
27. to me this morning, I've just sent the Page to get
28. the amendment copied to hand in to them again. We
29. finally got it in order. If you can bear with me
30. just a little bit longer, I'd appreciate it.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. All right. On the Order of House Bills 3rd
33. reading. House Bill 611, Senator Maragos seeks leave

1. to bring House Bill 611 back to the Order of 2nd reading
2. for purpose of an amendment. Is leave granted? On
3. the Order of House Bills 2nd reading. House Bill 611.

4. SECRETARY:

5. Amendment No. 2 offered by Senator Maragos.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President, yesterday we adopted...was that
10. Amendment No. 1, Mr. Secretary, that was adopted
11. yesterday? All right, I'd like to have that Tabled,
12. therefore I move that we reconsider the vote by
13. which Amendment No. 1 was adopted, having to vote
14. on the prevailing side.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Maragos moves to reconsider the vote
17. by which Amendment No. 1 to House Bill 611 was
18. adopted. All those in favor signify by saying Aye.
19. All those opposed. The Ayes have it. The vote is
20. reconsidered. Senator Maragos now moves to Table
21. Amendment No. 1. All those in favor signify by
22. saying Aye. All those opposed. The Ayes have it.
23. The amendment is Tabled. Further amendments?

24. SECRETARY:

25. Amendment No. 2 offered by Senator Maragos.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Maragos.

28. SENATOR MARAGOS:

29. Yes, Mr. President and members of the Senate. This
30. amendment is more technically correct and at the
31. request of Senator Hickey I'm asking that we adopt
32. this amendment which is...does what the Tabled amend-
33. ment supposedly did. It's more correct language. I

1. ask for its adoption.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Maragos moves the adoption of the Amendment
4. No. 2 to House Bill 611. All those in favor signify by
5. saying Aye. All those opposed. The Ayes have it. The
6. amendment is adopted. Further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. 3rd reading. 1594, Senator Moore seeks leave of
11. the Body to bring House Bill 1594 back to the Order
12. of 2nd reading for the purpose of an amendment. Is
13. leave granted? Leave is granted. On the Order of
14. House Bills 2nd reading. House Bill 1594. Mr. Secretary.

15. SECRETARY:

16. Amendment No. 8 offered by Senator Bruce.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President and members of the Senate.
21. This will delete from the Business and Economic Develop-
22. ment's budget a total of twenty-two thousand dollars.
23. Eight thousand personal services, twelve thousand in
24. contractual and two thousand in commodities for
25. paper. There was some concern about the three hundred
26. and fifty thousand letters the department has mailed
27. out in the recent days over the signature of the
28. Governor and we would like to indicate our concern
29. over such a practice.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Senator Bruce...Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, Senator Bruce, I...I'd like to ask you a

1. question, if I may.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Indicates he will yield.

4. SENATOR NIMROD:

5. Are you saying...Senator Bruce, you're...you're
6. removing...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. We're talking to Senator Bruce, can we clear out
9. of there for just a second, so he can hear.

10. SENATOR NIMROD:

11. Senator Bruce, you're removing a amount of
12. money for future work just in retaliation for some
13. letters that were sent out or notices that were sent
14. out. This department is under the Governor and I'm
15. ...concerned that what you're saying is they shouldn't
16. send anything out in the future?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, absolutely not. There was concern in the
21. committee prior to our discovery of three hundred and
22. fifty thousand letters being mailed out that the
23. department had an overage in personal services,
24. commodities and in the contractual services line
25. item. And we certainly are not stopping this. They
26. have a Federal Grant to continue it. It has nothing
27. to do with stopping the program. They can mail out
28. all they want to, but we feel like that after they've
29. mailed out a mailing of three hundred and fifty
30. thousand pieces that it costs a hundred and fifteen
31. thousand dollars that they evidently have a lot of
32. money in that...those line items. It has really
33. nothing to do in retaliation, it's just a readjustment

1. of their budget in light of their past activity.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Well, it seems to me then that you have not produced
6. any evidence as to what kind of a piece of material
7. that was...mailed that you are disturbed out and
8. whether or not that piece of literature was, in fact,
9. appropriate for them to send. You're just reducing
10. it because you personally seem to have...find some
11. reason that you're opposed to it. I think we do have
12. a right to understand what was mailed and why you
13. think it was inappropriate and why...that these kind
14. of things should not be mailed that you find they
15. have this extra money.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Bruce.

18. SENATOR BRUCE:

19. No, in fact, I...I would not want to mean any of my
20. comments to be deemed as indicating that the conduct
21. of the Governor and the department was inappropriate.
22. We applaud them on conducting such a survey. It's
23. just that having done it and having said that they
24. are cut to the bone and that they had no extra money
25. at all, it flies in the face of the actual fact that
26. they had money to mail out three hundred and fifty
27. thousand letters. And some of the members of the...
28. of the Appropriations Committee thought that having
29. had that extra fat in the budget that we ought to
30. remove it. That's all. No, we certainly don't mean
31. to indicate that this is not a laudable project of
32. the department.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Thank you, very much. I just cannot agree with
4. you and it's very apparent that there are other
5. motives involved here.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Bruce moves the adoption of Amendment No. 8.

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I...I think maybe that I'm entitled to know what
11. ...what the nature of the letter was. What was the
12. nature of the letter?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Bruce.

15. SENATOR BRUCE:

16. I am informed by newspaper reports and staff has
17. gone up to get a copy of the letter that Governor
18. Thompson over his signiture sent to three hundred
19. and fifty thousand households in this State, an
20. energy survey. And some of us having...it was
21. an energy survey, yes, it was. Using Federal
22. money and some State money, the total cost was
23. a hundred and fifteen thousand dollars plus whatever
24. staff time it took to prepare mailing of three hundred
25. and fifty thousand letters, which is about ten percent
26. of the total households, I think, in the State.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Was this a...was this a worthwhile project?
31. Was it information that will guide us in the expenditure
32. of...other additional Federal funds?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Bruce.

2. SENATOR BRUCE:

3. We're not, as I told Senator Nimrod, we are not
4. judging the propriety of the mailing or the effectiveness
5. of it. The department said that they were already to
6. the bone or that they needed all these funds and then
7. we find that they have mailed out three hundred and
8. fifty thousand dollars. We have talked to them and
9. the department. They indicate to us that this is
10. a one time mailing, one time shot, they won't need
11. the money anymore and so it seems to me that it's
12. appropriate to remove the money that we have. So...
13. one. one item, one shot item they tell us that
14. they won't be doing mailing like this again, so
15. why should it be in next year's budget.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, now, this is accurate and to the point. They
20. said they didn't need it in their budget. That they
21. weren't going to mail again, is that right?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Well, let me just say, that I may have gone too
26. far when they say they didn't need it. I don't think
27. any department says they didn't need it. They assured
28. us that this was a one shot item and that it would
29. not be required for mailing next year and to that
30. extent they would not need it since it's a one time
31. item. I want to make sure we use the word need in
32. the same way.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, maybe there's something else they might need
4. it for. In other words, what I'm trying to get at
5. is, maybe this year they mail on...on a energy survey
6. ...we're...we're dealing here with...with a troubled
7. economic situation. As I read in the paper this
8. morning about somebody else on...on employment, getting
9. ready to leave the State of Illinois. I think the
10. purpose of this department, is it not, is to promote
11. the keeping of industry in the State of Illinois and
12. also to encourage others to come here. And it's
13. possible that if...if over a number of years they've
14. done these kind of things, that it is going to be
15. appropriate to make mailings. Is that correct?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Bruce.

18. SENATOR BRUCE:

19. It...it certainly would be appropriate to make
20. mailings and we encourage him to do that and we have
21. left money in the budget next year to continue their
22. mailing program. This is a one shot item which...for
23. which they had money this year. They're not going
24. to do the mailing next year and they assure us they
25. don't plan to and therefore there's no requirement
26. for the money in fiscal '78. And I would point out
27. Senator Knuppel that this was Federal money to a
28. large extent...that they used. That is correct and
29. that's why we're not touching the Federal money
30. whatsoever. They get another Federal Grant, they
31. can do it out of the Federal money. We did not
32. touch the Federal money. There was some discussion
33. about doing that, but we do not touch anything but

1. General Revenue money.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, I just don't...I never have been able...you
6. know, we've been here six years and I have difficulty
7. making my mind run the same channels that yours runs
8. in. But, it seems to me, you know, to say that it
9. mostly came out of Federal money before, therefore
10. we're going to take it out of your Illinois Appropria-
11. tion and if you get Federal money you can use that
12. again. You know, it sounds like the old story, it doesn't
13. hurt if it comes out of the left pocket. And...and
14. I just don't track with that if...if, in fact, they
15. use Federal money before that therefore it's legitimate
16. to take it out of their State appropriation. Or
17. maybe I don't understand you, but that's what I
18. think I heard you say.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members of the Senate. I
23. have no...no disagreement with Senator Bruce in what
24. he's trying to do, however I find it very ironic to
25. find Senator Bruce endorsing and supporting and
26. introducing an amendment such as this because in
27. the previous four years under a different Governor
28. everytime many of us tried to offer an amendment
29. on postage and that due to that Governor's mailing
30. Senator Bruce opposed us.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator...Senator Sommer.

33. SENATOR SOMMER:

1. Just want to inquire of Senator Bruce whether his
2. mind would be changed if in the next mailing his name
3. went on the mailer instead of the Governor's.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Bruce.

6. SENATOR BRUCE:

7. No, it would not be changed. It...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any further discussion? Senator Bruce may close
10. the debate.

11. SENATOR BRUCE:

12. No, I...that's fine.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Bruce moves the adoption of Amendment No. 8
15. to House Bill 1594. All those in favor signify by saying
16. Aye. All those opposed. The Ayes have it. The amend-
17. ment is adopted. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. 3rd reading. All right. The final bill on this
22. order of business...the final bill on this order of
23. business, House Bill 315. Senator Johns seeks leave
24. of the Body to bring House Bill 315 back to the Order
25. of 2nd reading for the purpose of an amendment. Is
26. leave granted? On the Order of House Bills 2nd reading.
27. House Bill 315, Mr. Secretary.

28. SECRETARY:

29. Amendment No. 2 offered by Senator Johns.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Johns.

32. SENATOR JOHNS:

33. Mr. President, I think that before we go with 2,

1. Senator Knuppel has to Table his Amendment No. 1 to
2. House Bill 315. Am I not correct, Senator Knuppel?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Knuppel moves to reconsider the vote by
5. which House Bill...Amendment No. 1 to House Bill 315
6. was adopted. All those in favor signify by saying
7. Aye. All those opposed. The Ayes have it. The
8. vote is reconsidered. Senator Knuppel now moves
9. to Table Amendment No. 1 to House Bill 315. All
10. those in favor signify by saying Aye. All those
11. opposed. The Ayes have it. The amendment is Tabled.
12. Further amendments?

13. SECRETARY:

14. Amendment No. 2 offered by Senator Johns.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Johns.

17. SENATOR JOHNS:

18. Mr. President, House Bill 315, the amendment, the
19. whole purpose, the primary impact of this amendment
20. is to remove the examination required of a horseshoer
21. or of applicants for a certificate of registration
22. as a horseshoer. As amended, the Director of Registra-
23. tion and Education through the Attorney General and
24. the circuit court will enjoy a greatly strengthened
25. degree of regulatory and disciplinary authority in
26. dealings with those who violate the horseshoeing
27. regulatory provision. What I really seek here is
28. permission by this State of people who have passed
29. the horseshoeing examinations in other states, making
30. us reciprocal in agreements and giving people who
31. know how to horseshoe that opportunity without
32. having to take a written examination. This is something
33. that has always bothered us in southern Illinois and

1. I feel there's a great number of people who we need in
2. this occupation, but are just strangled with the
3. Registration and Education Department in this
4. connection. I'd appreciate a favorable vote on this
5. Amendment No. 2.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Johns moves the adoption of Amendment No. 2
8. to House Bill 315. Is there any discussion? Senator
9. Davidson.

10. SENATOR DAVIDSON:

11. Will he yield for a question?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Indicates he will yield. Senator Davidson.

14. SENATOR DAVIDSON:

15. Senator Johns, I didn't get your explanation totally
16. clear. Are you saying that if a individual graduates
17. from a horseshoeing school that's regulated or recognized
18. by the State of Illinois, he will be licensed automatically
19. without any further examination?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Johns.

22. SENATOR JOHNS:

23. It establishes that any person who practices the
24. occupation of horseshoeing without having obtained a
25. certificate of registration or who violates any of
26. the provisions of this Act, shall be guilty of a
27. Class C misdemeanor. Now what I'm trying to tell
28. you is that we...I don't want the written examination
29. anymore.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Well you're saying you may not want the written

1. examination, but you don't want any...any examination?
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Johns.
- 4.
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10. End of Reel #2
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1. SENATOR JOHNS:

2. I want him to be qualified under the Act. Yes, I do.
3. But let me tell you what I'm trying to do is...is eliminate
4. the requirements that applicants for certificate of
5. registration do not have to complete the written examination.
6. That they do it with their hands under the guidance of the
7. R & E but they, many of them do not like the written exami-
8. nation and I want to abolish that. And it allows for the
9. reciprocal registration of non-resident horseshoers who
10. have graduated from State-regulated trade schools in
11. other states. In addition, a person who has studied the
12. trade of horseshoeing in an accredited school approved
13. by another State and received a certificate of graduation
14. from such a school indicating successful completion of
15. horseshoeing classes may in all other requirements are...are
16. satisfied be licensed and then going further. Prior
17. to January the 1st, 1978 individuals who have shown proof
18. via application submitted to the Department of R & E. that
19. they have been engaged in the horseshoeing trade for
20. three of the last five years and present in form and
21. substance acceptable to the department...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator...

24. SENATOR JOHNS:

25. ...affidavits from five owners of horses attesting
26. to the knowledge of these people and their ability as
27. horseshoers may be licensed as horseshoers in Illinois.
28. A grandfather clause. It eliminates the examination re-
29. quired of horseshoers wishing to be registered in this
30. State. Other states, in most cases, regulate but do not
31. examine horseshoers...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. Mr. President and members of the Senate. I want us
3. to be against this amendment. When he got through going
4. all through that long dissertation what it really amounts
5. to, if this amendment is adopted and this would become
6. law there'll be no examination of any horseshoers who are
7. going to practice in Illinois. Now that's what it amounts
8. to. You got a Grandfather clause which doesn't need to be
9. or any other licensing Act in this State since in the
10. early nineteen hundreds sometime that's been licensing
11. horseshoers. If the man doesn't have a license now,
12. he's been violating the law. You're saying if the
13. individual has graduated from a recognized college he
14. gets a license automatically. Now, that's a lot of stuff.
15. Every licensing profession in this State is required to
16. graduate from a college or a trade school or a professional
17. training of a college or a institution or a trade that's
18. recognized by the State of Illinois. But you also prove
19. your competency to practice in Illinois by taking an
20. examination. This is a terrible amendment. You're going
21. to just blank it in. In essence you're going to say no
22. examination. Come to Illinois, boys, you can practice here
23. and we're not going to check up on you and you're going to
24. have some innocent horse owner have a horse crippled cause
25. you're going to have somebody who's incompetent putting a
26. shoe on him. I urge you to vote No on this amendment.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? Senator Glass.

29. SENATOR GLASS:

30. I...I have a question of Senator Johns if he will
31. yield.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Indicates he will yield. Senator Glass.

1. SENATOR GLASS:

2. Thank you. Senator Johns, I've been trying to determine
3. from the amendment where it says anything about what you were
4. describing. It looks to me like all the amendment does is
5. allow the Attorney General to enjoin to bring a suit to
6. enjoin persons who practice without a license and make it
7. a Class C misdemeanor. And I'm wondering where you, where
8. in the amendment you say anything about excusing a written
9. examination?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Johns.

12. SENATOR JOHNS:

13. Well, in the amendment you have the amendment. Right.
14. That was my explanation of the amendment, but the bill it-
15. self, it amends the Act for the regulation for horseshoeing.
16. It allows for people who have degrees from other states...

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass. Wait a minute, Senator Johns...

19. SENATOR JOHNS:

20. ...to be recognized in this State.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. We...we are, none of this is germane, apparently.
23. We are talking only about Amendment No. 2. Senator Glass.

24. SENATOR GLASS:

25. Well, apparently, yah. That was my...my concern, Mr.
26. President and Senator Johns. If you were describing
27. what the bill does, then it seems to me the argument
28. going on was related to the merits of the bill. And I...
29. and the amendment, I'm not sure I understand why the
30. amendment is needed.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Johns.

33. SENATOR JOHNS:

1. I...I apologize. He's absolutely right. What I...
2. on this amendment the primary impact of this amendment
3. is that it establishes any person who practices the
4. occupation of horseshoeing without having obtained
5. a certificate of registration or who violates any of the
6. provisions of this Act upon conviction shall be...guilty
7. of a Class C misdemeanor. That's correct.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. All right. The question before the Body is the
10. adoption of Amendment No. 2. Is there any discussion
11. on the amendment? Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate. Illinois
14. is the only State out of the fifty states that licenses
15. and regulates horseshoers. Period. Now get that straight.
16. Now here you're arguing over protecting the horse. You're
17. only protected in the State of Illinois out of all the
18. fifty states. If you want to assume that by licensing
19. and regulating a horseshoer you're doing that. Let's
20. face it. If you ever...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Yah, is this...

23. SENATOR MITCHLER:

24. ...all I'm talking about is the amendment. Allowing
25. him to come in because if...

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Again you're talking on the bill. The amendment is
28. quite different than the bill. Further discussion?
29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. I just want to say one thing. I've been here for
32. six years and it's the first day I've heard all this
33. garbage about...amending somebody else's bill. Damn it,

1. if you don't like it when it's amended, beat it. But,
2. hell, I thought a guy had a right to get the bill in
3. shape he wanted to.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Netsch. Any further discussion? The question
6. is the adoption of Amendment No. 2 to House Bill 315. All
7. those in favor signify by saying Aye. All those opposed.
8. The Ayes have it. The amendment is adopted. Any further
9. amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER:(SENATOR ROCK)

13. 3rd reading. Committee Report.

14. SECRETARY:

15. Senator Donnewald, Chairman of the Committee on Assign-
16. ment of Bills, assigns the following bills to committee:
17. Agriculture, Conservation and Energy - House Bill 1633;
18. Education, Elementary and Secondary Committee - House
19. Bill 1528; Insurance and Licensed Activities Committee -
20. House Bill 1116.

21. Senator Carroll, Chairman of the Committee on
22. Appropriations I reports out House Bills 1180, 2384,
23. 2411, 2412, 2416 with the recommendation Do Pass. House
24. Bills 973, 1033, 1044, 2213, 2359 , 2368, 2379, 2392 and
25. 2402 with the recommendation Do Pass as Amended.

26. Senator Buzbee, Chairman of the Committee on
27. Appropriations II reports out House Bill 408 with the
28. recommendation Do Pass. House Bills 689, 1005, 1599 and
29. 2361 with the recommendation Do Pass as Amended.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. All right. Ring the bell, Mr. Sergeant-at-Arms
32. we will not proceed to the Order of House Bills, 3rd reading.
33. Top of page 2 at the Calendar. The Chair would just admonish

1. the membership that there's no guarantee we're going
2. to get back to any of these. House Bill 1, Senator Egan.
3. On the Order of House Bills, 3rd reading, On the Order
4. of House Bills, 3rd reading is House Bill 1. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 1.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Egan.

12. SENATOR EGAN:

13. Thank you very much, Mr. President and members of the
14. Senate. Yes, that's exactly what it does. Any enumerated...
15. there are enumerated felonies which if committed three times
16. during the life of a defendant and has been convicted...
17. three of the enumerated felonies. The punishment for the
18. third offense would be the balance of his natural life in
19. jail without any hope of getting out. And it's that.
20. Simply that and nothing more. The feeling is that these
21. crimes are heinous. That if they're committed three times
22. that the offender should be put away and not let free.
23. And I commend it to your favorable support.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is there any discussion? Senator Guidice.

26. SENATOR GUIDICE:

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

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Indicates he will yield. Senator Guidice.

31. SENATOR GUIDICE:

32. The enumerated crimes now. We're...we're talking
33. one of them is aggravated battery. Is that correct?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Egan.

3. SENATOR EGAN:

4. That was removed by the amendment of one or two
5. days ago. That was removed as was deviate sexual assult.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Guidice.

8. SENATOR GUIDICE:

9. What are the...the present crimes under the...all
10. right, who put the amendment on in this particular case?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. I did.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Guidice.

17. SENATOR GUIDICE:

18. Now on the other crimes that we're talking about, this
19. is on the third offense? Does it have to be the third
20. offense of the same crime three times? So in other words,
21. he could be guilty of a...of a, does it have to be a felony
22. in the first two instances.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Egan.

25. SENATOR EGAN:

26. Yes. Let...let me just tell you what they are. Every
27. person who has been twice convicted of either of the crimes
28. of treason, murder, rape, armed robbery, arson, aggravated
29. kidnapping which result in great bodily harm, permanent
30. disability or disfigurement or involving the use of a
31. deadly weapon. The two prior convictions need not have been
32. for the same crime, but if you are then convicted of a
33. third one of those felonies, then your sentence will be

1. for the rest of your natural life without hope of getting
2. out.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Guidice.

5. SENATOR GUIDICE:

6. Well, now if I understand you correctly. Then the
7. first two crimes that you're convicted of, be it of a lesser
8. offense than you just described will add to and will make
9. up the...the two prior and the third one would have to be
10. one of them that you enumerated. Is that correct?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. That's correct.

15. PRESIDING OFFICER:(SENATOR ROCK)

16. Senator Guidice.

17. SENATOR GUIDICE:

18. Well, I rise in opposition to this bill. I...I think
19. that what we're doing here is...is taking a person who might
20. have a problem in his youth...in the time in his life when
21. he...when he doesn't realize what is going on and then just
22. happens to put himself in a circumstances thereafter to do
23. one of these particular crimes that he...he's paid for
24. and we're going to put him away for life. I...I don't
25. think that's right. I don't think it's the...I'm sorry
26. but Senator Egan is, looks like he has something other
27. and he wants the stand on...

28. PRESIDING OFFICER:(SENATOR ROCK)

29. Senator Egan.

30. SENATOR EGAN:

31. I may have not answered your question properly. The
32. first two convictions must be for either of those enumerated
33. felonies that I just read. They have to be for treason, murder,

1. rape, armed robbery, arson, aggravated kidnapping and
2. those are the crimes that must be repeated one or the
3. other three times. So that if you can...if you are
4. convicted of treason and the second offense murder and
5. then you are convicted of rape it is the position of
6. the sponsors of this legislation that that individual
7. should go away to jail for the rest of his natural life.
8. Understandably so. Treason, murder and rape.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Guidice.

11. SENATOR GUIDICE:

12. I can't...I can't agree with the logic and I don't
13. think it's only natural that we put somebody in jail for
14. the rest of their life on the conviction of these particular
15. crimes, especially since I've been able to watch the
16. criminal justice work. I...I've seen a lot of miscarriages
17. of justice and I think that we're...we're taking a terrible
18. chance as we did with that...that...or with the...with the
19. death penalty and I'd still be opposed to this bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Knuppel.

22. SENATOR KNUPPEL:

23. I don't find an amendment in my book, but are you
24. telling us now that aggravated battery resulting in great
25. bodily harm, permanent disability or disfigurement or in-
26. volving have been taken out, has been taken out that
27. part of it?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Egan.

30. SENATOR EGAN:

31. Aggravated battery was removed by amendment along
32. with deviate sexual assault.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. All right. A number of...we have about six or eight
2. members who indicated they wish to speak. Senator Graham.
3. SENATOR GRAHAM:

4. ...Mr. President, thank you very much. I'm always
5. amazed at the people who continually get up and attempt
6. to ask us why we do these things to these convicted felons.
7. I still have...have to wait for the time that the bleeding
8. hearts get up and say something about the victims. We just
9. don't do that. The only thing wrong with Senator Egan's
10. bill is that it is that it extends to three. You ought
11. to stop it at two. That's the only thing wrong with it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. There's one part of this
16. bill that I think should be called to the attention of
17. the members of the Senate. Whether you agree or not
18. with the basic concept of a habitual offender act,
19. whether you agree or not with the particular crimes that
20. are listed, and Senator Guidice has raised some of those
21. issues. There are some, really, I think very disturbing
22. and I would have to say, in my judgment, hopefully un-
23. constitutional provisions having to do with the sentencing.
24. And rather than make the argument, I would just like to
25. read a couple of sentences from the bill. "After a plea
26. or verdict or finding of guilty and before sentence is
27. imposed, and I'd emphasize these next words, "or after
28. sentence is imposed and before the defendant has received
29. his final and unconditional release and discharge from
30. some...from such sentence, the prosecutor may file with the
31. court a verified written statement signed by the State's
32. Attorney concerning any former conviction of an offense
33. set forth in the Section as indicated rendered against

1. the defendant. The court shall then cause the defendant
2. to be brought before it, shall inform him of the allegations
3. of the statement so filed and of his right to a hearing before
4. the court on the issue of such former conviction and of
5. his right to counsel. The court, and unless the defen-
6. dant admits such conviction the court shall hear and
7. determine such issue. If a sentence has previously been
8. imposed the court may vacate such sentence and impose a
9. new sentence in accordance with Section 3.81 of this Act."
10. What that means is, that long after someone has been sentenced
11. and is about to be discharged he may still have the court
12. be brought back before a court, have a prior sentence
13. vacated and a new sentence to life imprisonment without
14. any possibility ever of parole imposed at that time.
15. Long after the original conviction which, in fact, is
16. triggering this Act. And when he is about to be re-
17. leased I...to me that's just impossible. I do not think
18. that you can vacate a sentence which has already been
19. served and go back and, in effect, resentence someone
20. after they've already served their time and, at that
21. point, impose a life sentence without any possibility
22. of parole. I think if it is constitutional, which I
23. genuinely believe it is not. I think it's unconscion-
24. able.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate. I believe
29. my constituents believe that society has the right to
30. protect itself. And what Senator Egan's bill does, it
31. provides the vehicle with which society can protect itself.
32. It's as simple as that as I understand it. Thank you.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Daley.

2. SENATOR DALEY:

3. Mr. President, fellow Senators. Will the sponsor

4. yield to a question?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Sponsor indicates he will yield. Senator Daley.

7. SENATOR DALEY:

8. Presently you have the crime of, I believe, rape

9. in the mandatory sentencing?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Egan.

12. SENATOR EGAN:

13. Let me say it again. The particular felon...felonies

14. are the following: treason, murder, rape, armed robbery,

15. arson or aggravated kidnapping. Those are the only ones.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Daley.

18. SENATOR DALEY:

19. One of the problems you have is in House Bill...

20. 1185 I believe Senator Washington is sponsoring. We will

21. make a distinction of rape and now we have a new crime

22. of aggravated rape. So what you're doing is with the

23. crime of rape, which has a lesser offense under your

24. bill, a person will be, after the third conviction, of

25. just simple rape, as I think Senator Washington can

26. explain who have mandatory sentencing. It excludes

27. aggravated rape, which as I understand, they...they need.

28. And I think you...I think Senator Washington, I'd hope

29. that he would explain his bill cause if we pass this bill

30. and we pass his bill, there's going to be a complete

31. distinction because I think rape under his bill has

32. one year...one year offense, is it? One year minimum

33. and I think there's a serious constitutional problem

1. with that. With that item because it will be a great
2. injustice to one who's just convicted to less than a
3. year after his third conviction under this House...House
4. Bill 1 will get life sentence.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Chew.

7. SENATOR CHEW:

8. Thank you, Mr. President. I...I believe I respect
9. the laws as they're on the Statute books. That does
10. not mean that I agree with all of them. Fortunately,
11. I'm in a position to help change some that I do not
12. agree with. You know we are dealing with the freedom
13. of mankind and I think we all are attempting to work to
14. give men freedom. Not, in fact, threaten them with all
15. kinds of repudiation if one goes wrong. I do not like
16. criminals. I do not like people that have criminal
17. intent. But I'll give you two or three examples, Mr.
18. President. In our society the accusers are not always
19. accurate and we know so well that they aren't. I know
20. of a woman who went out with her boyfriend, and this
21. was a married woman and went home after the sun had
22. risen and helped to destroy some of her clothing and
23. told her husband she had been kidnapped and raped, Had
24. her husband driving through the city streets accompanied
25. by her to select the rapist. Finally, she went to a
26. police show-up and selected a man. He was convicted
27. on her testimony. That one count. It was finally
28. overturned by the Supreme Court but that's a long process.
29. If that man had gone out, who was absolutely innocent
30. on a second occasion and held up an individual and took
31. a dollar that would be the second felony. Armed robbery.
32. And if he were accused on a third occasion for treason
33. then his number is up. That's three times. One has not

1. gotten to the Supreme Court yet and he's being punished
2. for it. This kind of legislation is not the kind of
3. legislation good thoughtful legislators ought to be
4. supporting. I have seen poor people time after time after
5. time meted out where justice was just us. Not justice.
6. Just us. It happens too frequently in this society. In
7. the South, for instance, and Illinois is no better, if
8. an individual is pointed out by another individual and
9. the pointer has clout then the poor accused is dealt with
10. in a most harsh manner. And yet he's innocent. These
11. kind of sentences should never be. I don't want any-
12. body raping anybody. I don't want no strong arm robbery,
13. aggravated assault. I don't want any of that. I wish
14. society could crime free. But knowing that justice in
15. most cases is just us. Us that can't afford to hire
16. competent legal counsel. Us that can't afford to get
17. adequate jobs to protect us in a society. Us that are
18. discriminated in every facet of our society and us that
19. are included on these hideous charges. These unfair
20. allegations. These unfair convictions. Just us, Mr.
21. President. Those of us that cannot afford to pay the
22. high priced lawyer like the sponsor is. The lawyer who
23. may be will have clout. Just us. We don't know him.
24. It's a bad bill and it should be defeated.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. ...Senator Davidson. There are...eight more Senators
27. who indicated they wish to speak. So we'll take them
28. just in the order they came on the board. Senator
29. Davidson.

30. SENATOR DAVIDSON:

31. Yes, Mr. President and members of the Senate. I'd
32. like to rise in support of this legislation. As co-
33. sponsor and chief sponsor of Senate Bill 14 which is

1. a mandatory sentencing on the third conviction of a
2. felony...with a gun. Falls under this part of armed
3. robbery. This is a thing that people are concerned
4. about. If any of you read today's Sunday paper, the
5. Illinois State Journal Register and read that featured
6. article why individual homeowners are buying command
7. guard dogs or commando dogs as they call those, that
8. protect themselves from individuals on the high rising
9. part of crime. You'll understand why people out in
10. the public want to see these people removed from
11. society where they will quit preying on them. Regard-
12. less of what part of the State you live in, the high
13. incidents of crime or whether it's inner city or the
14. rural areas. It's one and the same. I urge you to vote
15. on this bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Collins. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President. Ladies and Gentlemen, al-
20. though I oppose the death penalty and I think this Body
21. will come to rue the day it passed that bill. It is
22. absolutely wrong for this State to take anybody's life.
23. I feel entirely different about this bill. I think after
24. three full trials and convictions of the six crimes
25. enumerated with the right to a jury trial and all the
26. appeals that are involved and...and we have an individ-
27. ual with those convictions standing. The people of
28. Illinois are entitled to be protected by having that
29. individual sentenced and serve the rest of his life in
30. jail. But I do have a question of the sponsor, Senator
31. Egan...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Sponsor indicates he will yield. Senator Glass.

1. I...I have just been reading the bill and I, frankly,
2. would like to see it passed and upheld. But I think Senator
3. Netsch raised a point that is hard to quarrel with and I
4. think Senator Daley did,also. Of course we don't know if
5. Senator Washington's bill will be upheld or will be
6. passed and signed. But if there is aggravated rape,
7. then I think he has made a valid point and I also think
8. Senator Netsch's point is...is hard to quarrel with and
9. I'd like to hear your response. Why don't you simply
10. provide that upon the third conviction and when the
11. judge is about to sentence the individual that be the
12. time when he determines whether to impose this life
13. sentence. Rather than allowing the sentence to occur
14. later on after an individual has already been sentenced
15. and is serving the sentence.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan.

18. SENATOR EGAN:

19. It is my understanding from the House sponsor that
20. he has submitted this to the experts who have, in their
21. determination, felt that it will meet the constitutional
22. test. It's tougher. That it will meet, according to him,
23. the constitutional test. And let me just say that
24. aggravated rape does not...that crime does not exist.
25. And when it does I will be happy to introduce legislation
26. to put that in as another enumerated felony.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Glass.

29. SENATOR GLASS:

30. Well, as a practical matter though, what is the
31. reason for allowing the State to come in and while an
32. individual is serving a sentence open up the matter again
33. and bring...bring him before the...the judge and let the

1. judge change the previous sentence and give him...give
2. him life. I mean, why...why would you want to risk the
3. constitutionality...are you...are you afraid that the
4. earlier sentences would not be known at the time of the
5. sentencing? The earlier convictions?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Egan.

8. SENATOR EGAN:

9. Well, the reason is that we feel today we should be
10. protected. If there is in existence any one in this State
11. who has committed two of these enumerated felonies today.
12. If that person exists then he dare not do it a third time
13. because then he's not going to get out.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Further discussion? Senator...Senator Glass.

16. SENATOR GLASS:

17. Well, all right. I'll just...I'm going to support
18. the bill, but I...I really would implore you to...to
19. reconsider that position and consider an amendment that
20. would make...make this apply only at the time of sentencing
21. for the third conviction.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Thank you, Mr. President and colleagues. I think I'm
26. going to oppose this bill and I have to couch it that way
27. because I'm, quite frankly, not sure how we should proceed
28. in this area. I 'm not a lawyer. I'm not conversant
29. with these proceedings and I'm only dealing with some
30. impressions gained in my youth. I used to spend my summers
31. in Mississippi and learned there to suspect what was
32. written in law. And I found sometimes a letter of the
33. law was used against people in a cruel and unjust way.

1. I'm also left with the impression of our American system
2. which deliberately makes it difficult to convict a person.
3. That is a safeguard. But most of all I would like to leave
4. options open to the judge and to the jury. I just am
5. suspicious of anything that is mandatory. And this,
6. certainly on the face of it seems safe enough. It is
7. doubtful that you will run into anybody who will bump
8. up against this mandatory requirement. But I think
9. the series of events put together by Senator Chew are
10. not beyond possibility. And so help me, every time you
11. put something...like that into law the incredible
12. exception does occur. I think that we ought to leave
13. the courts free to make decisions. We ought never put
14. anything in the law that's mandatory. Because I believe
15. it can work in a way that we will not envision and that
16. we will regret. It is unfortunate but true that even
17. with all the safeguards written into our laws the courts
18. do make mistakes and sometimes greivous ones. I just be-
19. cause of those ill feelings that I have I do not believe
20. I can go along with this. The possibility of life
21. imprisonment is still there. I would leave that option
22. to the courts, but I just don't think we ought to write
23. anything like this into law as being mandatory.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President and members of the Senate.
28. There's been some confusion on the prospective nature of
29. this bill. And after reading it over I think it's clear
30. what the bill does. And I don't think the questions have
31. been really asked or answered. Let me pose it to you this
32. way. There are three possibilities for those who want
33. to say on a third conviction, there should be mandatory

1. life sentences. I can conceive of three possibilities as
2. to when that would trigger. One would say starting the day
3. this becomes law. Conviction number one has to come after
4. that day. Conviction number two and conviction number
5. three. One possibility for the General Assembly to
6. decide upon. The second way you can go is to say when-
7. ever this bill becomes law if you've already had two
8. convictions and you've got a third, two before the effec-
9. tive date or before the effective date. As long as some
10. of them are before the effective date and you get a third
11. one after the effective date of this law it is still a
12. life sentence. And I think a lot of members of this
13. Body would agree with that concept also. The third one, which
14. is the one that this bill does says that if even all
15. three were before the effective date of this Act. If even
16. all three were before the effective date of this Act, and
17. you had served all time but one day and if that one day
18. was after the Governor signed this bill the State's
19. Attorney can bring you back...can bring you back on page
20. two, can bring you back and say, no I'm sorry you served
21. all your time but the law now says a life sentence and
22. puts you right back into jail. And I will refer you to
23. the first paragraph or that Section of the first paragraph
24. on page two where it says, even after sentencing and even
25. after serving your sentence you may by petition of the
26. State's Attorney be brought back before the judge and
27. given this new mandatory life sentence. To me, that's patently
28. unconstitutional to say, after you've served your time on
29. the third conviction when this was not in the law. Now
30. you can be brought back for a life sentence. I think
31. ...the alternatives to one and two are viable, constitutional
32. and easily determined by the General Assembly. I don't think
33. we have the power to pass ex post facto laws which, what

1. I consider to be this bill, which is alternative three does
2. and I would, therefore, oppose it.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator D'Arco.

5. SENATOR D'ARCO:

6. Mr. President, Ladies and Gentlemen of the Assembly.
7. I rise in opposition to this bill and I'll tell you the
8. truth. I didn't know and it...and it's my fault I didn't
9. really understand this bill. But apparently after reading
10. lines one through twenty two on page two, I finally came
11. to the realization through Dawn Clark Netch's help and
12. others that the bill has a retrospective application
13. and that if a person has committed two prior felonies
14. as defined in Section 33.B1. If he has committed two
15. prior felonies and actually it's not only what defines
16. there, because he could have committed two aggravated
17. batteries. Any two prior felonies that he committed.
18. He limits the application to those very, very serious
19. felonies in this bill. But he doesn't limit that appli-
20. cation to the...to prior felonies that a person would
21. have committed. So you could be dealing with a person
22. who has committed two aggravated batteries. If that
23. person and when did he commit those two aggravated
24. batteries? Twenty years ago. Ten years ago. Thirty
25. years ago. Well, if that person commits one of the
26. felonies he defines in Section 33.B1, which are very
27. serious felonies, then he's going away for life. That
28. person didn't know when he committed the two aggravated
29. batteries that if he commits from this day forth one of
30. the felonies defined in Section 33.B1 that he is going
31. to go away for life. Now, if we pass this legislation
32. as it presently is and he does, in fact, commit one of
33. those felonies, he will go away for life. After a hearing.

1. And the hearing, all that's going to be determined at the
2. hearing is if he did, in fact, commit the two prior
3. felonies. Don't vote for this bill. It's a bad bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Washington. Senator
6. Egan, for what purpose do you arise?

7. SENATOR EGAN:

8. Yes, I think that I...I disagree with...with what
9. Senator Carroll says, but in order to make this absolutely
10. clear that it is not the intention of the legislation to
11. put a...a third time convictee who has already been con-
12. victed three times away for life. That is not the intention
13. of this bill. It is, however, to include the first two.
14. Just to warn the man who does it again, he's going to go
15. away for life. I'll take it out and I'll clarify the
16. language so that there's no...no question about the
17. fact that there's any ex post facto nature in this bill and if
18. I could do that leave of the Body...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Take it out of the record. House Bill 14, Senator
21. Bowers. House Bill 17, Senator Knuppel. House Bill 41,
22. Senator Chew. House Bill 44, Senator Davidson. House Bill
23. 47, Senator Knuppel. On the Order of House Bills, 3rd
24. reading is House Bill 47. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 47.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr...Mr. President and members of the Body. This
33. bill would create a...a an Agricultural Economic Fair

1. Commission to study the possibility and the ramifications
2. of establishing a...an Agricultural Economic Building at
3. the State Fair where it would be the showplace of Illinois
4. agricultural the year round. The building would be built
5. and space could be rented et cetera. Whether, in fact,
6. this is feasible, there's no way of knowing unless you
7. have somebody to make a study. And Representative Mautino
8. has come up with the idea that we should have such
9. commission. He's had a lot of mail on the subject in-
10. dicating that there are people who would maintain ex-
11. hibits there on a year round basis. It would be a
12. showplace for agricultural and industry. Manufacturer
13. of agricultural machinery and so forth. I think this
14. is worthwhile. It's a study that will help develop
15. revenue. Will help our industry to have one central
16. location where when somebody would come here from a
17. foreign country to visit the State of Illinois. They
18. could see these exhibits or go to one place and see
19. the material that is being manufactured here or
20. produced here for the purposes and,thereby,go back with
21. a better idea of Illinois agricultural and industry.
22. I...I would respectfully request a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Mitchler.

25. SENATOR MITCHLER:

26. I'd like to ask the sponsor, Senator Knuppel,
27. couldn't this be done by the Advisory Board to the
28. State Fair?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Knuppel.

31. SENATOR MITCHLER:

32. I mean why do we have to have a separate commission?

33. SENATOR KNUPPEL:

1. I didn't get the question. I...I apologize. Some-
2. body was bothering me here.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. The question I asked Senator Knuppel was, couldn't
7. this be done by the Advisory Board to the State Fair?
8. Couldn't they conduct this study if they were given
9. that charge?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Well, they're...they're created, I don't know that it's
14. within and I haven't read the scope of their authority.
15. This would be a commission to be created. It would make
16. the study. Make a report to the General Assembly and then
17. that would be the end of it's function. I don't know
18. whether the Illinois Advisory...Fair Advisory Board
19. has the power to do this. They...they've been there
20. all the time. They haven't, in fact, done it. If there's
21. a...if there's one place in the State of Illinois where
22. the buildings are a mess, where authority is spread out.
23. The buildings that are there, many of them have recently
24. been torn down. Others are not functional for the purposes
25. for which they're being used. I...I'd hate to leave it to
26. that board.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Well, the reason for that question, Senator Knuppel,
31. was the fact that if we specifically mandated that commission
32. or the Department of Business and Economic Development inas-
33. much as the interest that would be generated by such a

1. building would fall within the scope of their activities.
2. I think that this could work to be done with existing
3. people without creating a new commission for that
4. specific purpose. And if...if you are going to have
5. that for the agricultural I think we should even go further
6. than that and have a complete analysis of the buildings,
7. the existing buildings at the Illinois State Fair and a
8. projection on what type of repairs and new construction
9. should be made at the Illinois State Fair in a period
10. of five year plan, ten year plan, fifteen year plan
11. because, as you said, Senator, and I thoroughly agree
12. with you. The State Fair physical plant, is...is very
13. muchdeteriorated and anything but what something Illinois
14. can be proud of is a showplace for our great agriculture
15. and industrial and 4-H projects. I'm not against the
16. idea of...of looking into the building, but I think it
17. should be at a greater aspect for the entire fairgrounds
18. and then also, I'm wondering if it can't be done within
19. the State Fair Advisory Board or the Department of Business
20. and Economic Development.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator McMillan.

23. SENATOR McMILLAN:

24. Mr. President and members of the Senate. There's
25. probably no specific thing I would like to do in the...
26. in the Senate any more than to benefit the economic health
27. of Illinois agriculture. But with regard to this particular
28. question, I think this State does not need another commission.
29. This State, in particular, does not need this commission.
30. I...I'm relatively sure we probably don't need the thing
31. for which this commission was...was organized. And I...I
32. rise in opposition to the bill and hope the rest of you
33. will vote No also.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Sommer.
3. SENATOR SOMMER:
4. Senator Knuppel, how much...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Sponsor indicates he will yield. Senator Sommer.
7. SENATOR SOMMER:
8. How much is this going to cost the taxpayers of this
9. State to do this?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Knuppel.
12. SENATOR KNUPPEL:
13. The amount that's been asked is twelve thousand five
14. hundred and this would cover only, you know, the...the
15. cost of drawing up a report probably and the per diem
16. and expenses of those people who would be on the commission.
17. A very nominal amount of money to make this study and I
18. don't know what this study will show. I think it's
19. something that ought to be done and notwithstanding
20. Senator Mitchler's speech I...I feel that...that some
21. ...that this group can under the breadth of this commis-
22. sion make some kind of a study of the existing buildings
23. at the Fairground and their functional use.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Further discussion? Senator Knuppel may close the
26. debate.
27. SENATOR KNUPPEL:
28. Well, I...I certainly hope I'll find both Senator
29. McMillan and Senator Mitchler on this bill because the
30. very purpose of it is not and has not been discharged
31. by any other group. As I say, the use of the buildings
32. the...the functional use of the building, the purpose of
33. the buildings has been very poorly carried out. And while

1. we might today if somebody introduced a bill, authorize
2. anybody or any other group to do this. We've not done
3. so. This group is: expressly charged with making a study
4. of the State Fairgrounds for the purpose of...of leasing
5. such buildings to the agricultural and economic interests
6. for the purpose of providing a year round showcase. Now,
7. it may be that the buildings that are out there, one or
8. more, of them may be functional for this purpose and other
9. buildings that are functional may be...that they're
10. using now for stenographers and the administrative build-
11. ing could be used for that would be the type of building
12. that would be built. But somebody has to make the
13. study. There's no other bill here to do it. The fair-
14. grounds is a mess. Somebody ought to do it and nobody
15. that's ever existed before has done it. And the amount
16. of money that's been asked is only twelve thousand five
17. hundred dollars, which is a small amount of money. Just
18. purely the cost of doing the things, measuring the build-
19. ings, finding out what use they've been put to, what...
20. whether they're functional or not. I really think it's
21. a good idea regardless of whether the idea ever reached
22. fruition.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Question is, shall House Bill 47 pass. Those in
25. favor will vote Aye. Those opposed will vote Nay. The
26. voting is open. (Machine cut-off) all voted who wish?
27. Have all voted who wish? Take the record. On that
28. question, the Ayes are 42, the Nays are 9. 2 Voting
29. Present. House Bill 47 having received the constitutional
30. majority declared passed. Senator Savickas. 54. On the
31. Order of House Bills, 3rd reading, House Bill 54. Read the
32. bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 54.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Savickas.

6. SENATOR SAVICKAS:

7. Mr. President and members of the Senate. The major
8. impact is the elimination of that provision which said
9. a carrier who voluntarily provides insurance to an
10. employer. That the termination of his insurance
11. assigned under this Act must pay the carrier, that is
12. including reinsurance pool in amount equal to the
13. excess of losses that incurred over the premiums collected
14. for the entire period of insurance as an assigned employer.
15. I feel that this should make obtaining Workmen's Compen-
16. sation and Occupational Disease Insurance somewhat easier
17. for employers. The Department of Insurance has no objec-
18. tion to this bill and I would move for your favored support.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. Yes, Mr. President. I think that this bill seems to
23. indicate, addressing itself to a problem. But it certain-
24. ly is not going to address itself to the problem which
25. makes employers unable to find coverage on their own.
26. And what this should be done is this should be, there
27. should be some credit for pre-existing conditions and
28. adoption of standards if we want that to happen. And I
29. would certainly say that Senator Savickas, since you
30. do propose this kind of a solution, would you consider
31. bringing this back for an amendment for me to be able to
32. put that kind of amendment on it?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Well, Mr. President, we know that has no bearing to
4. this proposal in itself. That those change in amendments
5. that Mr. Nimrod wants to put on should be put on to either
6. 600 or 1205 or 1019. This is addressing itself to one
7. particular problem and that's what we're trying to solve
8. here.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. I'd like to ask a question
13. of the sponsor for clarification.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Indicates he will yield. Senator Berning.

16. SENATOR BERNING:

17. Senator Savickas, would you explain again what the
18. provisions of the bill are as you did briefly, so that I
19. can determine whether I understood it or shall I tell
20. you what I thought you said?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Well, why don't I read to you my explanation and then
25. you can tell me what you think of it. Basically, Senator
26. Berning, the major impact is the elimination of that
27. provision which said a carrier who voluntarily provides
28. insurance to an employer, at the termination of his in-
29. surance assigned under this Act must pay the carrier and
30. to the reinsurance pool an amount equal to the excess
31. of losses incurred over the premiums collected for the
32. entire period of insurance as an incident employer.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning.

2. SENATOR BERNING:

3. Yes. That is what I thought you said. And now this
4. is what I think it means. And then, perhaps, Senator
5. Savickas, can tell me if I'm wrong. What this apparently
6. says, is that if a carrier terminates carriage coverage
7. for whatever reason. Anything over and above his actual
8. payout for losses has to be reimbursed. And I submit
9. that if that is the case, which is after hearing him
10. repeat it twice is exactly the way I understand it. He
11. is asking a carrier to stay in business without anything
12. to cover the cost of overhead. Now, would you explain
13. that, Senator Savickas?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Well, that's not my intrepertation excluding the
18. expense of staying in business, but the excess...the
19. excess coverage would go into the reinsurance pool.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berning.

22. SENATOR BERNING.

23. Excess coverage, as you define it is everything
24. over and above losses paid for.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Santor Savickas.

27. SENATOR SAVICKAS:

28. Losses and I...I feel it's the losses and administration
29. up to that point when he's dropped.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning.

32. SENATOR BERNING:

33. Does the bill say losses and costs of administration

1. and operation?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Savickas.

4. SENATOR SAVICKAS:

5. Not specifically.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Berning.

8. SENATOR BERNING:

9. Then, Mr. President, just to speak briefly to the
10. issue which this bill apparently raises. It seems
11. totally unjustified for this legislature to impose a
12. ...a mandate on any business, whether it's an insurance
13. business or a trucking business or any other kind of
14. business to operate...to operate strictly without any
15. potential for covering its cost of operation. Even
16. the bear essentials of overhead, much less profit. If
17. I interpret the bill as presented that's exactly what is
18. being implied here and I think it is totally unrealistic
19. and certainly indefensible. I cannot see how we could
20. justify supporting a bill like that.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Further discussion? Senator Rupp.

23. SENATOR RUPP:

24. Could I ask the sponsor a question, please?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Sponsor indicates he will yield. Senator Rupp.

27. SENATOR RUPP:

28. Senator Savickas, isn't this to cure a situation
29. in where if I am now in the pool in the assigned risk pool
30. and you come to me as a new carrier for me and you want
31. to take my insurance direct. That there's a penalty now.
32. In order to do that you, the new carrier, not the old
33. carrier would have to put into the pool the excess of

1. losses. Not the old carrier. The old carrier would not
2. have to put anything in. It's you, to take my coverage
3. must have to make up those losses. Now that causes a
4. little bit of reluctance on the part of a new carrier to
5. take my coverage. And I think this law does correct
6. exactly what the other Senator is talking about. It
7. relieves the new carrier of that penalty. It doesn't
8. go back on the old carrier. Is that correct?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Savickas.

11. SENATOR SAVICKAS:

12. Senator, you have very correctly analyzed House
13. Bill 54.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Savickas may close
16. the debate.

17. SENATOR SAVICKAS:

18. Yes, Mr. President and members of the Senate. I do
19. believe that this bill will help those employers seeking
20. Workmen's Compensation and I think it would be a benefit
21. to the State of Illinois. And I solicit your Aye vote.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Question is, shall House Bill 54 pass. Those in favor
24. will vote Aye. Those opposed will vote Nay. The voting is
25. open. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question, the Ayes are 52, the
27. Nays are 4. None Voting Present. House Bill 54 having
28. received the constitutional majority declared passed.
29. Senator Berning, for what purpose do you arise?

30. SENATOR BERNING:

31. On a point of personal privilege.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. State your point.

1. SENATOR BERNING:

2. I am indebted to Senator Rupp for explaining the
3. bill. I now understand it. I was not able to get a
4. lucid explanation and I therefore supported the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. 106 and 107 were amended just today so unless there's
7. objection we will...we will proceed with those. All right.
8. There is objection. 110, Senator Nimrod. On the Order
9. of House Bills, 3rd reading, House Bill 110. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 110.

13. (Secretary reads title of bill)
14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Nimrod.

17. SENATOR NIMROD:

18. Yes, Mr. President and fellow Senators. This bill
19. clarifies the existing law which it was going to repeal
20. and all it does is say that the same law will...instead
21. of applying to concealing the death of a bastard it says
22. concealing the death of a person and clarifies the law
23. and I know of no opposition to the bill and I would ask
24. for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Question is, shall House Bill 110
27. pass. Those in favor will vote Aye. Those opposed vote
28. 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 53, the Nays are 1. 1...None
31. Voting Present. House Bill 110 having received the
32. constitutional majority is declared passed. 127,
33. Senator Daley. On the Order of House Bills, 3rd reading,

1. is House Bill 127. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 127.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Daley.
8. SENATOR DALEY:
9. Mr. President, fellow Senators. The intent of House
10. Bill 127 is...to alter the required application information
11. for forms before the Liquor Control Commission. It's fully
12. endorsed by Liquor Control Commission as well as the
13. Governor's Office and I ask for a favorable roll call.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Is there any discussion? Question is, shall House
16. Bill 127 pass. Those in favor will vote Aye. Those opposed
17. will vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 53, the Nays are None. None Voting Present.
20. House Bill 127 having received the constitutional majority
21. is declared passed. 132, Senator Nimrod. On the Order of
22. House Bills, 3rd reading, is House Bill 132. Read the bill,
23. Mr. Secretary.
24. SECRETARY:
25. House Bill 132.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Nimrod.
30. SENATOR NIMROD:
31. Yes, Mr. President and fellow Senators. This bill
32. presented before. We...we did have a chance to discuss it.
33. I know of no opposition to this bill. The County Clerk of

1. Cook County supports the bill and all it does is keeps
2. the township offices open as the same days and hours
3. as the county clerk. And I would ask for a favorable
4. roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any discussion? Senator Carroll.

7. SENATOR CARROLL:

8. Yes, if sponsor will yield?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Sponsor indicates he will yield. Senator Carroll.

11. SENATOR CARROLL:

12. Senator Nimrod, who's going to pay for these added
13. costs to keeping the township clerk office open during
14. these time periods?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Nimrod.

17. SENATOR NIMROD:

18. The township offices are always maintained by the
19. local townships and the municipalities take care of their
20. hours the same. There are no extra hours. These were not
21. extending anything or do anything. It's a matter of
22. a difference in days and we're making them the same.
23. And it would make no difference. Those clerks are on
24. duty anyway. So there are no added costs, really.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Then are you saying these clerks are full time paid
29. employees and therefore it's just that during their
30. regular hours they must keep the same hours?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, I'm saying that I happen to know that the
2. thirty townships in Cook County are...are offices
3. that are available full time available for full time
4. registration.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Carroll, have you
7. concluded? Senator Demuzio.

8. SENATOR DEMUZIO:

9. Yes, Senator Nimrod, this bill only applies to
10. Cook County. Is that correct? It does not apply to
11. downstate?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, that's correct.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Nimrod, do you wish to
18. close the debate.

19. SENATOR NIMROD:

20. ...roll call.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Question is, shall House Bill 132 pass. Those in
23. favor will vote Aye. Those opposed will vote Nay. The
24. voting is open. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes
26. are 41, the Nays are 5. None Voting Present. House
27. Bill 132 having received the constitutional majority
28. declared passed. Senator Vadalabene, for what purpose
29. do you arise?

30. SENATOR VADALABENE:

31. Yes, on a point of personal privilege and...and
32. to try to make an observation, please.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. State your point, Sir.

2. SENATOR VADALABENE:

3. You just passed 106 and 107 due to an amendment
4. this morning and it can possibly be that whoever objected
5. to having those bills called does not realize that that
6. amendment reduced the appropriation by practically, I
7. think, five hundred thousand dollars. However, in the
8. event that we're coming down the stretch and this bill
9. 106 and 107 has been on the Calendar for quite some
10. time and for that amendment to be changed at this late
11. stage, I think it would be fine, if possibly, if who-
12. ever objects if we could explain what the amendment was
13. and then proceed on 3rd reading and I was wondering if
14. you would take that in consideration and let us know
15. who objects to these amendments?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Well, there...there were a number of objections
18. to bills that were just previously amended. So we
19. have...we have about thirty bills that are just not
20. going to be called in their proper rotation at this
21. point because they were amended this morning. On the
22. Order of House Bills, 3rd reading, House Bill 156.
23. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 156.

26. (Secretary begins to read title of bill)

27. PRESIDING OFFICER: (SENATOR ROCK)

28. ...hold it. Senator Vadalabene, for what purpose
29. do you arise?

30. SENATOR VADALABENE:

31. Yes, after they have seen the amendment they probably
32. may have not been here. Could we come back to that order
33. is what I'm trying to say. Because it is a great reduction.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there leave to come back to the bills? We're
3. going...we're going to get back to them anyway, Sam.
4. On the Order of House Bills, 3rd reading, House Bill
5. 156. Read the bill, Mr. Secretary.
6. SECRETARY:
7. House Bill 156.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Davidson.
12. SENATOR DAVIDSON:
13. Yes, Mr. Chairman, I mean Mr. President and members
14. of the Senate. This bill does exactly what it says. It
15. establishes Patient Compensation Fund which is better
16. known as hospital malpractice. It's been amended with
17. the recommendation on changes and also amended for the
18. joint underwriting authority extension only to two
19. years like the other bills. I appreciate a favorable
20. roll call.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Any discussion? Question is, shall House Bill
23. 156 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Take the record. On
26. that question, the Ayes are 55, the Nays are 1. None
27. Voting Present. House Bill 156 having received the
28. constitutional majority is declared passed. 165,
29. Senator Egan.
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. 166, Senator Egan. 168, Senator Savickas. On the
3. Order of House Bills 3rd reading is House Bill 168.
4. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 168.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Savickas.
11. SENATOR SAVICKAS:
12. Yes, Mr. President and members of the Senate. House
13. Bill 168 is a bill that creates the Public Smoking Act
14. and it prohibits smoking in designated areas, smoking
15. areas. Such as hospital patient rooms or patient area,
16. elevators, indoor theatres, libraries, art museums,
17. concert halls and buses. We've discussed this bill
18. previously. I'm sure that everyone knows what it's
19. about. I've had passed out on your desk an article
20. in the Chicago Tribune titled, "Nonsmokers Making Claims
21. and Great Fumes Feud", which shows that an increasing
22. number of Chicago restaurants, like Marshall Field,
23. all the way down to Burger-King are establishing
24. nonsmoking sections where customers may eat without
25. smoke drifting from surrounding tables. I, and about
26. two-thirds of the population who make up nonsmokers
27. would appreciate your favorable support on this bill.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Is there any discussion? Senator Rhoads. Senator
30. Rhoads.
31. SENATOR RHOADS:
32. Will the sponsor yield?
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Indicates he will yield. Senator Savickas. Senator
2. Rhoads.

3. SENATOR RHOADS:

4. Senator Savickas, I understand the Home Rule Amendment is
5. now on this bill. What...exactly what areas of the State
6. are left under the coverage of this bill?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Savickas.

9. SENATOR SAVICKAS:

10. All cities that can institute these rules, even though
11. they are home rule units. Or apply stricter rules for
12. coverage. This is one of the basic items with the City
13. of Chicago. The City of Chicago has this bill enforced
14. now and is contemplating stricter enforcement.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Is...is suburban Cook excluded?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Savickas.

21. SENATOR SAVICKAS:

22. Only if they're home rule units.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Yes, Mr. President, members of the Senate. I think
27. those of us who have...can we have a little order, Mr.
28. President, thank you.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Yes.

31. SENATOR GROTBORG:

32. I think those of us that represent communities that
33. probably have no home rule units in them, and...and in my

1. district I don't think I have a home rule municipality
2. out of a hundred and five. So what you're really doing
3. is legislating on a State-wide basis. Everybody in this
4. room that represents those kinds of villages and communities,
5. we are mandating a program. And I think that even though
6. ...they have...each of these towns has a city council,
7. they can impose health regulations of their own and they...
8. they have the courage to do it, it's just an unconscionable
9. deed that the State of Illinois would suggest to every
10. little operator in the State of Illinois that runs a
11. public place or a bus or anything, that he must do something
12. like this. It costs an awful lot of time and money to
13. enforce it and I think we're making a lot of progress
14. and I do commend you Senator Savickas on the whole situation,
15. but the progress is being made and that of course is the
16. thrust of your article that you just passed out. I notice
17. Larry Buckmaster suggested that all of the restaurants are
18. setting aside a few tables and I sat aside a few tables
19. in my restaurant, and I'm delighted to do it. I just
20. don't want the State of Illinois telling me which tables,
21. how many and all of that in my town, which is a non-home
22. rule unit. And...and I'd like to see this bill defeated
23. because it's just a nuisance bill to administer when the
24. whole program is making psychological progress every year.
25. Thank you.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Regner. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. I would like to speak
30. strongly in favor of the bill, even though I'm sorry
31. that the Home Rule Amendment was put on. I don't think
32. it was necessary because I think everyone would have
33. permitted Chicago to enforce its much stricter smoking

1. ordinance anyway, but the...what is there still of the bill is
2. very important and I say this even as a smoker. There
3. is no question in my mind...because I did sponsor the
4. bill last Session, I heard from a great many of the
5. people who are seriously handicapped by the fact...by
6. those of us who do smoke and do not respect their rights.
7. It is more than just a mild annoyance. I think it has
8. come to be established as a...a serious public health problem
9. by medical experts and it certainly is a serious problem...
10. public health problem for those who are, in fact, allergic
11. to smoke, and there are many, many, who are. I think those
12. of us who are unfortunately physically addicted to the
13. habit and are trying to find ways still to get over it,
14. for at least ought to have the grace to respect the rights
15. of those who feel differently. The bill is...is quite
16. modest in its reach at the present time, but at least
17. it is an important step and I would strongly urge its
18. support.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, as Senator Savickas well knows, I generally
23. object to somebody sponsoring a bill that doesn't affect
24. him, but affects everybody else. I suppose it does affect
25. him when he comes downstate, but I...I always find putting
26. the Home Rule Amendment on there a little offensive to
27. me if you're not willing to...to do it in your own area. Now,
28. I know they...they may have an ordinance. I just wanted to
29. answer one of the questions that was raised on the other
30. side. Cook County and suburban Cook County are part
31. of a home rule unit. The County of Cook is a home rule
32. unit as well as the City of Chicago.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Thank you, Mr. President. Well, I certainly intend to
4. support this, but I...I should have gotten to Senator
5. Savickas earlier. Because I think there's a lot of
6. us that'd like to give up smoking if we hadn' spittoons
7. in these establishments, I know a few years ago the only
8. spittoon on the Floor of the Senate was over at Senator
9. Partee's desk and I pleaded with him to go down to the
10. basement and resurrect a few more of those spittoons so
11. those of us who wanted to quit smoking and start chewing
12. would make it a little more convenient. So next year
13. maybe you can get a bill in to provide spittoons here
14. on the Floor and I'll support that too.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President, and members of the Senate. To dispell
19. any fears of the downstate people about the people of
20. Chicago not being included in this Act. The City of
21. Chicago does, in fact, have an ordinance that is more
22. far-reaching than this Act ever would begin to be, I
23. mean the restrictions. And I think they just recently
24. updated it. In the City Council of the City of Chicago
25. in regards to the places to smoke and it's...it's
26. far-reaching than this, so I don't think that we should
27. fear that Cook County and the City of Chicago are not
28. reacting to the trend to protect the rights of nonsmokers.
29. And I first introduced something like this back in 1967,
30. I think, and they all looked at me in the Executive
31. Committee and laughed and I think it was Senator Fawell
32. said, well, I think, Senator, your bill is before its
33. time. But you find many states, and if any of you
34. fly into Minneapolis, Minnesota and up through there,
35. and Minnesota, the Minnesota Clean Air Act probably is

1. the most far-reaching of any of the states that have it.
2. And this is rapidly becoming a...an accepted way of life
3. in restaurants. You take in your air travel, you have
4. up to sixty-five percent of the seats are requested in
5. nonsmoking areas. Now, this doesn't...isn't outlawing
6. the use of tobacco in any way, but I believe that the
7. rights of nonsmokers in elevators where you burn clothing
8. and everything else and hospitals, where the people are
9. subjected to smoking and all that, can be regulated.
10. It's...it's not that tragic of a bill that you get all
11. excited and have to become scared. It's a good bill,
12. give it your support. You won't go wrong.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator...Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

16. Would the sponsor yield to a question?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Indicates he will yield. Senator Hall.

19. SENATOR KENNETH HALL:

20. Senator, will this apply to the Senate Floor?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. No, Senator, this does not apply to the Senate
25. Floor or nor to restaurants and I'd like to reiterate
26. that for those restaurant owners who are in the
27. Assembly here. It does not infringe on the restaurant
28. owners' prerogative. It applies just to hospital
29. patient rooms, elevators, indoor theatres, libraries,
30. art museums, concert halls and buses.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Hickey.

33. SENATOR HICKEY:

1. Thank you, Mr. President. You know, it doesn't seem
2. to me that there are many concert halls and art museums
3. in cities of under twenty-five thousand or out in the
4. boondocks. And everybody who has spoken on this bill,
5. and I am in favor of the concept, but is from a home
6. rule unit. I'd like to hear from some of the places
7. where that this really would affect. No...no one from
8. those areas has spoken at all.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Savickas may
11. close the debate.

12. SENATOR SAVICKAS:

13. Well, Mr. President and members of the Senate.
14. All I could ask is for those thirty-four million
15. nonsmokers in this country, that we pass this bill
16. to give them, at least, a little relief when they're
17. either hospitalized, traveling in elevators, enjoying
18. a motion picture, an indoor theatre, visiting the
19. library or the art museum, enjoying the concerts at
20. the concert hall or while they're traveling on the
21. buses throughout the city. I would appreciate your
22. favorable support.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. The question is shall House Bill 168 pass. Those
25. in favor will vote Aye. Those opposed will vote Nay.
26. The voting is open. Have all voted who wish? Have
27. all voted who wish? Take the record. On that question
28. the Ayes are 40, the Nays are 12, 1 Voting Present.
29. House Bill 168 having received a constitutional majority
30. is declared passed. Senator Weaver. On the Order of
31. House Bills 3rd reading, House Bill 178. Read the bill,
32. Mr. Secretary.

33. SECRETARY:

1. House Bill 178.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Weaver.

6. SENATOR WEAVER:

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

8. House Bill 178 seeks to add to the list of nonprobational

9. offenses the following crimes; attempted murder, deviate

10. sexual assault and conviction of Class I or II felony,

11. if the defendant had within the last ten years been

12. convicted of a Class II felony or a greater felony.

13. Most of these are very...very rarely granted probation

14. and this just seeks to put it in the Statutes. And

15. I seek a favorable roll call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I wish the Senate would

20. just be alert to the fact that this is one of several

21. bills which is completely inconsistent with the basic

22. structuring, restructuring of the Criminal Code, which

23. clearly this Legislature is going to be doing. Whether

24. you agree with the content of this bill or not, and

25. I think there are those who might question whether

26. a second conviction of a Class I or II felony should

27. be nonprobationable in all cases. But whether or not

28. you disagree with that, the passage of this Act is

29. clearly not going to be consistent either with

30. House Bill 1500 or with House Bill 1500 as amended

31. by Senate Bill 165 or by Senate Bill 165. Anything

32. that we do that...that deals with the...the Class X

33. felony, the nonprobationable felonies, the determinant

34. sentencing is going to fly in the face of this bill

1. and several others that follow. I just call this to
2. attention because I think what we are in the process of
3. doing is presenting the Governor with a very complicated
4. and perhaps unfathomable choice when we ajourn in trying
5. to sort his way through all of the bills that we are
6. passing without being discriminating in terms of those
7. that we do, in fact, enact.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Further discussion? Senator Buzbee. Is there
10. any further discussion? Senator Weaver may close the
11. debate. The question is shall House Bill 1...oh, I
12. beg you pardon, I thought you said that. All right.
13. The question is shall House Bill 178 pass. Those
14. in favor will vote Aye. Those opposed will vote
15. Nay. The voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On that
17. question the Ayes are 42, the Nays are 6, 2 Voting
18. Present. House Bill 178 having received a constitutional
19. majority, declared passed. 17...186, Senator Hynes.
20. 189, Senator Nimrod. On the Order of House Bills
21. 3rd reading, House Bill 189. Read the bill, Mr.
22. Secretary.

23. SECRETARY:

24. House Bill 189.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, thank you Mr. President and fellow Senators.
31. This bill provides a method by which the assembly
32. of mayors can fill a vacancy for the groups which are
33. elected every four years by the assembly of mayors.
34. What happens is the present law does not provide for
35. filling...filling of these vacancies and this sets up

1. a procedure for doing that. It also provides that the
2. executive director is...presently responsibility of the
3. commission is deputy director may be appointed by the
4. executive director. Would ask for a favorable roll
5. call. I know of no opposition to the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Senator Carroll.

8. SENATOR CARROLL:

9. Just one question. Senator Nimrod...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right, let's have a little order. Will the
12. members please be in their seats and those not entitled
13. to the Floor, please vacate. Try to take as many
14. conferences as possible off the Floor. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and members of the Senate.
17. Senator Nimrod, as I understand the bill, it takes
18. out the deputy director. Is that correct? I didn't
19. hear that in your explanation.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. What it does it presently allows for the assistant,
24. the synopsis is wrong in that area, what it allows
25. is the executive director to make that appointment
26. and where the presently it's been with the commissioners.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Then you're saying that if this bill passes the
31. executive director will appoint his own assistant as
32. opposed to the commission making that appointment.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, the sponsor, House sponsor has explained it
4. in his notes to me, is that the president of the
5. commission must appoint the executive deputy and
6. in order to make this parallel and form the manager
7. governments and so forth, if he desires, the commission
8. will allow the executive director to make that appoint-
9. ment.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Carroll.

12. SENATOR CARROLL:

13. I just...the first part of the bill, by the way,
14. is something that is long needed and I think has to
15. be supported, but as to the point of the executive
16. director the bill itself takes out the power of the
17. executive director with the equivalent of the advise
18. and consent of the commission to appoint deputy
19. director. So, but what you're saying is not what
20. the bill seems to say.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. I think I said with the approval of the commission.
25. Now, it's...I think that's the part that...in the...
26. on Page 3, line 31, it says with approval of the
27. commission the executive director may contract name
28. of the commission for such personnel and so forth.
29. But he has to have the approval of the commission in
30. order to do this.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Carroll.

33. SENATOR CARROLL:

34. But, what this does then, it takes out any reference

1. to the appointing of a deputy director at all and are
2. you saying therefore that he can now appoint one without
3. approval of the commission or are you saying there just
4. won't be one?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. I'm saying that if there is one, he must have
9. approval of the commission before he can do that.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Carroll.

12. SENATOR CARROLL:

13. That is specifically what you have taken out of
14. the law. So that if he does have one, he no longer
15. needs commission approval.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Senator Carroll, if we can just look at Page 3
20. maybe we can come to an understanding here. It says
21. on starting on line 31, it says with the approval
22. of the commission the executive director may contract
23. in the name of the commission for such personnel as
24. contractual services applies...and commodities as
25. may be necessary. Now, he has to have approval of
26. the commission to appoint such personnel. And if
27. the commission is off in their rules or their procedure
28. of personnel as a deputy commission, I would assume
29. that would come under it.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. We're just comparing jackets, Senator Carroll,
32. you go right ahead. Senator Carroll.

33. SENATOR CARROLL:

1. I...I'm a little bit blinded by the podium. Getting
2. dazzled. If that's true, then why, and I think this
3. is what hurts your argument, is why are you taking out,
4. 'appoint a deputy director to assist him in the performance
5. of his duties and may with such approval." Current
6. law says with the approval of the commission, the
7. executive director may appoint a deputy and may do
8. these other things that you have enumerated. You
9. are taking out the appointment of the deputy director
10. from the approval section and, as they say in legislative
11. omission ex industria, you must be taking it out for
12. a purpose.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Nimrod.

15. SENATOR NIMROD:

16. I...I, you are absolutely right. A position is
17. being taken out and this particular appointment of
18. personnel has to be done with approval of the commission.
19. So whatever their table of organization is, but the
20. deputy director as Statutorily required is being
21. removed.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Demuzio.

24. SENATOR DEMUZIO:

25. Well, I...I must agree with Senator Carroll on
26. that argument, but I have...have another one. On...on
27. Page 1 of your bill at line 31, it says that the
28. voting in this assembly shall be weighted in proportion
29. to the population in their respective municipalities,
30. so what you're doing now is you're...you're coming
31. up with the appointment process on a weighted vote
32. criteria, is that correct?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, there...there was a weighted vote method
4. before and this is a weighted method also of filling
5. the vacancies and it was felt that the basis of the
6. population was a better one for doing it than the
7. municipalities rather than on the number of votes
8. cast in the most recent general election. But it
9. still is a weighted vote and this is the approval
10. of the commission itself.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Carroll.

13. SENATOR CARROLL:

14. On Senator Demuzio's point, if I can very
15. quickly explain that. When we created these five
16. collar county members of municipal officers to NIPC
17. we did not have good census data information by village
18. ...village or city and they felt that the only way
19. that they could get accurate head counts was to
20. use the elections because they did split precincts
21. for purposes of village elections, 'but those didn't
22. always correspond with census tracts. So apparently
23. now they've gotten better census tract data as
24. to population. There's no real effect as to whether
25. you use the registered vote or the number of voters
26. it's a minimal difference in...when you're comparing
27. the various villages.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. I...I agree with...with your explanation and...and
32. ...but I must go back to the other and say that, in
33. removing on Page 3, the appointment powers of the

1. deputy director then. That...that prerogative now rests
2. with the commission along the rest...rest with the
3. executive director.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Nimrod may close
6. the debate.

7. SENATOR NIMROD:

8. Yes, thank you Mr. Chairman, I...I just say that
9. the commission had to approve it before and as Senator
10. Carroll has said, all we're doing is removing the
11. statutory requirement for the deputy commissioner, so
12. it really does not change any authority, it just
13. removes the one position. I ask for a favorable
14. roll call.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is shall House Bill 189 pass.
17. Those in favor will vote Aye. Those opposed will
18. vote Nay. The voting is open. Have all voted
19. who wish? Have all voted who wish? Take the
20. record. On that question the Ayes are 51, the
21. Nays are 1...1, none Voting Present. House Bill
22. 189 having received the constitutional majority
23. is declared passed. 198, Senator Egan. On the
24. Order of House Bills 3rd reading is House...you
25. don't wish, okay. 199, Senator Grotberg. On
26. the Order of House Bills 3rd reading, House
27. Bill 199. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 199.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Grotberg.

34. SENATOR GROTBORG:

1. Yes, Mr. President. 199 is the bill that raises
2. from eight to nine percent the interest limit on
3. Revenue bonds and we've had several of those. It
4. was debated a couple of days ago. The original bill
5. the digest is wrong. We've amended it from lifting
6. the cap entirely to just add a one percent increase
7. to the allowable interest and I would ask for a
8. favorable roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator...any discussion? The question is shall
11. House Bill 199...I beg you pardon, Senator Rhoads.

12. SENATOR RHOADS:

13. Well, I'm...I'm for the bill, I just was raising
14. a point. This was amended today, was it not? It
15. was not amended today? Okay.

16. PRESIDENT:

17. Is there any further discussion? If not, the
18. question is shall House Bill 199 pass. Those in
19. favor will vote Aye. Those opposed will vote Nay.
20. The voting is open. Have all voted who wish? Have
21. all voted who wish? Take the record. On that
22. question the Ayes are 50, the Nays are 2, none
23. Voting Present. House Bill 199 having received a
24. constitutional majority is declared passed. House
25. Bill 206. House Bill 230, Senator Knuppel. 206
26. was amended today, Senator Knuppel, and we are
27. passing all those bills. House Bill 230, Senator
28. Knuppel.

29. SECRETARY:

30. House Bill...House Bill 230.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. This is a bill, it's Representative Sevcek's bill
4. from over in the House. It came over here, I've
5. attempted to amend the bill. It deals with persons
6. who are in this country without proper visa
7. become a great problem. As you probably have noticed
8. in the papers there's many articles on the flood
9. of people crossing the river in the border to get
10. into the United States and the border guard...and
11. immigration authorities have become totally ineffective
12. in this area. It's my belief that if jobs are not
13. provided for those people here that the...that
14. the influx will diminish and maybe even cease. The
15. people who are most affected by this are the...the
16. citizen, Latino and other persons of this nature
17. who are here who will be forced out of jobs our
18. unemployment problem and so forth will grow and
19. the other people who would be opposed to this
20. bill and...are the people who want to take advantage
21. of cheap labor at the expense of the very people
22. this is done to correct. Now, three amendments have
23. been affixed to this bill. One of which removes
24. seasonal agricultural employment, thereby...doing or
25. amending to meet the objection of the farming or
26. agricultural interest here in the State of Illinois.
27. Nobody is required who is engaged in seasonal canning
28. or processing or harvesting of agricultural crops
29. to secure some type of documentation that the person
30. involved is, in fact, a legal alien. The second
31. amendment, was put on in the Senate here to
32. remove the objection of industry where they had a
33. great number of employees. So now, it applies only

1. to newly employed persons, those who have employment
2. with a manufacturer are grandfathered in. There's
3. no requirement that the business man secure an
4. affidavit from them that they are, in fact, a legal...
5. a legal alien, whether, in fact, they are or not.
6. So that no existing employee need furnish such an
7. affidavit. The third amendment is an amendment that
8. was prepared at the request of Senator Nimrod and
9. and the many people considered the requirements of
10. ...of on the businessman and also on the employee
11. far too harsh because it required a certified birth
12. certificate and so forth, which would have been
13. maybe difficult for the employee to...to secure.
14. That amendment now provides, very simply, that the
15. employer obtain a written statement, under oath, from
16. the employee, that the employee is a citizen, a legal
17. alien or...not an illegal alien. Not a very difficult
18. burden to discharge on the part of the businessman
19. but it does make the person who furnishes this affidavit
20. subject to the penalties of perjury if he is lying,
21. and it...it shares the responsibility. The responsibi-
22. lity then is removed from the businessman and placed
23. on the employee. Absent that if the employee is
24. willing to sign such a statement or, in fact, the
25. businessman does not secure such a statement, then
26. the...then the onus is on the businessman. I
27. think this is good legislation, it protects those
28. people who are being taken advantage of, who
29. are being brought here. And we heard Senator Mitchler
30. talk in Executive Committee about people that were...
31. the young ladies who were brought here and then
32. there were not jobs for them, they're forced into
33. ...into prostitution. There's an ongoing inflow of

1. drugs that's almost impossible to control. The immigration
2. authorities can't meet with the problems that they're
3. confronted with and the natural flow of drugs that go
4. with such an influx. It does allow people to come here
5. to harvest seasonal crops where our employees don't
6. want...really don't want these kind of jobs because
7. they want permanent employment. But it does apply
8. to the person who applies for a regular permanent
9. job. All he has to do is sign a written affirmation,
10. under oath, that he, in fact, is here legally or
11. that he's a citizen and I don't think this is very
12. much to require. We require our fifteen year olds
13. and sixteen year olds who want to work to go down
14. to the superintendent of schools office and get a
15. work permit. We treat our own children worse than
16. I'm asking you to treat a person who has...has gotten
17. into this country through illegal means. I don't think
18. this is bad legislation in view of the scandalous
19. unemployment picture that you've got in today's
20. Journal-Register and Chicago Tribune, I guess, too.
21. That we got problems, we got problems with our
22. unemployment system, we got...and I ask you, if
23. an illegal alien appears to take a job and he gets
24. that job, why would a businessman prefer him over
25. a legal alien except, except, that he can take
26. advantage of that man. And, furthermore, it will
27. cause unemployment and let's...let's assume, it
28. does not necessarily follow that it applies to
29. Latinos, but let's suppose you hire an illegal
30. alien who is from Mexico. Who are you going to
31. put out of a job? You going put out a...citizen
32. Latino, that's who going to loose his job. This
33. is good legislation.

1. PRESIDENT:

2. Senator Collins.

3. SENATOR COLLINS:

4. Mr. President and members of the Senate. I rise
5. in opposition to this bill. I recognize that there
6. is a serious problem in this country with the
7. employment of illegal aliens and also the abuses
8. that occur in this particular area. This is a not
9. a problem unique to the State of Illinois, this is
10. a problem, in fact, all over the country. Several
11. of the states have been trying to take action and
12. have recently passed laws this year to try and
13. address this problem. And I guess I can sum up
14. my feelings on this issue with two letters. One
15. from the Governor of Georgia who vetoed this
16. year a bill that was passed there and I quote,
17. "this bill contains no grandfather provision
18. to protect those who enter...enter the United
19. States prior to modern integration enforcement
20. laws and procedures. For many of those aliens
21. it may be impossible to...to perfect their
22. lawful presence here. Although the Attorney
23. General and the State Department are currently
24. working on nationwide solutions to this problem.
25. Therefore, a state by state approach, without
26. safeguards, for aliens who were once welcome and
27. encouraged to enter this country, but who cannot
28. now evidence their lawful entries, is not a
29. proper solution to this problem." Another
30. letter from the U. S. State Department of
31. Justice and Immigration and...Naturalization
32. Service from Washington D. C. in response to
33. the law that was enacted or before the Labor

1. committee and the State of New York. And it states,
2. "while not denying the seriousness of this problem,
3. I nonetheless, think that independent actions by
4. state in the absence of a national legislation
5. can lead not only to uneven enforcement, but also
6. to civil rights, civil rights questions and complaints
7. from aliens." This is part of that letter. I
8. am very much concerned that by trying to find a
9. solution, a piecemeal solution to this problem,
10. we may, in fact, create a greater problem and that
11. is the problem of discrimination. And we cannot,
12. in my judgment, allow people to be discriminated
13. against in the area of employment and this would
14. give them an out to do so because if I was an
15. employer, rather than serving as an integration
16. officer, I would, in fact, deny employment to those
17. people that I suspect were the illegal aliens. And
18. therefore, I...I urge a No vote on this bill.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you, Mr. President. In addition to the
23. comments and portions that Senator Collins commented
24. on, I think it's worthwhile underscoring that the
25. Commissioner of the Immigration and Naturalization
26. Service specifically requested that states not
27. get into this business and said, "it is my position
28. that the hiring of undocumented aliens is essentially
29. a Federal problem whose resolution is best left
30. to the U. S. Congress." And to that should be
31. added the fact that the Federal Government is in
32. the process of coming up with a plan which will
33. help its enforcement of illegally entering aliens

1. or those who have already illegally entered. The
2. Naturalization Service and I think all of the enforce-
3. ment agencies of the Federal Government feel it is
4. much preferable that they be able to handle it on
5. a nationwide basis. I think that the amendments
6. that Senator Knuppel put on did address one of the
7. problems that was clearly present in the bill as
8. it existed prior thereto. I gather now it does
9. not require a birth certificate to be presented
10. in order to establish one's citizenship and that
11. would of course, presented an insuperable obstacle
12. for a huge number of...of people who were actually
13. born in this country and particularly blacks who
14. were born in the South in communities where there
15. were, in fact, no birth certificates. But that
16. I think has been partially met. There is, however,
17. one additional important point that was raised by the...the
18. legal services center for immigrants which deals
19. with a very large number of the people in the
20. State of Illinois who are not citizens of this
21. country. And I might just read briefly the...the
22. one long sentence from their...their report. They
23. said that if passed, House Bill 230 will cause
24. employers to discriminate against numerous United
25. States citizens and lawful permanent resident aliens
26. who have or appear to have foreign ancestry. Many
27. employers, to avoid possible liabilities under the
28. law, may decide not to hire any persons who appear
29. to have foreign ancestry regardless of whether they
30. are actually United States citizens or legal residents.
31. As a result, the proposed bill will harm the employ-
32. ment opportunities of thousands of lawful Illinois
33. residents, particularly in the large Eastern European
34. and Latin American communities in the metropolitan

1. Chicago area. The bill contains no remedies protecting
2. United States citizens or legal...residents who suffer
3. discrimination as a result of the law. So that it
4. seems to me on both those grounds, the fact that the
5. Federal Government itself would prefer to try to
6. handle this problem and the fact that the unintended
7. result may be discrimination against a very large
8. number of people who are not even the objects of
9. the bill, but it should be defeated.

10. PRESIDENT:

11. Senator Guidice.

12. SENATOR GUIDICE:

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

15. PRESIDENT:

16. Indicates he will yield.

17. SENATOR GUIDICE:

18. The employer is to request of the employee to
19. sign certain affidavits and I'm...I'm just wondering
20. how does that employer determine, in the first instance,
21. that there's a possibility that this particular indivi-
22. dual is an alien or an illegal alien?

23. PRESIDENT:

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. So there's no question about it. I assume he's
27. intelligent enough that he has a pad of them there
28. and everyone signs them. If he isn't, then he's
29. subjecting himself to the penalties that come under
30. FTC, FEPC and so forth. This isn't very difficult.
31. You just have every new employee sign an...sign
32. an application because you can't tell whether he's
33. from Sweden, Yugoslavia or Russia or where he's from,

1. so you just have a simple slip there that says that
2. he's either a citizen a legal alien and that he's
3. not an illegal alien. Very simple thing. No problem.

4. PRESIDENT:

5. Senator Guidice.

6. SENATOR GUIDICE:

7. Then it is your intention to have an employer
8. of every company that's doing business in the State
9. of Illinois to require of its employees a...a written
10. statement that the fact that he is a citizen or is
11. here on a residency, as...as we understand it?

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. No sir, Senator Guidice, that's not what I said.
16. I said, if I were an employee...if I would an employer
17. I'd have a pad there. It's not my intention to
18. require anything of him. But if I were an employer
19. out of...out of just common sense, I'd have a pad.
20. You hire the man, you get his social security number,
21. you get his number of exemptions, his dependents.
22. I'd hand him that slip along with those things. It's
23. not really that difficult.

24. PRESIDENT:

25. Senator Guidice.

26. SENATOR GUIDICE:

27. Well, I rise in opposition to this bill because
28. I think it's going to create a discrimination. I
29. think that what we're doing here is going to set
30. one heck of a precedent. I would imagine most
31. employers of large companies submitting a form,
32. or possibly a form, but I think more importantly
33. that they're going to start looking at the last
34. names of particular individuals. And if it ends

1. in a vowel, they're going to start indicating that they
2. better start having these particular forms signed. If
3. it ends in a ski, they're going to ask that, it, you
4. know, that he signs this particular form. If a
5. name happens to be peculiarly enough, American, as
6. we know American and...well then he's...he's going
7. to avoid that, then he won't have to do that. Well
8. I'm just as much an American as anyone here. My
9. ancestors were American, my name does end in a vowel.
10. There's many here today who's name ends in a
11. vowel, there's many names here that is...is naturally
12. brought back to their national heritage. And I think
13. that any type of bill that would require me signing
14. or one of my relatives signing or my friends signing
15. or any of my constituents signing is patently uncon-
16. stitutional.

17. PRESIDENT:

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate. This is
21. good legislation. It's been amended into a extremely
22. good bill. Now who wants this? You always ask the
23. question. Let me tell you. I'll just name one group.
24. The Spanish speaking and Latino group wants it and
25. they've come in. Because you know who's out of work?
26. And just like Senator Knuppel said, it's when you
27. have an illegal alien, let's say, from Mexico comes
28. up, what type of job does he take? The same type
29. of job as the person they displace and it's usually
30. of their same catagory and the same area. I tell
31. you who they displace, they displace a lot of the
32. Vietnam war veterans that we're trying to find.
33. That's why the National American Legion Convention,

1. the Veterans of Foreign Wars at their National Convention
2. and the Amvets have endorsed the legislation such as
3. this. I'll tell you who wants it, the AFL-CIO. They
4. want it. Because what type of jobs do these illegal
5. aliens get. They get the scrappy jobs, the scum
6. jobs, the low income jobs, where employers put them
7. to work for substandard wages, substandard working
8. conditions. You ask Stan Johnson and any of them
9. and they're...they're for this bill. So if you've
10. got any interest and support from labor or veterans
11. groups and...and all that, you want to see your...
12. your veterans return and get back to at least get
13. a start in some type of job. You're always complaining
14. that a lot of these come back and don't have the education
15. and all that. That's what keeping them out of work.
16. And when you get into these high areas where you have
17. a lot of these illegal aliens and they do concentrate
18. in certain areas because they stick together to protect
19. themselves and in so doing you find that the community
20. in which they reside, the standards in those community
21. in housing and the...goes down. The crime rate goes
22. up because a lot of them can't get jobs and because they
23. ...they go out and steal. There's prostitution becomes
24. flagrant. Yes, this is a responsibility of the employer
25. and that's where it belongs. I can take you in my
26. district and I can show you a number of places where
27. there are illegal aliens employed. And they're employed
28. in substandard wages, substandard working conditions.
29. It's servitude labor, that's what it is and they have
30. them scared to death. They can work them over eight
31. hours a day and they don't have to pay it. They with-
32. hold their wages. They're not subjected to any of
33. the standards of living employed by the wage standards
34. of organized labor that they're protected by. Now, this

1. is good legislation. Don't try to hide behind it. As
2. far as any employer organizations being against this,
3. if anyone told me and I...I...you know, I support...
4. organized, rather the employers in a lot of their
5. legislation. I'd tell them poppycock. All they
6. have to do is like...the Senator said, have on their
7. form there that they're not an illegal alien and
8. everybody would sign it. But you go to some of
9. these laundries and find...they got all these women
10. herded in there, working them like sweat shops.
11. And they should...

12. PRESIDENT:

13. Senator Mitchler, would you conclude your remarks.

14. SENATOR MITCHLER:

15. ...be ashamed of themselves. This is a good bill.

16. PRESIDENT:

17. Would like to remind the members of the Senate
18. that we have six additional speakers. Anyone...any
19. speaker who has heard the comments that he or she
20. wish to make, already said, please remove your name
21. from the list and I am sure the group will appreciate
22. it. Senator Berman.

23. SENATOR BERMAN:

24. I just stand in opposition to the bill, Mr.
25. President.

26. PRESIDENT:

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. Well, Mr. President, I rise in support of the bill
30. and would like to comment on the letter from the
31. Governor of Georgia on the veto message. I feel that
32. if a governor vetoes a bill like this because he says
33. that illegal aliens, if you hide from the law long
34. enough and lie and get a birth certificate, social

1. security number and get a job and you're illegal that
2. you've played the game right and you can win your
3. stay here. I think this is the wrong concept. If
4. you're illegal, you're illegal and no matter what
5. the length of time is here. And as far as the
6. comment by the writer from the Federal Government
7. from the Federal Immigration Authority, their concern
8. is that each state will pass their own laws and that
9. they might be forced into some action to consolidate
10. these. This is their concern. They would rather
11. do nothing at all about these problems than have
12. the states take the initiative. So I would support
13. Senator Knuppel in House Bill 230.

14. PRESIDENT:

15. Senator Glass.

16. SENATOR GLASS:

17. Well, Mr. President, I will not be repetitive,
18. I hope. I stand in opposition to the bill. There
19. are immigration laws as have already been pointed
20. out. I would...I would simply bring the attention
21. of the membership to the burden that this places
22. on employers. It places an absolute liability on
23. the employer if they do, in fact, hire an illegal
24. alien. And the only defense is the one listed in
25. the bill that the employee was referred by an
26. official employment office of any state or that
27. they obtain the affidavit form that was put in
28. the amendment of the bill. There is no other
29. defense. I think this puts an impossible burden
30. on the employers and should be defeated.

31. PRESIDENT:

32. Senator Leonard.

33. SENATOR LEONARD:

34. Just a word to correct something that was said

1. here. Outside of Chicago, I probably represent more
2. Latin-speaking Americans than anyone in this room.
3. And from what I hear from the organizations, they
4. do not want this bill. They see it the way it
5. has been explained that it will hurt the people
6. who are citizens who are here. It will be used
7. as a tool of discrimination and the feeling is
8. not, as has been expressed on this Floor, that
9. such...Latin organizations are against it. They
10. are against this bill and they do not support it.

11. PRESIDENT:

12. Senator Grotberg.

13. SENATOR GROTEBERG:

14. Thank you, Mr. President. I rise in opposition
15. to this bad bill. Well I...you know, my conflict of
16. interest keeps coming up, but I tell you right here
17. and now...I'm...you better believe it...and they
18. get good treatment. I do pay the minimum wage and
19. I pay time and a half for overtime so I have no
20. conflict. But...hey...don't deduct from my time
21. the gas going on over in the far corner, Mr. President.
22. But, it...I'm always amazed at the brilliant sponsors
23. of legislation like this who probably don't have
24. to go and get through a day with help at the entry
25. level in the marketplace. And I'll tell you that
26. if a green card is presented to me or my personnel
27. people, they have to believe something and the
28. work has to get done. Now, if we're going to finance
29. the...the Immigration Bureau out of the United States
30. Capitol in Washington with State programs, they
31. can fund every bomber, every other thing in the
32. world except that department to come down and
33. control the problem. It's a national problem. It's...

1. in Illinois it surfaces because we are impacted. But
2. I'm here to tell you there isn't a businessman going
3. that can deal with something like this and the signed
4. slip of paper being different from the green card,
5. you know, is window dressing, that's all it is. I
6. just cannot find a possible way to be in support
7. of local responsibility for a problem of that
8. dimension, which is, in fact, a Federal violation
9. if it were ever enforced. And I would urge a No
10. vote.

11. PRESIDENT:

12. Senator Chew.

13. SENATOR CHEW:

14. Thank you, Mr. President. I...I heard one of my
15. distinguished colleagues comment about the gracious,
16. godly, beautiful, Vietnamese Veterans. Well, I recall
17. the other day that if you didn't have the most
18. honorable discharge signed by the President and the
19. signers of the confederate that you couldn't enjoy
20. any of the benefits of being a veteran of the Vietnam
21. War. Now, here that same Gentleman this morning coming
22. up cuddling all of the veterans of the Vietnamese War
23. as being God-given sons. I can't understand the
24. inconsistency of this distinguished colleague. The
25. bill in the form it's in is absolutely no good. We
26. ought to recognize that. I have a great respect for
27. the sponsor. But the sponsor too can get some bad
28. legislation. He's not the author of it. It was
29. just passed on to him by some twenty or more House
30. members that I look upon as not being very bright.
31. So sometimes we have to pick up the trash and try
32. to clean it and he hasn't done a good job on this
33. one as he has some of that other dog legislation
34. that they threw down his throat. So Knuppel

1. is all right with me, but he just got a bad idea this
2. morning. We got to defeat this. It hurts too many
3. people. America, the United States, is made up of
4. many component parts. And if we all work to search
5. ourselves, most of us would find that all we've
6. gained today should go back to the indians. Let
7. us not discriminate against anybody.

8. PRESIDENT:

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, Mr. President, fellow Senators. It seems
12. that this bill in its amended form is very simple.
13. It says that we have a problem and the problem is
14. the fact that illegal aliens who are employed.
15. It says that the employee must just sign a
16. certificate so he can be held for perjury if
17. he's lying, that he's not an illegal alien.
18. It says to the employer, you get a statement
19. from him that he's...that he's sworn to so that
20. we can get after him in the case that's there.
21. Very simple, very factual. I think it's very
22. proper to address the problem at hand and I think...
23. I commend all those who help to reach this compromise
24. which I think addresses a very serious problem.

25. PRESIDENT:

26. Senator Knuppel may close the debate.

27. SENATOR KNUPPEL:

28. Well, Ladies and Gentlemen of this Body.

29. PRESIDENT:

30. Excuse me, Senator Newhouse, the Chair did
31. not see you seeking recognition. Senator Newhouse.

32. Excuse me, Senator Knuppel.

33. SENATOR NEWHOUSE:

34. I'm sorry Mr. President, I thought you...you

1. put me on the list. For a Senator from a district
2. that's got a forty percent unemployment rate
3. among young people, to oppose a bill like this
4. sounds nutty. There is a problem and it's a serious
5. problem. And it's a problem that someone ought
6. to do something about. I'm just afraid that this
7. bill is not the vehicle. I'd like to review a
8. couple of things for the benefit of this Body that
9. haven't been talked about. The fact is that the
10. whole immigration service has been a discriminatory
11. one. It has been from day one, it was set up for
12. certain kinds of purposes and it's flunked its
13. test over and over and over again. When we wanted
14. to get some...some...some crops grown in California
15. at a very cheap rate, the immigration turns its
16. back and you reached across the border and brought
17. some people over to this country and talked about
18. then, putting them out at night. It's nuts, you
19. can't do it. You can't do it. We got a border
20. down there that we can't patrol. We got Cuba
21. sitting right across the water, twenty..., you can
22. swim the distance. You got people coming in from
23. Haiti, you got people coming in from Vietnam, you
24. got people coming in from the Middle East and from
25. the Far East. All of which, all of which has been
26. done under a system where the Immigration Department
27. turned its back when it's convenient and then when
28. the party gets overwhelming they begin to make
29. noises like they ought to control it rather than
30. the individual states. There's a problem and a
31. very serious one. Along with the problem of
32. immigration, along with the problem of turning
33. your back comes the drug problem. We might as
34. well wrap those up in the same package because

1. they are in the same package. The drug sources have
2. moved. They moved from one country to another. They're
3. coming at us from four different directions now. And
4. it all part and parcel to the same thing and you can't
5. divorce them. They're one and the same. They come
6. together. The fact is that I think that we ought to
7. have some kind of study commission ongoing to examine
8. this problem very closely. Here we sit in Illinois
9. in a posture geographically that is one of the greatest
10. and one of the worst that is possible. We're a
11. transportation center. Everything comes through here.
12. It's quite different from a lot of other states.
13. Your pressure points are Illinois, Florida, California,
14. New York, there's where the problem center. And
15. I'm not sure that the Immigration Departments really
16. care. Some of us sitting in this room know that we
17. have entire businesses in the City of Chicago and
18. I suspect elsewhere which hire nothing but illegal
19. aliens. They know it, they send for them, they import
20. them and they employ them. And we know it, the authorities
21. in the cities know it, the Feds know it, everybody
22. knows it. It sounds like my neighbor Dick Gregor used
23. to say, that it's funny that the drug authorities
24. can't find the drug pushers and any nine year old
25. kid on the street can find them. Who we kidding?
26. I would suggest that we do need to form some kind
27. of commission to look at this problem very, very,
28. seriously. I would hope the idea is not dropped.
29. I would oppose the bill for the reason that it
30. is or rather that I think it does create a dis-
31. criminatory atmosphere and I'm certain that the
32. sponsoring Senator does not think this, does not
33. know that kind of background. So I'm certainly

1. not directing any remarks at the sponsorship, but that
2. is a serious problem, a problem that we have to examine.

3. PRESIDENT:

4. Senator Knuppel...

5. SENATOR NEWHOUSE:

6. I hope that we'll reject this bill and go on to
7. something that's meaningful for the people of this
8. State.

9. PRESIDENT:

10. Senator Knuppel may close the debate.

11. SENATOR KNUPPEL:

12. I want to compliment Senator Newhouse on one
13. of the finest speeches I've ever heard him make
14. in this Body and one of the most logical. He has
15. the problems that...and all of the rest of you,
16. most of you who spoke against it, have the same
17. problems. Now I tell...I tell you this, that
18. Senator Glass said that this was an impossible
19. burden on the employer. Well, I'll tell you
20. what part of the problem is, it's an impossible
21. burden on the immigration authorities. And then
22. those of you who would say give it to the Federal
23. Government who has failed so dismally in this
24. area. Come on, let's be logical about this thing.
25. Who's put out of work if...if there's an illegal
26. alien comes in and takes the job. It's not me.
27. And I want to comment one other thing. You
28. say those who have...foreign ancestry, hell there
29. isn't a man in this Body, I don't think, that
30. doesn't have foreign ancestry. If there's an
31. Indian, let him stand up. We all have. And I say
32. this further, I say this further. All of the
33. arguments, all of the arguments, and I don't

1. have the time to go around the room and rebut each
2. one, are spurious. Many of you are going to vote or
3. speak against this because you have a high Latino
4. population in your district, however, who, who, has
5. fired those Latino's up. The people who use them.
6. Why do you think they were down here dancing in
7. the lobby? Some of the contractors...where were
8. the guys that contract to bring this stuff in be...
9. bring these people in be if they were out of a job.
10. Naturally, they tell these people that it's against
11. them and they get them fired up. These people
12. keep the jobs for those people who are contractors.
13. Or somebody else stands up to speak because he
14. can hire for the minimum wage and I wonder who
15. gets the difference between the minimum wage and
16. the other one. Now, Ladies and Gentlemen, you
17. can vote your district's conscience on people that
18. have been emasculated, mistreated, and fired up or
19. you can use your own logic. The largest article
20. in today's paper, the Chicago Tribune, has to do
21. with the unemployment mess in the State of Illinois
22. and are you willing to do something about it. Hell,
23. in Ohio, they only have half the problem. We got
24. the biggest problem anywhere. Now, are you ready
25. to do something about it. I agree with Senator
26. Newhouse, everything he said, except he made a logical
27. speech and a poor conclusion, because he said he'd
28. like to do something else. Senator, it'll be two
29. years before we can do anything else. This at least
30. will help the situation. There is no other vehicle
31. available at this time to do anything about it. If
32. you would have introduced the bill, I would have supported
33. it to make a study. Here we are in the closing days.

1. Your argument was superb, but your conclusion, a ban
2. in your logic. I submit this is good legislation,
3. we should have a favorable roll call.

4. PRESIDENT:

5. The question is shall House Bill 230 pass. Those
6. in favor will vote Aye. Those opposed will vote Nay.
7. The voting is open. (Machine cut-off) voted who wish?
8. Have all voted who wish? Take the record. On that
9. question the Ayes are 19, the Nays are 36, 1 Voting
10. Present. House Bill 230 having received...having
11. failed to receive the constitutional majority is
12. declared lost. House Bill 236, Senator...House
13. Bill 241, Senator Wooten. Read the bill.

14. SECRETARY:

15. House Bill 241.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Wooten.

20. SENATOR WOOTEN:

21. This simply repeals obsolete law and I just forgot
22. about it when we were compiling the Agreed Bill List.

23.

24.

25.

26. The following typed previously.

27.

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1. PRESIDENT:
2. Is there any discussion? If not, the question is shall
3. House Bill 241 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 record.
6. On this question the Ayes are 50, the Nays are none, none
7. Voting Present. House Bill 241 having received a
8. constitutional majority is declared passed. House Bill
9. 245, Senator Roe. House Bill 250, Senator Maragos.
10. Read the bill.
11. SECRETARY:
12. House Bill 250.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDENT:
16. Senator Maragos.
17. SENATOR MARAGOS:
18. Mr. President and members of the Senate, House Bill
19. 250 amends the Illinois Securities Law dealing with the
20. franchisers of the State of Illinois. It allows certain
21. exemptions to be given to organizations who will be working
22. to help out communities and do some urban development
23. in certain areas. In addition, thereto, we amended it
24. with a Senate Amendment a few days ago to transfer the
25. regulation and the control and the filing of these various
26. franchise organizations from the Office of the Secretary of
27. State to that of the Attorney General. I'm willing to answer
28. any questions, if any arise.
29. PRESIDENT:
30. Is there any discussion? If not, the question is
31. shall House Bill 250 pass. Those in favor will vote Aye.
32. Those opposed will vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record.
34. On that question the Ayes are 52, the Nays are none, none

1. Voting Present. House Bill 250 having received a constitutional
2. majority is declared passed. House Bill 259,
3. Senator Roe.

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End of reel.

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33.

1. House Bill 269, Senator Demuzio. Read the bill.
2.
3. SECRETARY:
4. House Bill 269.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator...Senator Demuzio.
9. SENATOR DEMUZIO:
10. Thank you, Mr. President. House Bill 269 authorizes
11. the...it's a bill that came in from the township officials.
12. Increases the maximum rate in which townships may levy
13. a tax for graveyard purposes under the Act from five percent
14. to fifteen percent on the effective date of the...of the
15. legislation and I'll be glad to answer any questions if I
16. can.
17. PRESIDENT:
18. Is there any discussion? If not,...Senator Regner.
19. SENATOR REGNER:
20. Question.
21. PRESIDENT:
22. Indicates he'll yield.
23. SENATOR REGNER:
24. This by referenda, Senator Demuzio, or...
25. PRESIDENT:
26. Senator Demuzio.
27. SENATOR DEMUZIO:
28. According to the bill, Senator Regner, it says that
29. when fifty legal voters of any township have a population
30. of not exceeding a hundred thousand, ask that an annual
31. tax be levied, then by petition, then the township official,
32. not less than thirty days prior to the first annual town
33. meeting, or at least ten days prior to any special town
meeting called for such purpose, shall give notice at the

1. meeting to every elector in the township. Apparently, on
2. Amendment No. 2, it stipulates that townships authorized
3. to levy the tax under the Act, at a rate less than fifteen
4. percent on the effective date of the amendatory Act, may
5. provide for the electors to vote to increase the rate.
6. for such purposes to not exceed fifteen percent in the
7. manner provided for establishment of the tax in the first
8. instance. It says the foregoing limitations upon the
9. tax rates may be increased or decreased under the referendum
10. provisions of the General Revenue Law of Illinois.

11. PRESIDENT:

12. Is there any...further discussion? If not, the
13. question is shall...Senator Wooten.

14. SENATOR WOOTEN:

15. I just want to be sure from...I think I picked out
16. from what you said, Senator Demuzio, that a referendum
17. is needed for the imposition of this tax?

18. PRESIDENT:

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. According to the way in which I interpret the Act,
22. in the Act it says the foregoing limitations upon the
23. tax rates may be increased or decreased under the referendum
24. provision of the General Revenue Law of Illinois.

25. PRESIDENT:

26. Senator Wooten.

27. SENATOR WOOTEN:

28. I don't know what that means. Are you telling me it
29. means that they need a referendum to increase the tax?

30. PRESIDENT:

31. Senator Demuzio.

32. SENATOR DEMUZIO:

33. The way in which I would interpret that the fifty
electorate at the town meeting may, in fact, vote to increase

1. the tax or the fifty...let me back up. Fifty that come in
2. with a petition, may ask the town...the town board to increase
3. the tax after notification of all of the members in the
4. township that the matter is to be considered. I would
5. suggest to you that it appears that, at least to me, that
6. the tax could then go into effect and that it would be
7. subject to the provisions that...it says increase or
8. decrease in the referendum provision in the General
9. Revenue Law of Illinois. I could assume from that
10. that it's a backdoor referendum.

11. PRESIDENT:

12. Senator Wooten.

13. SENATOR WOOTEN:

14. I apologize for not being more conversant with the
15. law, Senator Demuzio, but from what you just read, maybe
16. I'm not getting it correctly, it sounded as if at a town
17. meeting, which no one attends, if you have the signatures
18. of fifty people, that would be enough to impose the tax.
19. Is...is that what you said or...

20. PRESIDENT:

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. The fifty individuals must petition at the annual
24. meeting of the annual town meeting in order to levy the
25. tax in order for it to be considered and then according
26. to this,...and then apparently,...my interpretation of the
27. tax can go into effect, but it is subject according to
28. Amendment No. 2 to the provisions of the...of the referendum
29. provisions of the law. And I'm not being a lawyer, and therefore
30. I really can't give you any more than what I...what's in the
31. bill.

32. PRESIDENT:

33. Senator Philip.

SENATOR PHILIP:

1. Thank you...thank you, Mr. President. Will the sponsor
2. yield for a question?

3. PRESIDENT:

4. Indicates he'll yield.

5. SENATOR PHILIP:

6. Senator Demuzio, the way I understand the bill is that
7. at the annual town meeting, if fifty people sign a petition
8. for a tax increase, the town meeting would then consider
9. it, is that correct?

10. PRESIDENT:

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. That is correct.

14. PRESIDENT:

15. Senator Philip.

16. SENATOR PHILIP:

17. Well, I might say this to you, Senator Demuzio, I
18. live in a township that has over fifty township employees.
19. All...all those elected officials would have to do is
20. circulate that petition in the township office and they
21. could increase any tax they so desired and I really think
22. you've got kind of a stinky bill, very honestly.

23. PRESIDENT:

24. There's no further discussion? The question is shall
25. House Bill 2...Senator Berning.

26. SENATOR BERNING:

27. Well, Mr. President, I think there is some misunderstanding
28. of the intent of this bill, the import of it. A tax having
29. already been established by referendum to maintain
30. cemeteries, may then, subsequently be increased at an annual
31. town meeting. The annual town meeting is sovereign. Those
32. members in attendance, be they many, be they few, may
33. increase or decrease a levy or a tax rate. This is
authorizing their increasing an established tax rate limit.

1. I think this is defensible legislation. Incidentally, it
2. only applies to counties under a hundred thousand.

3. PRESIDENT:

4. Senator Nimrod.

5. SENATOR NIMROD:

6. I think Senator Berning explained exactly what I
7. wanted to get across. Thank you.

8. PRESIDENT:

9. Senator Grothberg.

10. SENATOR GROTHBERG:

11. Yes, I just wanted to make note for those who are
12. in doubt, that in Illinois counties and townships and the
13. smaller ones, populationwise, they've got a lot of trouble
14. keeping up their graveyards. Now, that's a very simple
15. issue. And if we're going to mow the grass and keep them
16. clean and once in a while repair the vandalism, they've
17. got to have more money. They're asking for that by this
18. process. It's the only process there is, the only Act he could
19. amend. It went...sailed out of our committee with everybody
20. in favor of it. Now, whether that's a recommendation or not,
21. sometimes is in doubt, but there is no other posture for
22. us to present to the townships and the counties in the
23. State of Illinois but this one and I recommend an Aye vote
24. on it.

25. PRESIDENT:

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. Yes, Ladies and Gentlemen of the Senate. This bill...
29. I think the best way to explain it that it does require
30. referendum. The Illinois Taxpayers Federation supports this.
31. Even if the levy is increased, it still takes a referendum
32. to pass the bill. It's a good piece of legislation if you've
33. been out in any counties that have this in part where

1. the graveyards have gone in disrepute.

2. PRESIDENT:

3. Question is shall House Bill 260...Senator Wooten.

4. SENATOR WOOTEN:

5. I'm sorry, Senator Davidson. I...this is the first
6. time I think I've every spoken a second time, but what
7. you say is absolutely in contradiction of what was just
8. said before. The process as it was explained here is that
9. if fifty people come in with a petition, then at a town
10. meeting, they may...they may vote to do this. That is not
11. a referendum.

12. PRESIDENT:

13. The question is shall House Bill 269 pass. Those in
14. favor will vote Aye. Those opposed will vote Nay. The
15. voting is open. Have all voted who wish? Have all
16. voted who wish? Take the record. On that question the
17. Ayes are 37, the Nays are 9, 3 Voting Present. House Bill
18. 269 having received a constitutional majority is declared
19. passed. House Bill 272, Senator Schaffer. Read the bill.

20. SECRETARY:

21. House Bill 272.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Mr. President, House Bill 272 does the same thing
28. for township assessors that we did for township road
29. commissioners a couple of years in effects...it takes off
30. the ceiling for salaries and allows the town board to
31. pay the assessor whatever salary they...they choose.
32. We had the situation this year where the two basic
33. full time employees in most townships had their salaries

1. set and there was a ceiling on one and not the other
2. and there was a certain amount of let's just say, friction.
3. This would put the assessor in the same place as the...
4. same situation as the road commissioner, take us out of the
5. salary business which I think is good and I might add, there
6. was a question in committee as to whether or not this
7. decision had to be made before or after the election. Mr.
8. Cross of the Township Officials Association, I think,
9. showed me the section, the reference that the decision has
10. to be made before the election and I'm not sure who asked
11. the question in committee, but I think he was similarly
12. had this explained to him. I know of no opposition. I think
13. it's a step in the right direction. Appreciate a favorable
14. roll call.

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, Senator Schaffer, does this bill also relate
19. to assessors and deputy assessors in giving them an additional
20. three hundred dollars for training or has that been amended
21. out?

22. PRESIDENT:

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. There is a reference in the bill that says that
26. any assessor who qualifies for additional compensation
27. which is basically that training program that you mentioned
28. would be eligible to receive that compensation. I think
29. the reason they put that in is that we, from time to time,
30. raise that compensation and we wanted to make it clear
31. that if the assessor did go to the school and qualify, they
32. would get the money. You may recall, we passed a bill earlier
33. this year which takes that from basically a three day

1. conference to a number of minimum hours of study. And I
2. think that it does encourage professionalism in the
3. assessor's ranks and that's something we should try to do.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Well, I...I just don't understand since it's
8. located elsewhere in the Statutes, why we are putting
9. in...what it seems to read, is that they might get an
10. additional three hundred dollars by this. It says any
11. township assessor who qualifies for the additional
12. compensation, provided by Section 2-3, may also receive
13. such additional compensation. It appears to me that he
14. gets a three hundred dollars twice, once...once by the
15. Statute and once by the town auditors. They have to give
16. him the three hundred.

17. PRESIDENT:

18. Senator...Senator Bruce, have you...

19. SENATOR BRUCE:

20. Yeah, I've...

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

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

25. A question of the sponsor, if he will yield.

26. PRESIDENT:

27. Indicates he will yield.

28. SENATOR CARROLL:

29. Senator Schaffer, these township assessors, are these
30. elected officials?

31. PRESIDENT:

32. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Yes, Senator, they are.

2. PRESIDENT:

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President. Then, will they be eligible
6. for these increases in compensation should the board that they
7. run with happen to decide to give them one?

8. PRESIDENT:

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. The next opportunity the board would have a decision
12. to give assessors is approximately four years from now.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. Are you, then, saying that during their term in
17. office, they could not get an increase in salary?

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. Yes, the...you'll notice the bill makes reference
22. to Chapter 16...17 of a pardon me...Chapter 17 of Article
23. 8 and that refers to the salary setting procedure
24. which provides for the salary to be set be...prior to the
25. time of the election and it...the salary is set by the
26. board. Now, I...I'm not addressing myself to the question
27. of whether the board has the authority to give somebody
28. a salary with a six percent cost each year four years
29. in advance. I've...I've heard of that being done. I have
30. no objections to it. But for the board to set the salary
31. say at twelve thousand, then half way through the term,
32. decide they want to give them a raise, they can't do it.
33. This...this law does not change that at all.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. My final question is why should we, after all of
5. this time, take away from the General Assembly, the
6. apparently needed control over what salaries were set for
7. this office when we do, by Statute, set maximums for most
8. of the other elected officials?

9. PRESIDENT:

10. Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Will the sponsor yield to a question?

13. PRESIDENT:

14. He indicates he will yield.

15. SENATOR KENNETH HALL:

16. Senator, am I to understand that these assessors
17. are going to get three hundred dollars for attending a class?

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. Well, first to answer Senator Carroll, why is the General
22. Assembly giving up control? We gave it up for the road
23. commissioners. This would put the assessors in the same
24. position...posture. My...my honest opinion is we ought to
25. get out of the business of setting these salaries. I think
26. the local elected town board should...should have that
27. authority. Now, Senator Hall, you'll recall there was a
28. bill passed through here, I'm not sure if Representative
29. Grotberg was the sponsor of it or Senator Shapiro, which increased
30. the number of hours of study necessary for an assessor
31. to qualify for this extra money from the Department of
32. Local Government. This bill would simply provide for the
33. assessor to continue to be able to draw that amount which is

1. three hundred dollars.

2. PRESIDENT:

3. Senator Hall.

4. SENATOR KENNETH HALL:

5. I mean, but who gives this? I mean, where do they go to
6. take it?

7. PRESIDENT:

8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. The State gives it and the State approves the study
11. program, as I understand it. There's a line item in the
12. Department of Local Government for this amount by the way.

13. PRESIDENT:

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Just ask the sponsor a question...

17. PRESIDENT:

18. Indicates he'll yield.

19. SENATOR MITCHLER:

20. Does this take off the maximum salary that township
21. assessors can be paid...

22. PRESIDENT:

23. Senator Schaffer.

24. SENATOR MITCHLER:

25. ...and leave it up to the discretion of the township
26. board?

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Yes, it puts them in the same posture that the road
31. commissioners are now in.

32. PRESIDENT:

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Well, I...I think he answered my question because
3. ...may I have a little order?

4. PRESIDENT:

5. May we have some order. Will the members please be in
6. their seats. And the Chair would like to remind the
7. membership that we have a lot of bills on the Calendar
8. and at the rate we are going, we're going to be here very,
9. very late tonight. Senator Mitchler.

10. SENATOR MITCHLER:

11. Well, I think that...the way you answered that, Senator
12. Schaffer, is the way next year it's going to be answered
13. for another category. This puts them in the same posture
14. as the township highway commissioners. Now, next year when
15. you take it off...this maximum salary on another group,
16. you'll say it puts them in the same posture as the township
17. assessors and highway commissioners. The first thing
18. you know, you'll be taking them off. Now, I mean I don't
19. know if we should adopt a position whether we're going to have
20. maximum salary rates set or not on any of these local
21. government jobs when they're elected. Now, I've never
22. quarreled with that idea, but if so, then let's go right
23. through and take off all the maximum and really only have
24. a minimum that we force them to pay. But some of these
25. assessors from the job they're doing, and I've become
26. acquainted with some of them this last assessment out here,
27. they...they probably need a good looking over.

28. PRESIDENT:

29. Senator Hickey.

30. SENATOR HIKCEY: _

31. Mr. President, part of this, as I understand, Senator
32. Schaffer, encourages the taking of that course so that they'll
33. be better educated and know what they're doing and do a better

1. job and if...if that were the only thing in the bill,
2. we certainly ought to be for it. Now, there's another
3. measure in it which simply says that, as I understand it,
4. the town boards can decide what they want to pay somebody.
5. After they give them that three hundred...that course for
6. which he gets the three hundred dollars, his efficiency
7. may go way up and they want to...may want to reward him
8. more. Anything that will make better assessors, better
9. educated assessors, I think we should support. And I would
10. urge everybody to vote for this bill.

11. PRESIDENT:

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Well, Mr. President and members of the Senate. I
15. only want to speak to a question that was raised here
16. a little bit earlier. There is an existing law that
17. compensates township assessors, supervisors of assessment,
18. board of review members only if they are certified,,it's
19. an additional three hundred dollars a year. They have to
20. attend an institute and that comes out of State funds
21. paid by the Department of Local Government Affairs
22. through an appropriation that we make. I'm fairly sure
23. it has nothing to do with this bill.

24. PRESIDENT:

25. Senator Schaffer may close the debate. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Senator Bruce is having apoplexy over there and I...
28. you know, he has another comment. I...

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR SCHAFFER:

32. ...would hate to see him...

33. SENATOR BRUCE:

Well, I just rise in support. The...the language that

1. I had question about, I wasn't in opposition to it...in the
2. past. It's just a question of clarifying. I understand
3. now the reason for the language is they are fearful that if
4. we give them the three hundred dollars the local town
5. board will reduce the township amount by three hundred
6. dollars. They think that this will allow them to keep
7. the three hundred dollars. I don't think it does. If they
8. think it does, so fine.

9. PRESIDENT:

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Mr. President, I think this is a good bill and
13. ...and my honest opinion is, where the elected official
14. has a governing board elected by the people, I think we
15. should get out of the salary business. And I think that
16. this will encourage better assessors. I think the bill,
17. as amended, is in good shape and I'd appreciate a favorable
18. roll call.

19. PRESIDENT:

20. The question is shall House Bill 272 pass. Those
21. in favor will vote Aye. Those opposed will vote Nay. The
22. voting is open. Have all voted who wish? Have all voted who
23. wish? Take the record. On that question the Ayes are
24. 30, the Nays are 14, 4 Voting Present. House Bill 272
25. having received a constitutional majority is declared passed.
26. There's a request for a verification. The affirmative votes
27. will be verified.

28. SECRETARY:

29. The following voted in the affirmative: Berning,
30. Bloom, Bowers, Bruce, D'Arco, Davidson, Demuzio, Glass,
31. Graham, Grotberg, Guidice, Harber Hall, Hickey, Joyce,
32. Knuppel, Lemke, Leonard, McMillan, Moore, Netsch, Nimrod,
33. Philip, Rhoads, Roe, Schaffer, Shapiro, Soper, Vadalabene,

1. Walsh, and Weaver.

2. PRESIDENT:

3. Senator Rock. Senator Lemke. Is Senator Lemke on the
4. Floor? Take his name from the roll. On that question the
5. Ayes are 29, the Nays are 14. Sponsor moves to postpone
6. consideration. Consideration will be postponed.

7. House Bill 297, Senator Knuppel. Senator Knuppel.

8. Senator Knuppel moves to recommit House Bill 297

9. to the Committee on Local Government. Senator Knuppel

10. moves to recommit House Bill 297 to the Committee on

11. Executive. All those in favor signify by saying Aye.

12. Opposed. The Ayes have it. So ordered. House Bill 299,

13. Senator Egan. Read the bill. Senator...read the bill.

14. SECRETARY:

15. House Bill 299.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Egan.

20. SENATOR EGAN:

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

22. Senate Bill...rather House Bill 299 came from the House

23. through Representative VanDyne and he asked that

24. Senator Sangmeister handle the bill and I'm handling it

25. in his absence. It eliminates the requirement that a

26. summon sent to jurors by certified mail must be delivered

27. to the addressee only so as to insure that the individual

28. receive the summons and I move that...I can ask for your

29. favorable consideration.

30. PRESIDENT:

31. Senator Maragos.

32. SENATOR MARAGOS:

33. I just...favor the same bill because I had to put

1. the amendment on that was asked by the House sponsor and
2. in order to make this bill palatable, I also move its adoption.

3. PRESIDENT:

4. Is there any further discussion? The question is shall
5. House Bill 299 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. Have all voted
7. who wish? Have all voted who wish? Take the record. On
8. that question the Ayes are 53, the Nays are none, none
9. Voting Present. House Bill 299 having received a constitutional
10. majority is declared passed. House Bill 302, Senator Egan.
11. Read the bill.

12. SECRETARY:

13. House Bill 302.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Mr...thank you, Mr. President and members of the Senate.
20. This bill amends the Public Defender Act and the Code of
21. Criminal Procedures to provide that a court shall appoint
22. counsel other than the public defender when that court finds
23. that the rights of the defendant would be prejudiced
24. by the appointment of a public defender. The...the law
25. currently is precatory. This makes it mandatory and
26. I think it's...it is designed to streamline the Code of
27. of Criminal Procedures and I commend it to your favorable
28. consideration.

29. PRESIDENT:

30. Is there any discussion? Senator Rhoads.

31. SENATOR RHOADS:

32. Will the sponsor yield?

33. PRESIDENT:

34. Indicates he will yield.

1. SENATOR RHOADS:

2. Senator Egan, could you give us an example even
3. hypothetical of where the appointment of the public
4. defender would be prejudicial?

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Well, I don't know...I have not read the cases which
9. would highlight those instances in that fact situation but, if for
10. example, let me just suggest one. If for example, there
11. are multiple defendants in a case and the one public
12. defender would...course that office would represent some
13. of the defendants who would be in conflict with others.
14. That would be an instance.

15. PRESIDENT:

16. Senator Rhoads.

17. SENATOR RHOADS:

18. All right. Then would the private council be
19. paid at the same rate that the public defender...or how is
20. the compensation worked out?

21. PRESIDENT:

22. Senator Egan.

23. SENATOR EGAN:

24. Well, currently, the county pays the private counsel
25. that are appointed. There is money appropriated for that
26. ...it's whatever rate it is...it's set. I'm not sure it's
27. the same as the public defender, but it's comparable.

28. PRESIDENT:

29. Is there any further discussion? If not, the question
30. is shall House Bill 302 pass. Those in favor will vote Aye..
31. Those opposed will vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Take
33. the record. On that question the Ayes are 49, the Nays are

1. none, 1 Voting Present. House Bill 302 having received
2. a constitutional majority is declared passed. House Bill
3. 310, Senator Egan. Read the bill.

4. SECRETARY:

5. House Bill 310.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Egan.

10. SENATOR EGAN:

11. Yes, thank you, Mr. President and members of the
12. Senate. The current law of traffic offenses such as driving
13. while under the influence, driving while you're with a
14. suspended license, require the mandatory one year revocation
15. of a driver's license. This would apply likewise to cases
16. where there is criminal trespass to a motor vehicle
17. or commonly known as auto theft. It is felt that any
18. offender who steals an automobile is...should have his
19. driving privileges revoked just like a person who is driving
20. while under the influence or one who is driving while
21. not able to drive because of a suspended license and I
22. move it...I commend it to your favorable consideration.

23. PRESIDENT:

24. Is there any discussion? Senator Walsh.

25. SENATOR WALSH:

26. Yes, Mr. President and members of the Senate. The
27. problem I have with this bill is that the...the penalty
28. that's to be imposed really has nothing to do with the offense
29. that is committed. And what we're saying is that if the
30. person who commits criminal trespass happens to be a licensed
31. driver, his...his license may be revoked, but if he isn't
32. a licensed driver, of course, it can't be. And I think the
33. penalties that we impose for offenses under the Criminal

1. Code or the Motor Vehicle Act should in some way, relate to the
2. offense that was committed and for that reason, I would
3. stand in opposition to this bill.

4. PRESIDENT:
5. Senator Wooten.

6. SENATOR WOOTEN:
7. A question of the sponsor.

8. PRESIDENT:
9. Indicates he will yield.

10. SENATOR WOOTEN:
11. According to my reading of the bill, after a person
12. has served a sentence, then the driver's license is suspended
13. for one year. Why do you do it that way?

14. PRESIDENT:
15. Senator Egan.

16. SENATOR EGAN:
17. I'm sorry. Why do I do it which way? I don't understand
18. the question.

19. PRESIDENT:
20. Senator Wooten, would you repeat the question?

21. SENATOR WOOTEN:
22. In other words, a person is convicted of criminal
23. trespass and I could see some logic, although not a whole
24. lot, for suspending his driver's license at the time he
25. goes to jail. I don't know...I quite frankly don't know how
26. long you would keep a person in jail, but to suspend the license
27. for one year when they get out of jail, am I reading that
28. correctly, upon completion of sentence imposed? ...then...then
29. you suspend the license and that seems to me a little
30. capricious. I don't understand why it isn't part of
31. ...of the sentence itself and if it isn't, then we probably
32. ought not mess around with it at all.

33. PRESIDENT:

1. Senator Egan.

2. SENATOR EGAN:

3. Well, I think the intent is that obviously auto
4. theft is done by driving the car. I imagine there are other
5. ways to steal a car but I would suggest about ninety-nine
6. percent are when the automobile is driven away. Usually
7. by persons who are in need of a getaway car or if they're
8. going to steal something from the car who do not really
9. care to drive safely. The intent being thereby to punish
10. that driver by not letting him drive for a year after
11. he gets out-of jail if he's so convicted. Most of the
12. defendants in auto theft are not put into jail, however
13. and this would remove them...would take the license away from
14. them to repeat the offense.

15. PRESIDENT:

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Why, then, do you impose it at the completion of the
19. sentence? It would seem to me and maybe I've a very
20. primitive mind on this, but it seems to me if a person
21. does something wrong they're found guilty, they're sentenced
22. and that is, it seems to me the sentence should be kind of
23. complete in and of itself and that includes suspension of a
24. driver's license for a certain period of time, sobeit.
25. I don't understand why you would say, you're guilty of this,
26. this is your sentence, when you've served it, by the way,
27. we're going to lift your driver's license for a year
28. afterwards. It just...doesn't seem to me to be a proper way
29. to punish someone. It isn't part of the...of the punishment
30. system. It's something tacked on at the end, at the
31. completion of the sentence. Now, if you tell me that
32. nobody serves sentences and so on, I...as I say, I don't
33. know all the details of this, but just the way it's written,

1. it seems a strange approach to the problem.

2. PRESIDENT:

3. Senator Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President. I rise in opposition
6. to this bill. If you have a first offender and the
7. man has a job and he's put on probation or if it's
8. a very short sentence and he needs his job...his car to
9. get to his job all that you're doing by the passage of this
10. bill is putting another person or another family on
11. welfare. You're causing greater harm and inflicting greater
12. penalty on a person that the court saw fit not to give
13. a severe sentence to by this bill than the court
14. that heard the case may even want to. I think it's a bad
15. approach. I urge a No vote.

16. PRESIDENT:

17. Senator Egan, you've done it again. The board is
18. lighting up. Senator D'Arco.

19. SENATOR D'ARCO:

20. Bob, can I ask you a question on this bill?

21. PRESIDENT:

22. Senator Egan indicates he will yield.

23. SENATOR D'ARCO:

24. Bob, you keep talking about auto theft but that's already
25. in the Act, isn't that true, that if he commits auto theft,
26. he's subject to revocation already? We're really talking about
27. criminal trespass. the property, right? Which as defined,
28. means whoever knowingly and without authority enters any
29. vehicle or any part thereof of another without his consent
30. so if you commit that terrible crime, you're asking us
31. to suspend this man or revoke his license for a year.
32. That's good, Bob. By the way, I oppose the bill.

33. PRESIDENT:

1. Senator Egan.

2. SENATOR EGAN:

3. Well, I...I have to agree that it doesn't have the
4. import that...that most of the anti-crime legislation
5. has to date, but let me suggest just this to you. If you
6. can lose your drivers license because you were driving
7. while under the influence, then if you're going to be
8. a trespasser a criminal trespasser, I don't see that you're
9. any better. And you ought to lose your license likewise.
10. And if you have to go to work, Senator Berman, all you have
11. to do is apply to the Secretary of State for a hardship
12. license and I'll guarantee that nine out of ten times
13. you'll get it.

14. PRESIDENT:

15. There's...if there's no further discussion,
16. the question is...Senator...Senator Grotberg has withdrawn...
17. if there's no further discussion, the question is shall
18. House Bill 310 pass. Those in favor will vote Aye. Those
19. opposed will vote Nay. The voting is open. Have all
20. voted who wish? Have all voted who wish? Take the
21. record. On that question the Ayes are 13, the Nays are 41,
22. 1 Voting Present. House Bill 310 having failed to receive
23. a constitutional majority is declared lost. House Bill
24. 322, Senator D'Arco. Read the bill.

25. SECRETARY:

26. House Bill 322.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. Thank you, Mr. President. House Bill 322 provides
33. that the court in reporting nonpayment of judgments,
34. requiring suspension of driver's license will not do this

1. automatically upon the judgment being entered but will do it
2. now upon request by the plaintiff's attorney. We amended
3. the bill yesterday to provide that it would be by request
4. by the plaintiff's attorney...this is...this is Morgan
5. Findley's bill. I do not want to lose this bill.
6. I would ask for a favorable vote on this bill.

7. PRESIDENT:

8. Senator Weaver.

9. SENATOR WEAVER:

10. Couple questions of the sponsor. Is it true you
11. went fishing this morning, Senator?

12. PRESIDENT:

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. Yes, I did, Senator.

16. SENATOR WEAVER:

17. Is this the first time you've ever been fishing?

18. PRESIDENT:

19. Senator D'Arco:

20. SENATOR D'ARCO:

21. Yes, it is Senator. It was.

22. SENATOR WEAVER:

23. Is it true you caught a seven and a half pound bass
24. on the first time you were fishing?

25. PRESIDENT:

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Yes, Senator, I did, in fact, catch a seven and a half
29. pound bass.

30. PRESIDENT:

31. Is there any further discussion? Senator Philip.

32. SENATOR PHILIP:

33. Mr. President, I happened to be along with Senator D'Arco
34. this morning. It was only a six and a half pound bass.

1. PRESIDENT:

2. Senator Glass.

3. SENATOR GLASS:

4. On...on the subject of the bill, for just a minute,
5. I opposed this bill in committee and so I, again, rise
6. on the Floor to oppose it for this reason. I think anyone
7. who...whose driver's license should be suspended for the
8. failure to pay the judgment when he doesn't have insurance
9. and he doesn't pay that judgment ought not to be allowed to
10. drive. And whether the attorney in the court case requests
11. that the judgment be sent to the Secretary of State or not,
12. I think all the clerk's offices should provide for that
13. to be done. It seems to me if we don't continue to have
14. all judgments sent to the Secretary of State and licenses
15. automatically rejected for somebody who doesn't have insurance
16. and doesn't pay a judgment for damaging somebody else's
17. car, we're making a serious error. I think this...this is the
18. wrong way to go and I think we should defeat the bill.

19. PRESIDENT:

20. Senator Berman.

21. SENATOR BERMAN:

22. Well, the...thank you, Mr. President. The purpose of
23. the bill is to do exactly what Senator Glass is talking about.
24. Now, the reason for the bill is that in Cook County there are
25. literally tens of thousands of judgments entered against the
26. person as a result of automobile occurrences. The volume is
27. such that the...there just isn't the manpower for the clerk
28. to search everyone of these files. Many times, cases are settled
29. after judgment and no satisfaction has been filed. All that
30. we're asking for in this bill is to authorize or legitimize
31. the procedure so that we can get the people that haven't settled
32. their claims and that is merely for the plaintiff's lawyer
33. to go into the clerk's office, fill out a form, we changed it so

1. he doesn't even have to petition the court, he just fills
2. out a form in the clerk's office and that causes the judgment
3. to be sent to Springfield. Right now, the reason for the
4. bill is that it's not being done just because of the sheer
5. volume. It's a good bill. I urge your support.

6. PRESIDENT:

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Two things real quickly. Senator D'Arco is finding out
10. and learning the same habits as...it appears as Senator
11. Egan and that is that...that the best fishing and recreation
12. area in...in the State of Illinois is in the 48th Senatorial
13. district. Secondly, they seem to have similar habits with
14. respect to revocation of driver's licenses here and it seems
15. to me if...if you gore Egan's ox, he ought to gore yours.

16. PRESIDENT:

17. There's no further discussion. The question is shall
18. House...shall House Bill 322 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Ayes are 47, the Nays
22. are 9, 1 Voting Present. House Bill 322 having received
23. a constitutional majority is declared passed.
24. The Chair bypassed House Bill 318 because of incorrect
25. information that we had that that bill had been amended today
26. and actually it was amended yesterday. Do we have leave to
27. return to House Bill 318? Leave is granted. House Bill
28. 318. Read the bill. Senator Bruce, our latest information
29. is that it was amended today. And the bill is...Senator Bruce.

30. SENATOR BRUCE:

31. I just...indicates to me that we're all getting very
32. tired because we've had a fifteen minute conversation with
33. everyone and no one can remember if it was today...today or
yesterday. So I think we're getting fairly tired.

1. SECRETARY:
2. You didn't converse with me, Senator Bruce. It was
3. amended.
4. SENATOR BRUCE:
5. Good. I...I should always talk to the boss.
6. PRESIDENT:
7. House Bill 331, Senator Kenneth Hall. Read the bill.
8. SECRETARY:
9. House Bill 331.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDENT:
13. Senator Hall.
14. SENATOR KENNETH HALL:
15. Is Senator Shapiro on the Floor? 331, Senator.
16. PRESIDENT:
17. Senator Shapiro is on the Floor. Senator Hall.
18. SENATOR KENNETH HALL:
19. House Bill 331 amends an Act in relation to public
20. water districts. And it increases the **compensation** of the
21. trustees in that operation. Now, this bill applies only
22. to public water districts which have required or an
23. operating...sewage properties in addition to waterworks
24. properties. Most public water districts operate only waterworks.
25. This bill allows the trustees of the public water districts
26. which operate both waterworks and sewage properties to receive
27. compensation up to twelve hundred dollars a year rather
28. than the maximum of six hundred dollars provided by public
29. water districts. The legislation is therefore permissive
30. in that it raises the maximum that may be paid in this special
31. case. The trustees of public water districts are appointed
32. by either township auditors, the governing bodies of the
33. municipalities or county boards...boards depending on the size
and location of the district. The board of trustees set their

1. own level of compensation. I...Gentlemen, this just...that
2. they're handling two instead of one and there's no tax
3. involved and it comes out of the water revenue so I would
4. ask your most favorable support of the bill.

5. PRESIDENT:

6. Is there any discussion? If not, the question is shall
7. House Bill 331 pass. Those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted who
9. wish? Have all voted who wish? Take the record. On that
10. question the Ayes are 52, the Nays are 2, none Voting
11. Present. House Bill 331 having received a constitutional
12. majority is declared passed. ...Bill 333. House Bill
13. 334, Senator Lemke. Read the bill.

14. SECRETARY:

15. House Bill 333...334.

16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Lemke.

20. SENATOR LEMKE:

21. This is a simple amendment. What we're doing is amending
22. the...changing the title of commissioner to associate
23. judge in Sections...cause they say any judge or commissioner
24. should be any judge or associate judge...is also puts a
25. ...provides that the decision of the associate judge is final
26. unless an appeal for such decision is taken within thirty
27. days to the...to the judges of the court of claims.
28. I think this is a good amendment and I ask for a favorable
29. adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? Senator Knuppel.

32. SENATOR KNUPPEL:

33. Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Yeah, I...I don't understand why the hell everybody wants
4. to be a judge. This had to be amended out in the Workmen's
5. Compensation law. I have some reservations about judges
6. generally and I don't know why the hell everybody wants to be
7. a judge. I don't think that much of the job.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Berning.

10. SENATOR BERNING:

11. Yes, thank you, Mr. President. A question for the
12. sponsor.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates that he will yield. Senator Berning.

15. SENATOR BERNING:

16. Currently, these commissioners, can you tell me,
17. are they under the Illinois Municipal Retirement Fund or are
18. they under the...some City of Chicago pension system and
19. will they, if they become associate judges, then qualify
20. for the judicial pension system?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Lemke.

23. SENATOR LEMKE:

24. Under any three of them, there are State employees...
25. is what they are and they won't come under the judicial
26. pension with this amendment. What...what...this is a
27. amendment from the court of claims. They want the amendment
28. because these...these commissioners are called judges and it
29. gets...it gets confusing with the people that come for their
30. claims. You know, most people that file with the court of
31. claims especially with the Crime Victims Act don't have
32. lawyers and it was just confusing and this is to set the
33. confusion straight and have it...if you're going to designate

1. one as a judge, then one should be an...an assistant or
2. associate judge...and...and in title, I mean...it doesn't
3. make any effects on any other laws except a name change.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning.

6. SENATOR BERNING:

7. Well, from what you say, then, they apparently are
8. in...in the State Employees Pension System and that's fine.
9. But if we give them the label of judge, I submit that the
10. next request will be to include them in the Judicial Pension
11. System and in my opinion, that is indefensible for that
12. reason...so as not to even imply that there should be any
13. justification for a subsequent claim for entry into the
14. system, I feel that this bill can only be recommended for a
15. Do Not Pass.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President, members of the Senate.
20. Along the same reasoning that Senator Berning alluded to,
21. I have not done the research, but I think that there may have
22. to be other changes made in the Pension Code so as to
23. make absolutely clear that these individuals will not go
24. under the Judicial Pension. I don't know why they want
25. to be called associate judges. I think a commissioner is
26. a pretty good name. A lot of these commissioners are not
27. lawyers. To be an associate judge, you have to be a lawyer.
28. I...I really don't see any sense for the bill other than
29. ...than just clouding up the waters right now and...and
30. possibly causing problems in the future with the pension
31. funds. I opposed the bill in committee and I intend to vote
32. against it at this time.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? Senator Hickey.

2. SENATOR HICKEY:

3. Mr. President, I'd like a little more elucidation on
4. this fact about whether the commissioners are lawyers or not
5. because I don't see how we just all of a sudden when we
6. say now in the State of Illinois, as I understand it,
7. the judges have to be lawyers, how we can do this if these
8. commissioners are not lawyers.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Lemke.

11. SENATOR LEMKE:

12. We're not making them judges. Under the Judicial
13. system, these people are employees under the Executive branch
14. of government. They are given the title because
15. we have the Court of Claims and the Court of Claims does not
16. come under the Judicial system. It comes under the Executive
17. branch. It administers all the claims against the State.
18. Okay. Now, people go to the...with the Crime Victims Act,
19. little people go to the Court of Claims, files their case and
20. all of a sudden, they get a hearing before a commissioner.
21. Next thing they know, they've got to take a review to the
22. judge. Well, they feel they're going down a step
23. if you go to a judge so what we're doing here is making one
24. in title only lesser than the guy that's really the superior
25. who is the judge. And it's just confusing to the point
26. for these people. Now, these people...many of them especially
27. in the Crime Victim's Act, are not represented by people and the
28. bill is wanted by the Court of Claims. I don't think...
29. I don't know how the pension system got involved in here because
30. they're in no way employees of the Judicial branch.
31. They can, under our Constitution, be...can't under our
32. Constitution, be employees of the Judicial branch. They can't
33. fit into anything judicial. They're strictly Executive branch

1. employees that are given this title to handle claims against
2. the State. It's an administrative agency. Yes.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hickey.

5. SENATOR HICKEY:

6. But we would be giving a Judicial title even though
7. it's not under the Judicial Act, we'd be giving a Judicial
8. title to someone who is not a lawyer. We'd be giving
9. them the same title that we do legally give to somebody else
10. who is associate...you know, somebody goes out and says,
11. I'm an associate judge in the State of Illinois. He could
12. be simply a commissioner.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke.

15. SENATOR LEMKE:

16. Well, he can do it now and anybody in the...in the
17. brannh, you can call them a hearing officer or a judge
18. or what you want to call them, but I think to the public,
19. you know, not being involved, they're very confused when they
20. go to a commissioner always feel the commissioner is of greater
21. importance than the judge so this way, we're terming it
22. a man is an associate judge and a judge. We already gave the
23. title judge in the Act. There is already a judge in the
24. Court of Claims. This is only the...this is only like the hearing
25. officer that they call a commissioner and what we're saying is
26. we're calling him an associate judge. The Federal system
27. has done this. They call them administrative law judges.
28. This is...this is what they call them and this is the way they're
29. going. Now, people understand that. You're administrative
30. law associate judge or an administrative law judge.
31. And it's status as far as the person...how you step up on
32. appeals. And I think the other second part of this bill which
33. is most important, from the State's standpoint, is once a
decision is written by the associate judge in this case, it's...

1. they've got thirty days of appeal just like any other case,
2. so we know where we're going as the State as far as
3. claims. Right now, they don't...they can do it...they can
4. take an appeal. There's no...no date...days status and I think
5. once the ruling is made, the party should be given a limited
6. time to appeal that. If it doesn't appeal it...if he doesn't
7. choose his right to appeal, then the...that should
8. become a final judgment. This is the most important part of the
9. bill. The other is just strictly a name change. It has no
10. affect on pensions or anything else and I think it's...a
11. good bill and I think it should be adopted.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Knuppel.

14. SENATOR KNUPPEL:

15. I realize this is a second time, but I pulled the bill
16. out and read it and another thing it does for those people who
17. are interested in the Road Fund, it provides that the
18. appropriations for the Court of Claims now can be made
19. from the Road Fund. This would be enough in my part of the
20. State to kill it on its own.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Nimrod. Further debate?
23. Senator Carroll.

24. SENATOR CARROLL:

25. Senator Knuppel, I think there's some confusion here.
26. What, in fact, we have done by other legislation as you
27. know, twenty-five percent of the Court of Claims, just like
28. twenty-five percent of the court system comes from the Road
29. Fund. The other seventy-five percent comes from General
30. Revenue Funds. The...what we have done is eliminated the
31. falsity of the Court of Claims Fund and said that the bills from
32. here...from here forth and for evermore will be directed appropriations
33. from seventy-five percent General Revenue and twenty-five

1. percent Road Fund. That's...okay.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there...Senator Knuppel.

4. SENATOR KNUPPEL:

5. I've just got the bill...off of my bill file. I don't
6. know if there is an amendment in there or not.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke.

9. SENATOR LEMKE:

10. The appropriations for the court of claims is
11. presently set out that way. This does not in any way change
12. the present set up of the Court of Claims. It's always
13. been seventy-five - twenty-five. This is the way the court
14. is...but this is...we're not changing this part of the...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Knuppel.

17. SENATOR LEMKE:

18. It doesn't say the percentage, no, in the bill cause
19. we didn't touch that part of the Statute that sets up the
20. Court of Claims.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well, Gentlemen, Gentlemen. May we have some order,
23. please. Is there further discussion? The question is shall
24. House Bill 334 pass. Those in favor vote Aye. Those
25. opposed vote Nay. The voting is open. Have all voted who wish?
26. Have all voted who wish? Take the record. On that question
27. the Ayes are 17, the Nays are 32, 2 Voting Present. House Bill
28. 334 having failed to receive a constitutional majority is
29. declared lost. House Bill 352, Senator Guidice. Read the bill,
30. Mr. Secretary.

31. SECRETARY:

32. House Bill 352.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Guidice.

4. SENATOR GUIDICE:

5. Thank you, Mr. President and members of the Senate.
6. This bill is a consumer orientated bill. This bill will
7. affect basically dairy products and rapidly spoiling foods.
8. Most of the manufacturers now date their foods, but the
9. consumer has no guarantee that the date on a Prairie Farms
10. product means the same thing as a date on a Meadow Gold
11. product. Some manufacturers use a pull date, that's
12. when a product should be sold. Others use a use date,
13. that's when it should be consumed. The dating is even
14. coded so the consumers can't read it. One of the advantages of
15. this bill is that it will insure consistency and dating.
16. This bill generally follows the pattern of model legislation
17. which has been adopted in about twenty states, so
18. manufacturers won't have to follow regulations
19. that are radically different. This bill has been amended
20. to exempt fruit juices and fruit drinks when packaged
21. in a returnable container because of the problem in
22. ...in space. I think this is a good bill and I would call
23. for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, Senator Guidice, I supported the passage of this
28. bill out of the Senate Ag Committee, but I find that on
29. June 22nd here, there was an amendment put on there and these
30. amendments, we don't always get to read them, they go by
31. us pretty fast but in Section C of Amendment No. 2, it says,
32. "the accurate selling price shall be reflected on any item offered
33. for sale, notwithstanding the nature of the product." Then it

1. goes ahead and says, "any item which has passed this quality
2. assurance...it doesn't just mean those...those items that
3. ...that you're referring to that have to have time on them
4. but it makes it a unit pricing bill for everything that's
5. in the store the way that amendment reads.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? Senator Glass.

8. SENATOR GLASS:

9. Mr. President, I think Senator Knuppel has raised the
10. ...the point I intended to raise, but it clearly makes this
11. an item pricing bill and we've been through that legislation
12. previously and defeated it so I think this bill deserves the
13. same fate.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Coffey.

16. SENATOR COFFEY:

17. Mr. President and members of the Senate. I also
18. want to point out Section C that I feel it is a price
19. regulating bill. ...amended. It might not be the intention of
20. the sponsor but I would ask also that we vote No on this bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. I just have a question of the sponsor and that is
25. that when the...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates that he will yield. Senator.

28. SENATOR DEMUZIO:

29. The bill that came over from the House, it's my
30. recollection in the Ag Committee, that you struck everything
31. after the enacting clause, is that...isn't that correct?
32. And this is an entirely new bill plus the amendment that
33. Senator Knuppel is referring to on June 22nd?

1. Senator Guidice.

2. SENATOR GUIDICE:

3. Senator Demuzio, that is correct. I think it was
4. quite clear both in the Ag Committee and when I presented
5. this bill for amendments, that I indicated that I struck
6. everything after the enacting clause and the reason for it
7. was because it was uninterpretable at that particular time.
8. I think after that,...after that, what we had put in was
9. the model product here and if it's...you know, twenty
10. other states do have this bill and I would also like to
11. point to you as far as the second amendment was concerned,
12. you know, we're going to read a bill, let's read the bill
13. in its entirety. You know, you take out one section and say,
14. well this becomes a unit pricing type...it's not true.
15. We have exemptions in here. The exemptions do exist. If you
16. read the bill and I think that's the whole problem.
17. Everybody looks at that and says, oh, my God. Look it. He
18. put the unit pricing in there. They don't understand that
19. you have a whole bill here and you have to look at the whole
20. bill in context.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. Well, I'm aware...I'm aware that's in there and I can
25. certainly appreciate your...your comments. I do
26. know that I did receive some telephone calls from
27. the Prarie Farms people in my district that were concerned
28. about this bill because they did not have an opportunity
29. to present any testimony in committee in reference to this
30. bill and that was one of the...this was one of the objections
31. that I have really at this point.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Guidice.

1. SENATOR GUIDICE:

2. In regards to that particular point, we had quite
3. a few people in on this bill and we sat down with them, in
4. fact, we had a meeting in my office with people from
5. General Mills was there and Grocery Manufacturers were there.
6. I mean, we sat down and we spent a lot of time on this.
7. I mean they knew what was happening and you know, it addresses
8. that problem. Sure, Prairie Foods...the various stores...
9. Prairie Farms and all these people and they would like everybody to know
10. how much things are costing so they put all these little...
11. little dots and dashes on there you know would have to be
12. interpreted. Well, this is going to straighten that all
13. out so the consumer knows what's going on for a change.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further disucssion? Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President. I just would like to make
18. a couple of short points and...and on the first amendment
19. which is the open coding and I worked for a large bakery.
20. We were the first bakery in the State of Illinois to have
21. open coding and most people don't understand what open
22. coding is. What our products...last sales date and it has the
23. date. And let me tell you, there is a penalty for leaving
24. over code merchandise from one hundred to five hundred
25. dollars and let me give you a situation. You have a bread
26. distributor who services that bread everyday. Mrs. Housewife
27. comes in, she picks up a loaf of bread off the bread rack,
28. goes over to the other end of the store and decides she
29. doesn't want to buy that product and sets it down in another
30. section. All right. It could sit there for three weeks, a
31. month, four days, whoever knows? Some State inspector could come
32. in, pick up that product and that distributor would be in
33. violation as I read the bill. So, I really don't think it's
a very good bill. Almost every...every major food corporation

1. has open pricing today and most of the time, it's...it's
2. easy to identify. The second amendment is unit pricing.
3. Which on a surface looks very, very good. But let me tell
4. you what happens. to these buyers of supermarkets. They
5. have an opportunity sometimes because of the market, because
6. of the wheat or some kind of a good situation from the farm,
7. to lower prices to that buyer and to that store. Now,
8. normally they have on the price railing one...one price
9. and that housewife takes it off. She knows what...the
10. price it is. If they get the price...the buyer gets
11. the price, he isn't going to pass that price onto the
12. consumer. Because under this bill you would have to go back and
13. mark every specific can. If it was marked before, you would
14. have to erase it, put another one on. They simply will
15. take the deal but not pass it on to consumer and all you're
16. doing is increasing the cost of consumer goods to the
17. consumers. So...we've had that unit pricing two or
18. three times. We've defeated it and I would suggest that
19. we all, in good conscience vote No.

20.
21.
22.
23. End of reel.
24.
25.
26.
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29.
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31.
32.
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Hickey.

3. SENATOR HICKEY:

4. Mr. President, I'd like to ask the sponsor a procedural
5. question that I'm not quite clear on.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates that he will yield. Senator Hickey.

8. SENATOR HICKEY:

9. Senator Guidice, did you say that you had all this testimony
10. in committee and then after that struck everything after the
11. enacting clause and amended it on the Floor and we've never
12. seen the amendment?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Guidice.

15. SENATOR GUIDICE:

16. No, the bill was amended before I brought it before the
17. committee. I brought it in and had the committee approve the
18. amendment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Hickey.

21. SENATOR HICKEY:

22. Then there was no Floor amendment which changed it from the
23. hearing in committee?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Guidice.

26. SENATOR GUIDICE:

27. No, not substantially. The second...the second amendment
28. that I proposed deleted certain items and exceptions and put
29. in the pricing factor here.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, it...I want to straighten something out there, Senator
34. Hickey. I was listening in the restroom to Senator Guidice's

1. explanation to your question...answer to your question That unit
2. pricing amendment went on on the Floor and Senator Knuppel
3. pointed out on June the 22nd. It was long after committee action.
4. We heard the bill in committee as he had changed it after it
5. came over from the House but then the unit pricing amendment
6. went on after committee on the Floor on June the 22nd.
7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further discussion? Senator Guidice may close.
9. SENATOR GUIDICE:

10. I'm going to open up first of all, Senator Buzbee, I didn't
11. indicate that that amendment went on after. I...I did indicate
12. it to Senator Hickey. Also that second amendment went on at your
13. request regarding the, wait now, just before you start putting
14. up your hand...the dairy products and you know, the milk products
15. and the like. The second part of that amendment which was
16. in that amendment was not with you at all. It had nothing to
17. do with it but I figured it would be better to put it on in
18. one amendment rather than to have about fourteen different
19. amendments on there so I mean this is what was presented. I'd
20. like to address myself also to Senator Philip at this time. You know,
21. he's talking about the cost factor, about the...the pricing
22. and how much time we're going to put...put these little stamps
23. on there for how much this product is going to cost and these
24. products that are only addressed in this bill. They don't find too
25. much problem when they raise the price and they put that little
26. cost stamp on there, do they? That's okay, that doesn't cost
27. anything. Now this bill addresses itself to certain products
28. and those products have got an assurance date on it and when
29. that product does have that date on it with the...the...with the
30. amount of money that it costs, it insures the consumer that that's
31. going to be the price until the...that date. Hereafter this bill
32. does provide that they can reduce the price but the public is
33. going to know about it. It's going to be charge...it's going to be

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1. less than what it was originally sold for in the first instance
2. so that is why this is a good bill. It's a bill that's
3. going to help the consumer out. It's going to let you know and I
4. know how much it's costing us in that store before we come out
5. with a shopping list and a tape that's three and a half feet long
6. so I'd ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is shall House Bill 352 pass. Those in favor
9. vote Aye. Those opposed vote Nay. The voting is open. Have
10. all voted who wish? Have all voted who wish? Take the record.
11. On that question the Ayes are 23, Nays are 31, none Voting Present.
12. House Bill 352 having failed to receive a constitutional majority
13. is declared lost. House Bill 363, Senator Roe. House Bill 365,
14. Senator Walsh. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 365

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Could we have some order please? Senator Walsh.

21. SENATOR WALSH:

22. Mr. President and members of the Senate. House Bill 365
23. substitutes a new alternative A for allocating delegates
24. to national nominating conventions. It provides a method...
25. Mr. President, it provides a method for weighting the allocation of de-
26. legation based upon the strength of vote for the presidential candidate in
27. the next preceding presidential election. The bill received, I
28. think, unanimous support. I don't know of any objection in the
29. committee. I don't know of any objection on the Floor. I would
30. urge your support.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? Senator Wooten.

33. SENATOR WOOTEN:

1. Senator, are there two amendments on this bill?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Walsh.

4. SENATOR WALSH:

5. No, Senator Wooten, the first amendment was Tabled and

6. the second amendment proffered by Senator McMillan, is the

7. amendment which is really the bill now.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Wooten.

10. SENATOR WOOTEN:

11. And that's it then? Fine. Just Amendment 2, Fine.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator McMillan.

14. SENATOR MCMILLAN:

15. I do rise in support of the bill as it's designed now, it's

16. a good bill, it deserves our support.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? The question is shall House

19. Bill 365 pass. Those in favor vote Aye. Those opposed vote Nay.

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

21. who wish? Senator Netsch. Have all voted who wish? Take

22. the record. On that question the Ayes are 54, the Nays are 1, none

23. Voting Present. House Bill 365 having received the constitutional

24. majority is declared passed. House Bill 375, Senator D'Arco.

25. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 375

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator D'Arco.

32. SENATOR D'ARCO:

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

1. Senator Bowers and myself are attempting here to present a
2. viable alternative to the murder Statute in Illinois as it
3. presently exists. As you know, when a person is convicted of
4. murder and the judge sentences him to a hundred years in jail
5. or so forth, he does become eligible for parole after ten years
6. or so. And what this bill does is try to address that problem
7. in that it provides that in certain specific cases of murder the
8. individual shall in no case be eligible for parole until he has
9. served forty years of his minimum sentence less time credit for
10. good behavior. Now what that amounts to is if the judge wants
11. to sentence someone to forty years or more, then the man would have
12. to serve at least somewhere in the vicinity of twenty to twenty-five
13. years. We think it gives the judge the discretion to have a
14. person serve a very hard sentence if he so chooses if he falls
15. into one of the specific categories of murder as defined in the
16. bill. I'm not going to relate all those categories to you. I don't
17. know if Jack wants to speak on the bill but it's a good bill and
18. I would appreciate a favorable vote.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Soper.

21. SENATOR SOPER:

22. Thank you, Mr. President. Senator D'Arco, what does
23. Morgan Findley think of this bill?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator D'Arco.

26. SENATOR D'ARCO:

27. Morgan Findley if he was charged with murder would appreciate
28. having this type of sentence structure in effect at that time.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Chew.

31. SENATOR CHEW:

32. To the sponsor, Mr. President, he said anyone would choose
33. to serve that hard sentence of twenty years. I'd like to know

1. that would choose that kind of sentence.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Well, Senator Guidice just said that Chew might choose it
6. but I'm not going to say that.

7. SENATOR CHEW:

8. Chew might not choose to chew it, however, Senator, I thought
9. our penal system was designed for two things and that was to
10. punish a conviction and to rehabilitate. Now we're saying in
11. this legislation that if one is sentenced to forty years that it
12. will take him twenty or twenty-five years to go through a
13. rigorous scale of rehabilitation before he is eligible to come
14. back say on a trial basis or a half-way house. I know what you're
15. saying, Senator Daley, about murder but even I'm talking about
16. murder and he didn't elaborate on the kind of murders that he
17. said he wouldn't read so I'm not too familiar with what kind of
18. murders there are and whatever kind of murder, I know someone is
19. dead, you know, if you...however you commit it. But what I'm
20. trying to ascertain is, shouldn't we be putting more emphasis
21. on the program of rehabilitation and getting our penal system
22. more in keeping with a decent society instead of constantly
23. reading about the kind of conditions that prisoners must live in and
24. yet we're not doing anything about it but giving them greater
25. hard sentences. I think this bill is not to my liking. I think
26. if one serves six months in the Legislature, I think he has been
27. rehabilitated and I know if he serves twenty-five years in prison
28. not only can he not be rehabilitated because of the time element
29. but he would probably be too wrong to make any kind of contribution
30. to society once you let him out, Senator. I have to oppose it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Graham.

33. SENATOR GRAHAM:

1. Mr. President, thank you very much. I think anybody that
2. spends six or twenty years in the Legislature needs rehabilitation.
3. First of all, I'd like to remind the members of the Senate what
4. we're trying to do here. We're trying to...we're trying to correct
5. the damage that was done to society in 1963 when we recodified
6. the Criminal Code when we allowed such guys as Richard Speck
7. and other people to go up for parole for fourteen. This is a step
8. in the right direction and we ought to support it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President. I also wanted to compliment
13. Senator D'Arco and support the bill. A similar Statute in the
14. State of California with a cap at twelve years made it possible
15. two years ago for the California Adult Authority to rule that
16. Sirhan Sirhan would be eligible for parole in 1980. Now to me
17. that is an unconscionable situation and the kind of situation that I think
18. Senator D'Arco is trying to avoid here in Illinois and he ought
19. to be supported.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Egan.

22. SENATOR EGAN:

23. I would just like if I can to make sure that this is structured
24. right, Senator D'Arco. I wonder you...do you have the bill with
25. you?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan.

28. SENATOR EGAN:

29. Well, the amendment reads, amend House Bill 375 by deleting
30. lines 22 through 25 and in lieu thereof inserting but it doesn't
31. say what page and...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Egan.

1. SENATOR EGAN:

2. And I...the amendment seems to me to be structured improperly
3. and I...I wondered...I'm wondering if in fact the forty year
4. provision may not be in the bill as we think it is. Senator
5. Bowers, do you have a copy of the bill?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco. Senator D'Arco.

8. SENATOR D'ARCO:

9. If you want to know what it is, I'll tell you what it is.
10. The amendment is structured exactly correctly. The amendment
11. provides that by deleting line 22 and 25 and in lieu thereof
12. inserting on page 1 of House Bill 375. What? No, I have...Jack,
13. I think you're looking at a...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bowers.

16. SENATOR BOWERS:

17. Well, I'd just remind Senator D'Arco that Senator Egan I think has
18. pointed out a pretty good point. The amendment at least that's
19. in the book does not say page 1, it just says, it just gives the
20. line numbers and I'm inclined to think maybe we ought to take
21. another look at it.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The Chair has had a chance to examine Amendment No. 2 as
24. according to our records Amendment No. 1 was Tabled. Amendment
25. No. 2 as it appears in the official folder does not indicate the
26. page affected by the amendment. It says amend House Bill 375
27. by deleting lines 22 through 25 and therefore...Senator D'Arco.

28. SENATOR D'ARCO:

29. Is it possible to amend this on its face?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. With leave of the....

32. SENATOR D'ARCO:

33. With leave of the Body.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator D'Arco, it would be the Chair's suggestion we
3. take this out of the record. You recall the bill to the Order
4. of 2nd reading which we would have to do in any event and if we're
5. going to have to do that, you might as well prepare the amendment
6. in the proper form. Senator D'Arco asks leave of the Senate
7. to remove this bill from the order of business. Is there leave?
8. Leave is granted. For what purpose does Senator Wooten arise?

9. SENATOR WOOTEN:

10. On a point of personal privilege.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. State your point.

13. SENATOR WOOTEN:

14. In the southwest Gallery there sits a fine tennis player,
15. a charming host and the spouse of our esteemed colleague from
16. Rockford, Fran Hickey. I would like him to rise and be acknowledged
17. by the Senate.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senate...House Bill 384, Senator Guidice. House Bill 391,
20. Senator D'Arco. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 391

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Thank you, Mr. President. There was some discussion about
29. this bill with Senator Demuzio the last time around and he was
30. concerned that the application of the grant to the Cook County
31. Jail was not in the budget and I have checked that with the
32. Department of Mental Health. The grant is in...is in the budget
33. for a hundred and fifty thousand. Now, he was also concerned about the

1. fact that it's application would be State wide. I amended the
2. bill so it applies only to counties with a population of one
3. million or more. I think I have satisfied his objections and
4. I would ask for a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? The question is shall House Bill
7. 391 pass. Those in favor vote Aye. Those opposed vote Nay.
8. The voting is open. ...voted who wish? Have all voted who wish?
9. Take the record. On that question the Ayes are 42, the
10. Nays are 3, 7 Voting Present. House Bill 391 having received
11. a constitutional majority is declared passed. House Bill...
12. for what purpose does Senator Hynes arise?

13. SENATOR HYNES:

14. Mr. President, for the purpose of an announcement. Several
15. members have inquired about our schedule today and as I had at
16. least hinted at earlier, we will try to work as late as we possibly can
17. this evening, subject to the ...ability to bear up under the
18. strain physically but I would say that thus far we have been
19. making extremely slow process and if this continues, we're going
20. to be spending an awful lot of hours on this Floor trying to move
21. these bills. Insofar as the...the balance of the day and the
22. matters that we will consider, we will continue on the Order of
23. 3rd reading until 6:00 p.m. and at that time we will go to the
24. Secretary's Desk so that some of the members who wish to do so may
25. call Senate Bills that are back for concurrence to either get
26. Conference Committees underway or to try to obtain final passage
27. through concurrence and then when we have completed that we will
28. take any additional bills that members may want to bring back
29. from 3rd reading to 2nd for purpose of amendment and I would
30. remind the members that any bill on 2nd reading must be moved to
31. 3rd no later than tomorrow in order to be within our deadlines.
32. We have a substantial amount of work left on this Calendar and
33. I think it will use all of us to really get at it for the rest of
34. today and tomorrow in order to be in a position to...to get to

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1. work on Conference Committees Tuesday, Wednesday and Thursday.
2. And finally I would announce that we will have a Special Order
3. of Business tomorrow at 2:00 p.m. to consider House Bill 1650
4. and House Bill 333 which are the generic drug and abortion
5. bills at 2:00 tomorrow afternoon. House...House Bill 420,
6. Senator Merlo. Land trusts. House Bill 444, Senator Lemke.
7. Read the bill, Mr. Secretary.
8. SECRETARY:
9. House Bill 444
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Lemke.
14. SENATOR LEMKE:
15. What this bill does amends the Act relating to the welfare
16. wage earners by regulating the assigned minimum wages. Exempts
17. the assignment of wages in the amount per week equal to thirty
18. times the Federal minimum hourly wage. I talked to the Chamber
19. of Commerce. They have...they have agreed that they made a mistake
20. in their opposition to the bill in committee. This is similar
21. to the garnishment bill that we just passed out and I ask for
22. a favorable roll call.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Is there discussion? The question is shall House Bill 444
25. pass. Those in favor vote Aye. Those opposed vote Nay. The
26. voting is open. Have all voted who wish? Take the record.
27. On that question the Ayes 50, the Nays are none, none Voting Present.
28. House Bill 444 having received the constitutional majority is
29. declared passed. House Bill 548, Senator Knuppel. Read the bill,
30. Mr. Secretary.
31. SECRETARY:
32. House Bill 548
33. (Secretary reads title of bill)
34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President and members of the Body. This bill was on
5. the Consent Calendar and had to be pulled off because of an
6. amendment which was a purely technical amendment. What this
7. does is just what the caption says it does. It amends the
8. Interest Rate Act, provides that a flexible maximum interest
9. rate shall be applicable to refinance mortgage...mortgages
10. as well as to mortgages obtained at the time of purchase of
11. residential real estate. Provides for the limitation of
12. mortgage interest rates rather than the mortgage yields
13. on residential real estate.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? The question is shall House
16. Bill 548 pass. Those in favor vote Aye. Those opposed vote
17. Nay. The voting is open. ...voted who wish? Have all voted
18. who wish? Take the record. On that question the Ayes are 54,
19. the Nays are none, none Voting Present. House Bill 548 having
20. received a constitutional majority is declared passed. House
21. Bill 557, Senator Harber Hall. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 557

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Harber Hall.

28. SENATOR HARBER HALL:

29. Thank you, Mr. President, fellow Senators. This is House Bill
30. 557 which amends the Criminal Code to provide a Class A misdemeanor
31. for criminal trespass to dwellings, house trailers, and agricultural
32. buildings. It was thought or it is thought by State's Attorneys
33. and prosecutors that a...an additional deterrent would be had by

1. this bill which would bridge the gap between unlawful entry and
2. burglary. By...by adding this Class A misdemeanor on illegal
3. trespass to these items, the dwellings, house trailers, and
4. agricultural buildings. Senator Knuppel proposed and we put on an
5. amendment that...that exempted buildings owned...that were broken
6. ...that were trespassed by a relative and I believe that was a
7. good amendment. If there are any questions, I'd be glad to
8. respond.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Would the sponsor yield to a question?

13. PRESIDING OFFICER: (SENATOR BRUCE)

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

15. SENATOR KENNETH HALL:

16. Senator, if some fellow is hoboing or something like that
17. and he just happens to enter into some place and he is found
18. in this, would he have been considered to have committed a Class
19. A felony.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Harber Hall.

22. SENATOR HARBER HALL:

23. Not a felony, a misdemeanor if...if it was thought that
24. he was illegally trespassing. I would imagine that his situation
25. would be recognized and he would not be prosecuted under this pro-
26. vision.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Kenneth Hall.

29. SENATOR KENNETH HALL:

30. Well, I just wanted to be sure, you know, sometimes fellows
31. are traveling a road and it gets cold and they have to get out
32. of the weather, out of the climate and I just wanted to be sure
33. that they wouldn't be considered a Class A felony if they were

1. trying to get out of the...just using it for shelter purposes.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Question is shall House Bill
4. 557 pass. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish? ...voted who
6. wish? Have all voted who wish? Take the record. On that
7. question the Ayes are 29, the Nays are 17, 2 Voting Present.
8. Sponsor requests that further consideration of House Bill 557
9. be postponed. Bill will be placed on the Order of Postponed
10. Consideration. House Bill 579, Senator Knuppel. Read the bill,
11. Mr. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. House Bill 579

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Mr. President and members of the Body. This is the appropriation
20. for the Office of the Appellate Defender. There was a small
21. amendment which was adopted in accordance with the Appropriation
22. Committee's recommendation and the bill should receive a
23. favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion? The question is shall
26. House Bill 579 pass. Those in favor vote Aye. Those opposed
27. vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question the
29. Ayes are 53, the Nays are 2, none Voting Present. House Bill 579
30. having received a constitutional majority is declared passed.
31. House Bill 585, Senator Knuppel. Senator Knuppel, do you wish
32. the bill read? Read the bill, Mr. Secretary.

33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 585

2. (Secretary reads title of bill)

3. 3rd reading of the bill

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Mr. President, members of the Body. This bill was designed
8. to assure that vacancies will not occur on the ballot and...
9. and in the judiciary. What this bill requires is that any
10. judicial candidates seeking retention of office must file a
11. declaration of candidacy on or before the first Monday in
12. December before the general election. What's been happening
13. is some of the judges wait until after the time has passed for filing
14. primary petitions and then withdraw or wait until in May and
15. then there is a vacancy in the office the following December.
16. This would prevent that. There is some constitutional problem
17. at the present time because we hold the primary in...in March,
18. which is early but I have a letter here from the Office of the
19. Administrator of Illinois Courts and he says the purpose of this
20. bill is very good. If enacted, it would prevent the situation
21. which can now occur where a judge, eligible to run for retention,
22. delays until after the filing for the primary elections to make
23. up his mind. It is a pernicious practice that ought to be corrected
24. so that the people have an opportunity as long as we're going to
25. have elected judges that the people have an opportunity to vote on
26. them. I would suggest a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Will the sponsor yield?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Indicates he will yield. Senator Rhoads.

33. SENATOR RHOADS:

1. Senator Knuppel, I'm trying to recall the discussion in
2. committee on this. Did...wasn't there a discussion about that
3. you were going to prepare an amendment?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Knuppel.

6. SENATOR KNUPPTEL:

7. I was being...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rhoads, would you please repeat your question?

10. SENATOR RHOADS:

11. I say, didn't we have a discussion in committee that you
12. were going to prepare an amendment on this bill?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Knuppel.

15. SENATOR KNUPPTEL:

16. I think there is an amendment on there. I...apparently
17. there is a problem with the staff and so forth. Senator
18. Hynes just came over to me and said he had problems, I tell
19. you...I'd like leave to take it out of the record and come back
20. to it when I know what the hell is going on here.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there leave? Leave is granted. House Bill 595,
23. Senator Vadalabene. Read the bill, Mr. Secretary.

24. ACTING SECRETARY: (MR. FERNANDES)

25. House Bill 595.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Yes, thank you, Mr. President and members of the Senate.
32. House Bill 595 repeals Section 12-A of the Dram Shop Act which
33. provided that if a holder of a liquor license derives more than
34. five percent of his gross income, from the sale of alcoholic
35. liquor or is an officer, associate, representative, agent, or

1. employee of such liquor license holder, he is prohibited from
2. making a political contribution. Amendment No. 1 which was
3. offered by Senator Glass and adopted excluded...I think included
4. that the mayors who are the liquor control commissioners of any
5. municipalities would not be exempted from Section 12-A and also
6. the county board chairmen who are the liquor control commissioners
7. of the counties would be...would also not be exempted. And
8. also the amendment that was put on by Senator Rock also included
9. that the...the person who would appoint members to the Illinois
10. Liquor Control Commission would not be exempted from this section
11. which of course would be the Governor. I would approve for a
12. favorable vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Schaffer.

15. SENATOR SCHAFFER:

16. Well, Senator Vadalabene, if you'd yield.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates that he will yield. Senator Vadalabene...Senator
19. Schaffer.

20. SENATOR SCHAFFER:

21. My county, the county board chairman is elected after the
22. county board...all the members of the board are elected and they
23. select a county board member as the county board chairman and
24. he of course then does have the liquor commissioner authority and
25. I understand the conflict. My question is, we don't always know
26. who the county board chairman is and the only election involved
27. is the race for county board member. Would this then prohibit
28. a contribution to any county board member who could conceivably
29. then be the county board chairman.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Well, I'm assuming in that case that where he is appointed after
34. he is elected, should he happen to run again and still holds that

1. title then he would be...you couldn't offer any political
2. contribution to him. I don't know how you could preempt anyone
3. from getting a political contribution when he hasn't been
4. designated a county board chairman.

5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. Well, I think...I like the concept frankly I think with
9. campaign disclosure there probably shouldn't be any of those
10. amendments on and as long as the person discloses the contribution,
11. it doesn't matter.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further debate? Question is shall House Bill 595
14. pass. Those in favor vote Aye. Those opposed vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 36,
17. the Nays are 10, 2 Voting Present. House Bill 595 having received
18. the constitutional majority is declared passed. House Bill 619,
19. Senator Kenneth Hall. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 619

22. (Secretary reads title of bill)

23. 3rd reading of the bill

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Kenneth Hall.

26. SENATOR KENNETH HALL:

27. Thank you, Mr. President. Ladies and Gentlemen of the Senate.
28. House Bill 619 repeals provisions granting a State lien on all
29. remaining real property interests of the Public Aid recipient.
30. Mr. President and Ladies and Gentlemen of the Senate, House Bill
31. 619 erases the balance of what I call one of the most discriminating
32. laws on the Statutes. On October the 1st, 1976, the Public
33. Aid Department was required by law to stop demanding the aged...aged,

1. blind, and disabled sign a lien on their homes in order to qualify
2. for Public Aid. All that remains of this law is the liens that
3. were signed previous to October the 1st, 1976. House Bill 619
4. proposes to eliminate that. No other category of Public Aid
5. recipients were required to sign a lien on their home. This
6. discriminated against the blind, aged, and disabled. There is
7. approximately ten million dollars in outstanding liens in which
8. probably less than half would be collected under any circumstances.
9. Some of the liens are much more than the value of the homes that
10. is placed against them. Therefore, at the time of foreclosure
11. the State is unable to recover the entire amount. Less than
12. seven hundred thousand would be collected this year and that
13. figure will drop dramatically in the next few years. Soon it will cost
14. more to maintain the necessary office and personnel to collect
15. the liens than the State is actually recovering. This law
16. discriminates against only one category of those who are unfortunate
17. enough to have to accept Public Aid. I ask your support in
18. helping to remove remnants of this very unfair law.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Schaffer.

21. SENATOR SCHAFFER:

22. Well, this is the vulture bill forever. We...we concur in
23. your cost estimates of five to ten million dollars and I would
24. suggest to you since there's only two lawyers and two secretaries
25. working on this on a part time basis, that it will be a long
26. time before the cost of collecting it exceeds the revenues
27. generated by this collection. Senator, I was wondering, do the
28. people who receive this money, in fact, even have to know the
29. decedent or ever have lifted a hand in their care?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Hall.

32. SENATOR HALL:

33. Well, Senator, all that I know is that this just discriminates
34. against these people who are there, the aged, and blind. This is

1. ...naturally that it's going to be for the people who are...
2. are living today.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. Well what has always offended me about this concept is
7. that there is a certain percentage of people who will benefit from
8. this money and thereby deprive the State of the revenue for its
9. use and some of the State's money is wisely spent to help
10. the poor. Some of these people are going to receive the money
11. won't even have known the people who died. Some of them will
12. have been, in fact, guilty of abandoning them to die on Public
13. Aid. There's no benefit or relationship between the person
14. receiving the benefit ever having helped the individual who died.
15. Now, that's my objection. I'm familiar in my area and I'm sure
16. most of us are of people who are, in effect, abandoned by their
17. friends and their relatives and live out their remaining days on
18. Public Aid and then they die and then these people who wouldn't
19. be bothered to walk across the street to help them because they
20. happened to be the next of kin or the closest one, get the money
21. and I'm...I wouldn't mind it if it's not possible, I realize,
22. the people...if someone had actually cared about the person who
23. died or tried to help receiving the money but somebody who washed
24. their hands of them and walked away, in my opinion, shouldn't get
25. a dime and I fear that a high percentage of this money will go to
26. that type of person or someone who flat didn't know that Uncle
27. Charley was here in Illinois on Public Aid, hadn't seen him in
28. twenty-five years and the courts find out where they are and send
29. them the dough and...and he could have cared less about Uncle
30. Charley being on Public Aid or not. I just don't like this concept
31. and I never have.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Further discussion? The question

1. is shall House Bill 619 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question the Ayes are 29, the Nays are 22, 1
5. Voting Present. Sponsor asks further consideration be postponed.
6. It will be placed on the Order of Postponed Consideration.
7. House Bill 621, Senator Vadalabene. Senator Vadalabene, do you
8. wish to call the bill? Read the bill, Mr. Secretary:
9. SECRETARY:

10. House Bill 621

11. (Secretary reads title of the bill)

12. 3rd reading of the bill

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President and members of the Senate.
17. This Act will insure that a public agency will know when service
18. is to be discontinued. It does nothing to require that the
19. public agency intervene. The purpose is to prevent death or
20. illness which might be caused by discontinuance of utility
21. service during the winter months. This bill as amended requires
22. from November to March any public utility which furnishes
23. electricity or gas for space heating to give written notice
24. of intention to terminate or cut off service or supply to the
25. consumer. Deliver written notice of this intention to the township
26. supervisor or local Department of Public Health. This notice
27. is to be delivered or mailed twenty-four to forty-eight hours
28. prior to the termination of service or supply and I would
29. appreciate a favorable vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Question is shall House Bill 621 pass.
32. Those in favor vote Aye. Those opposed vote Nay. The voting is
33. open. Have all voted who wish? Have all voted who wish? Take

1. the record. On that question the Ayes are 42, the Nays are 5,
2. 2 Voting Present. House Bill 621 having received a constitutional
3. majority is declared passed. House Bill...House Bill 623,
4. Senator Netsch. House Bill 625, Senator Demuzio. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 625

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. House Bill 625 is another one of the bills that...which
15. came out of the recommendation of the subcommittee on long term
16. care. It would require the Department of Public Health to maintain
17. an evaluative file on each nursing home facility which shall...
18. which includes a description of the facility, the cost of care,
19. the type of care, comments on the quality of care, description
20. on any administrative action taken against the facility. It
21. requires that this file will also be made available upon request
22. to the public and also would provide for...actually just being
23. a guide for the consumer on the quality of care that is being
24. offered in a nursing home facility and I'll be happy to answer
25. any questions.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? Senator Schaffer.

28. SENATOR SCHAFFER:

29. Senator Demuzio, I sponsored the original bill of creating
30. this nursing home guide two years...two or three years ago. The
31. Department of Public Health has yet to publish it despite a clear
32. legislative mandate. My first question is, what makes you think
33. they're going to publish it after we...we pass this bill if we do

1. since they have chose to ignore this responsibility, admittedly
2. there has been a change in administration.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Demuzio.

5. SENATOR DEMUZIO:

6. Well, Senator Schaffer, I'm...I was aware of the fact that
7. in testimony before the committee that the Department of Public...
8. Health was not complying with the law that you passed which was
9. apparently signed by the Governor. I have no assurances that
10. they're going to do this anymore than they are doing on the bill
11. that you passed.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. There's one other aspect about the bill that bothers me and
16. I guess it...it sounds like and I recall the bill from committee.
17. It sounds like the major difference between the bill here and the
18. bill that passed two years ago is that you provide for the
19. department rating the quality of care in the nursing home. I wonder
20. about that...I wonder if the State, for instance should put out
21. directory of lawyers and comment on their proficiency or doctors
22. and comment on their proficiency or dentists. I just wonder...
23. this...this stepping into this realm. I don't mind putting out
24. a directory with factual information if there is a rating
25. system, nationally recognized rating system, that you know,
26. one star, two star, that sort of thing. But wherein fact the bur-
27. eaucrats are going to comment on their opinion of quality of
28. care which might mean whether or not they got a cup of coffee or
29. a full breakfast when they arrived on the scene that day. I'm
30. a little concerned about that even though I see there are provisions
31. for administrative review. Since the bad rating, presumably,
32. would be...have very detrimental effects on the operation of that
33. nursing home since I for one would not wish to have a relative of

1. mine in a nursing home that...that had some sort of a bad rating.
2. It's like, you know, the outfit that rates restaurants. If it's
3. a one star restaurant maybe you're not interested in going there.
4. But if it's rated four stars, fine. I...I just seriously
5. question whether the State should get into that business of rating
6. businesses. I'd hate to see us rating trucking companies and stuff
7. like that and I also seriously question the Department of Public
8. Health's ability to handle that particular responsibility particularly,
9. particularly in view of the rather dramatic reductions we have made
10. in this Body to their appropriations.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Mitchler.

13. SENATOR MITCHLER:

14. Mr. President and members of the Senate. The Department of
15. Public Health is opposed to this bill. They say the administrative
16. cost and the problems that they get from it are prohibitive. So
17. they're the administrating agency and they don't even want to
18. have it. It's harassment of these nursing homes that are operating
19. legitimately. Now, you notice I said of those that are. Now
20. nursing homes are licensed. Shelter care homes and homes of the
21. aged are licensed and the Department of Public Health when they
22. have complaints on those that are not operating as they should
23. then they can investigate those and clamp down on them and correct...have
24. them correct the deficiencies. But to have all of these inspected
25. and evaluated and keep a file on it, it's just a lot of unnecessary
26. work. You know in your district the nursing homes that have excellent
27. care facilities offered to the patients. You know those that are
28. the outstanding ones. You also know those that run a schlock
29. outfit. 'Cause you get complaints, at least I have in my district on them
30. ...we turn them over to the Department of Public Health and let
31. them investigate them. But this is expanding a bureaucracy beyond
32. imagination. Now, when I look and I see that the department doesn't
33. want it, why, I wonder who does want it. Im going to oppose the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Demuzio may close the debate.

3. SENATOR DEMUZIO:

4. Well, thank you, Mr. President. Senator Schaffer referred
5. to rating of various nursing homes, it does not say anything at
6. all in the bill pertinent to rating of a facility. It says that
7. they will maintain a evaluative file which would include various
8. information and it specifies which information is to be included
9. in the file. There is also a provision that the nursing home
10. or the nursing home can contest or have a hearing reference to
11. that material that is in the file. Perhaps to address myself to
12. Senator Mitchler, I don't know if we all in our...in our own districts
13. know which nursing homes are providing quality...quality care and which
14. ones are not and what this information would...would do, would
15. be provide the consumer, the individual who is interested in having
16. their husband, aunt, uncle, mother, brother, or whatever it may
17. be into a nursing home, give them an idea and have the information
18. available about the conduct of that nursing home and the kind of
19. reports that available from Public Health, Public Aid, the Fire
20. Marshall's Office, et cetera and I think it's a good bill and
21. ought to be passed.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Question is shall House Bill 625 pass. Those in favor vote
24. Aye. Those opposed vote Nay. The voting is open. Have all voted
25. who wish? Have all voted who wish? Take the record. On that question
26. the Ayes are 22, the Nays are 30. Sponsor asks that further
27. consideration of House Bill 625 be postponed. It will be placed
28. on the Order of Postponed Consideration. House Bill 627, Senator
29. Demuzio. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 627

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Well, thank you, Mr. President. House Bill 625 is another
5. in a series of the bills that came out of the long term subcommittee
6. in the House. It amends the Nursing Home, Shelter Care, and the
7. Homes for the Aged Acts and require mandates the Department of
8. Public Health to require each nursing facility to comply with
9. the standards of the Life-Safety...Code and facilities that are
10. constructed after the effective date of the amend...of this Act.
11. Should be noted that the Federal regulations require that nursing
12. homes to meet the same standards by March the 1st of this year and
13. that the proposed regulations would enable the State to extend the
14. date for compliance but only after showing of a hardship would
15. they give them a reprieve. The Congress has recommended sprinkler
16. systems in nursing home facilities since 1972 and the City of Chicago
17. has adopted an ordinance requiring all Chicago nursing homes
18. to install sprinkler systems by February of 1977 has witnessed
19. apparently a disastrous fire a few months ago. And it should also
20. be noted that Federal programs exist which may assist in the
21. financing of sprinkler systems or other Life-Safety Code compliance
22. projects and I ask for your favorable support.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. Senator Demuzio, I think this is a much better bill but one
27. question. Does this apply to all new nursing homes or does it
28. also include new additions or does it include existing homes?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. It is my understanding that it includes all new nursing homes.
33. That it is not retroactive.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. I assume it would include additions on existing homes.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. I believe so, yes.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. My only comment is, I think this is desirable but I think it
13. is also costly. The Life-Safety Code's regulations change
14. on a regular basis. The Department of Public Health will
15. be mandated to see that the nursing homes receive those changes.
16. The Department of Public Health will have to go around and inspect
17. nursing homes every time there is a change. But I think this
18. is probably in the public interest but I think we should recognize
19. that there is some cost involved here and that this is going to
20. affect the budget of the Department of Public Health who I under-
21. stand are not too wild about the bill and with that realization
22. I intend to vote for the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion? Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President, members of the Senate. Just to
27. observe that the nursing homes, both public and private, are con-
28. sistently being under, under reimbursed for their actual cost of
29. providing care. Intrinsic in the computation of the cost is
30. improvements. Now with a situation which would be generated by
31. the passage of House Bill 627 we apparently would be increasing
32. the cost... per patient cost in a great many homes with no provision
33. for any coverage of that cost to the homes through our increased

1. per patient day care appropriation. It would appear to me we ought
2. to have a mandatory additional amount of per patient day reimbursement
3. for any instance where an improvement to the building is mandated
4. under the Life-Safety Code as well as any of the other requirements
5. that we consistently are making on these institutions. It's
6. getting...it has long gone past the point where these homes can keep
7. up with the requirements that the State is imposing on them and
8. here is an instance of where we are going to mandate additional
9. expenses with no provision for covering them. I would suggest
10. that this is a requirement that ought to be resisted until such
11. time as we can at the same time provide the dollars to cover
12. the cost.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Nimrod.

15. SENATOR NIMROD:

16. Question of the sponsor, Mr. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates that he will yield. Senator Nimrod.

19. SENATOR NIMROD:

20. Senator Demuzio, on the Federal requirements of this Act,
21. who...who...who provides the inspections on the Federal program?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. I assume that the compliance is by both the...State Department
26. of Public Health and also those people that give the nursing home
27. money in the medicare area, medicaid.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Well, my question is, if it's Federal inspectors that are in
32. there who are doing the work, that's one thing, but if we already
33. are having our Public Health inspectors go in there to meet the

1. Federal requirements which we are already performing, why do
2. we need this bill?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Demuzio.

5. SENATOR DEMUZIO:

6. I didn't hear the question.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Well, my question is, is that if...if the State of Illinois
11. is already performing these inspections for the Federal Government
12. then and we're meeting those standards, why do we need this bill?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Demuzio.

15. SENATOR DEMUZIO:

16. Well, Senator Nimrod, you may be in the position to...to
17. go along with the...the Federal legislation. I think this just
18. puts it into the State Statute and makes it a part of Illinois
19. law.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Demuzio.

22. SENATOR NIMROD:

23. Well, my only concern is that we're...are we going to have double
24. inspections for the same purpose and I don't think you've been
25. able to answer me on that particular question. Are we going to have
26. two sets of inspectors for the same inspection?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. No, Sir, that is not correct at all and...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Okay, is the State inspecting for the Federal Government
2. or is the Federal Government inspecting for itself?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Demuzio.

5. SENATOR DEMUZIO:

6. Well, the State is inspecting for itself as well as the
7. Federal Government in enforcement of rules and regulations, yes.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Well, I'm not so sure that what we're not doing here is
12. putting ourselves into a little box. We're already providing
13. for these regulations and we're meeting them and then we are now
14. tying in in one area where we're going to conflict with the Federal
15. requirements and by the waiver allowance on...on the new construction
16. and I'm not sure that my notes at least indicate that that's what
17. this does and if we are trying to tie in the Federal Government,
18. I would concur in that. But I would think that if we're going to
19. end up in conflict with them with two kinds of reports, then I
20. think this ought to be straightened out.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod, your time has expired. Have you completed
23. your questioning? Senator Grotberg.

24. SENATOR GROTBORG:

25. Thank you, Mr. President, members of the Senate. My concern
26. with this bill is not in as good intentions. My concern is about
27. three fold. I think that the allowance for the...of the Public
28. Aid Department for nursing homes now is falling from six to fifteen
29. dollars a day and more short of the actual cost of keeping a
30. patient just in daily operations let alone the fact of retiring
31. and amortizing debt for capital expenses that are involved in the...in
32. any new additions or new construction for building nursing homes.
33. Nursing homes are in the biggest crisis today that they've ever

1. been in not because of tragedies but financial crisis. You can
2. take a look at the Life-Safety Code of what it did to the public
3. school system and I think it's a big part of what's wrong with
4. our public school funds today is become...because courageous
5. people thought they were doing the right thing by demanding all
6. of these things not realizing that many of us went at least eight
7. years in a one room wooden frame school with a round stove that
8. you had to fire coal in. I...there is no way that the organization
9. that employs me that has a large home in Joliet, a brand new one,
10. and it has sprinklers, it has all of these things but at the rate
11. of compensation of Public Aid patients there is no way that we
12. can retire any debt and the third thing is our county nursing
13. homes aren't even allowed to amortize capital expenses anywhere
14. along the line particularly through the funding of this and they
15. would be...if they were to build on or add a new construction
16. they would be affected by this. I urge a No vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Demuzio may close the
19. debate.

20. SENATOR DEMUZIO:

21. Thank you, Mr. President. It looks like the nursing home
22. industry and the lobbyists have done their job. All this does
23. is to bring Illinois into compliance with the Federal Government rules...
24. rules and regulations and I ask for your support.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Question is shall House Bill 627 pass. Those in favor vote
27. Aye. Those opposed vote Nay. The voting is open. Have all
28. voted who wish? Senator Carroll. Have all voted who wish?
29. Take the record. On that question the Ayes are 23, the Nays
30. are 15...15, 4 Voting Present. Sponsor asks that further consideration
31. of House Bill 627 be postponed. The bill will be placed on the
32. Order of Postponed Consideration. It was my understanding from
33. the President that at the hour of 6:00 we would go to the Order

1. of Secretary's Desk. Is there leave to go to the Order of
2. Secretary's Desk, page 22 of your Calendar. Leave is granted.
3. House Bill...Senate Bill 30. Senator Graham, do you wish to
4. proceed. Page 22 of your Calendar.

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10. (end of reel)

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Graham on Senate Bill 30.

3. SENATOR GRAHAM:

4. I'm ready. Thank you, Mr. President and members of the
5. Senate. This House amendment to Senate Bill 30 is the same
6. amendment that we put on House Bill 1685, Senator Netsch.
7. We just brought the two bills in conformity and I move
8. for concurrence in House amendment to Senate Bill 30.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? The...is there discussion?
11. The question is shall the Senate concur in Amendment No. 1
12. to Senate Bill 30. Those in favor vote Aye. Those
13. opposed vote Nay. The voting is open. Have all voted who
14. wish? Have all voted who wish? Take the record. On that
15. question the Ayes are 51, the Nays are none, none Voting
16. Present. The Senate does concur in House Amendment No. 1
17. to Senate Bill 30 and the bill having received the
18. required constitutional majority is declared passed.
19. For what purpose does Senator Graham arise?

20. SENATOR GRAHAM:

21. Mr. President and...conferring with the House sponsor
22. of a similar bill which was on their Calendar, he asked
23. us to relieve ourselves of any additional burden and the
24. Secretary of the Senate the same and at this time, I move
25. to Table House Bill 1685 which is the same bill we just
26. concurred in.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Graham has moved to Table 1685. All in favor
29. Aye. Opposed Nay. The Ayes have it and the bill is Tabled.
30. Senate Bill 63, Senator Moore. Senator Moore is recognized.

31. SENATOR MOORE:

32. Thank you, Mr. President. House Amendment No. 1 to
33. Senate Bill 63 adds a strip of land that the Capital

1. Development Board is conveying to the City of Addison over
2. which Addison will construct a temporary road. The road
3. will be used to carry vehicles that are assisting in CDB
4. construction of the Addison Specialized Living Center.
5. I have no objection to this bill or to this amendment
6. and I would move that the House do concur in House Amendment
7. No. 1 to Senate Bill 63.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? The question is does the
10. Senate concur in House Amendment No. 1 to Senate Bill
11. 63. Those in favor vote Aye. Those opposed vote Nay.
12. The voting is open. Have all voted who wish? Take the
13. record. On that question the Ayes are 52, the Nays are
14. none, none Voting Present. The Senate does concur in House
15. Amendment No. 1 to Senate Bill 63 and the bill having
16. received a constitutional majority is declared passed.
17. Senate Bill 136, Senator Knuppel. Senator Knuppel.

18. SENATOR KNUPPEL:

19. I have reviewed the amendment to Senate Bill...or...
20. yeah, the House amendment to Senate Bill 126 and all it
21. does is put some limitations on that with respect to
22. Federal funds and I move we concur in the amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is does the Senate
25. concur in House...Senator Rock.

26. SENATOR ROCK:

27. Yes, I...I just...I'm reading from a printout. I've
28. read the amendment. I just want to know what it...what it
29. really does, what this is aimed at. I...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Knuppel. Sponsor asks leave to take it from
32. the record. Is there leave? Leave is granted. Senate Bill
33. 152, Senator Carroll. Senate Bill 160, Senator Kosinski.

1. Senator Kosinski is recognized.

2. SENATOR KOSINSKI:

3. Mr. President and members of the Senate. I feel
4. that Amendment No. 1 from the House...does the Secretary
5. wish to read the bill? No...all right. ...straightens the
6. arson bill and I recommend and move that the Senate concur
7. in House Amendment No. 1 on Bill 160.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Wooten. Senator Wooten.

10. SENATOR WOOTEN:

11. The Calendar says House Amendment 3.

12. Is it 3?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Kosinski.

15. SENATOR WOOTEN:

16. And Senator, you said it strengthens it. Can you tell
17. us just precisely what it does just for curiosity?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Kosinski.

20. SENATOR KOSINSKI:

21. I tried to shorten it but I'll read what it says.
22. The House amendment to aggravated arson bill does two things.
23. First, it provides that of a building adjacent to the one
24. set fire to also catches fire and the persons are endangered
25. in the adjacent building, then the crime of aggravated arson
26. occurs even though no one may have been present in the
27. building in which the fire was originally set. Second,
28. it removes the requirement that a person in the main
29. building set fire to or the adjacent building, actually be
30. injured. It is enough that the criminal knew or should have
31. known that there were persons in the building who could have
32. been hurt. Seems to me that this one...intentionally and
33. recklessly sets fire to a building when he knows innocent persons

1. are present in the building that such a person has committed
2. an act of such heinous nature, that the conduct should be
3. aggravated arson and that is not necessarily the...proof
4. of physical injury to persons in the building. That can
5. be a subject of another matter.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? The question...the
8. question is does the Senate concur in House Amendment
9. No. 3 to Senate Bill 160. Those in favor vote Aye.
10. Those opposed vote Nay. The voting is open. Have all voted
11. who wish? Take the record. On that question the Ayes
12. are 55, the Nays are none, none Voting Present. The Senate
13. does concur in House Amendment No. 3 to Senate Bill
14. 160 and the bill having received the constitutional
15. majority is declared passed. Senate Bill 164, Senator
16. Hickey. Senator Hickey.

17. SENATOR HICKEY:

18. Thank you, Mr. President. This is the bill which increased
19. the size of sanitary district boards in areas of over
20. ninety thousand to a number of five and this amendment
21. simply says that no more than three members of a five member
22. board of trustees may be of the same political party.
23. And I move concurrence.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is shall
26. the Senate concur in House Amendment No. 1 to Senate Bill
27. 164. Those in favor vote Aye. Those opposed vote Nay.
28. The voting is open. What...have all voted who wish?
29. Take the record. On that question the Ayes are 53, the
30. Nays are none, none Voting Present. The Senate does concur
31. in House Amendment No. 1 to Senate Bill 164 and the bill
32. having received a constitutional majority is declared passed.
33. Senate Bill 170, Senator Glass. Senator Glass is recognized.

1. SENATOR GLASS:

2. Mr. President and Ladies and Gentlemen of the Senate.
3. I'm going to move concurrence in three House amendments to
4. Senate Bill 170. This bill is a revisory bill that
5. makes numerous revisions to update the Probate Act. It
6. was determined by the Reference Bureau that there were some
7. provisions already taken care of in various Acts that were
8. not picked up in this bill...but were already...been taken
9. care of, so, that Amendment No. 1 deletes those provisions.
10. And I would move its adoption. I would move concurrence in
11. Amendment No. 1. Do you want me to move on all three of
12. them or take...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. We may take all three at one time, Senator.

15. SENATOR GLASS:

16. All right. Amendment No. 2 deals with the procedure that
17. an estate must use for the sale or mortgage of
18. real estate and deletes the requirement that the ward of
19. an estate must be a party defendant. Amendment No. 3
20. provides that in cases where there is an administrator,
21. the approval of court by written order must be obtained
22. before freeing up any assets in the estate.
23. I move concurrence.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Glass, are you going to move concurrence on
26. Amendment No. 3? Why don't we make your motions on all
27. three amendments. Senator Glass.

28. SENATOR GLASS:

29. Yeah, my motion was as to all three amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. As to all three. Senator...is there discussion?
32. Senator Maragos.

33. SENATOR MARAGOS:

1. SENATOR MARAGOS:

2. Will the Senator yield to a question?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Indicates that he will yield. Senator Maragos.

5. SENATOR MARAGOS:

6. Senator Glass, would you please repeat what one of
7. the amendments...I think it was the second amendment you
8. stated, does regarding the elimination of a ward being
9. represented at a hearing?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Glass.

12. SENATOR GLASS:

13. The copy I have has the first page of Senate Amendment
14. 2 and not...it may only be on page. But in any event,
15. it does establish the procedure for...that an estate must
16. use for the sale and mortgage of real estate. It deletes
17. the requirement that the ward...that a ward of the estate
18. must be made a party defendant.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maragos.

21. SENATOR MARAGOS:

22. Well, how does the effect...then...how is the ward
23. being given any notice? I...is this only an incompetent's
24. estate or this including also estates of decedents?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Glass.

27. SENATOR GLASS:

28. This is one of the powers, I believe, of an administrator
29. in any probate estate, Senator Maragos, and the language
30. change is as follows: all persons holding liens against
31. or having an interest in the real estate described or
32. sought to be effected by the order except the ward must
33. be made party's defendant.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Maragos.

3. SENATOR MARAGOS:

4. I'm confused as to what the intent of this amendment
5. is and therefore, I have to vote against it...concurrence
6. until I know better what it does because it goes to a
7. fine line...it doesn't say if it's a decedent's estate
8. or if it's an incompetent's estate. If it's an incompetent's
9. estate, I can understand why the ward would not be notified
10. necessarily. But if the ward is a heir on a decedent's estate
11. and he's not properly...he or she is not properly represented,
12. they can have her interest taken away without any
13. proper recitation.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? Senator Maragos.

16. SENATOR MARAGOS:

17. Would the Senate sponsor mind taking this out of the
18. record till we clear it up?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Glass asks leave to take the bill from the
21. record. There...is there leave? Leave is granted. Senate
22. Bill 172, Senator Harber Hall. Senator Philip.
23. Senator Philip is recognized. Senate Bill 172. You are
24. recognized. Senator Philip.

25. SENATOR PHILIP:

26. Thank you, Mr. President. Senate Bill 172 amends
27. the Sanitary District Act of 1917. House Amendment No. 2
28. does two things. Provides for more specific publishing
29. and posting requirements when a sanitary district changes
30. its name. Secondly, when they do change their name, they
31. have to file with the Secretary of State within thirty
32. days. I have no objections to the House amendment and I move
33. the Senate do concur in House Amendment No. 2 to Senate...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there...

3. SENATOR PHILIP:

4. ...Bill 172.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. I rise to support the
9. motion to concur in House Amendment No. 2 and would just
10. point out while I have the opportunity that on each
11. member's desk is a computer printout which I hope the
12. members will avail themselves of, some have been over asking
13. me to look at files and we do have...we have, in fact,
14. provided a computer printout indicating the substance of the
15. House amendment on each of these bills on the Secretary's
16. Desk. But I would urge concurrence in this amendment.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? The question is does the Senate
19. concur in House Amendment No. 2 to Senate Bill 172.
20. Those in favor vote Aye. Those opposed vote Nay. The
21. voting is open. Have all voted who wish? Take the record.
22. On that question the Ayes are 54, the Nays are none,
23. none Voting Present. The Senate does concur in House Amendment
24. No. 2 to Senate Bill 172 and the bill having received
25. the required constitutional majority is declared passed.
26. Senate Bill 216, Senator Bowers. Senate Bill 241, Senator
27. Lemke. Senator Lemke is recognized on Senate Bill 241.

28. SENATOR LEMKE:

29. Move to concur with House Amendment 1 to Senate Bill
30. 241. The original bill, Senate Bill 241 provided that
31. interest on all amounts withheld by an insurance company
32. in accordance with the provision of the Act, be paid by the
33. insurer at a rate of seven percent per annum. However, the
34. bill did not specify to whom such interest would be payable.

1. Since...since it's a bill that we're mandating the insurance
2. companies to hold the money until they come up with the
3. ...the policyholder comes up with proof that he paid back
4. taxes and demolition costs, I think this is a fair amendment
5. and I ask for...to concur.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? The question is does the
8. Senate concur...Senator Soper.

9. SENATOR SOPER:

10. Well, this is 241. It says House Amendment No. 1.
11. Deletes that the company shall pay interest on all such
12. amounts withheld at the rate of seven percent per year.
13. That's what the...that's what the amendment said.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. Yeah, that's what it does. It deletes the interest
18. phase of this since we're mandating the insurance
19. companies to hold this money until they come up with
20. the proof...the policyholder comes up with proof, they thought
21. that...in the House that there shouldn't be an interest
22. and I'll go along with the amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion? Senator Wooten.

25. SENATOR WOOTEN:

26. Mr....Mr. President and colleagues. I opposed
27. this bill the first time out because I thought it sounded
28. like a subsidy to the demolition people and will oppose
29. it on that basis again. I realize that when we're
30. dealing with amendments, that it becomes a proforma thing
31. because we have already taken action on this but as I recall,
32. this was a close vote before and I just simply rise in
33. oppositin to concurrence as to the bill itself.

SB 228
Guidance
6-26-79

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is does the

3. Senate concur in Amendment...House Amendment No. 1 to

4. Senate Bill 241. Those in favor vote Aye. Those opposed

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

6. Take the record. On that question the Ayes are 52, the

7. Nays are 3, none Voting Present. The Senate does concur

8. in House Amendment No. 1 to Senate Bill 241 and the

9. bill having received the required constitutional majority

10. is declared passed. Senate Bill 227, Senator Berman.

11. Senator Berman is recognized on Senate Bill 227.

12. Senator Berman.

13. SENATOR BERMAN:

14. Thank you, Mr. President. I move to concur in House

15. Amendment No....

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. 1.

18. SENATOR BERMAN:

19. ...1 to Senate Bill 227. All that this amendment'

20. does, it deletes a Section, 52.1 which is duplicated

21. in the actual bill itself at Section 57.7. Just eliminates

22. a duplication of...of sections. I move to concur.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is does the

25. Senate concur in House Amendment No. 1 to Senate Bill

26. 227. Those in favor vote Aye. Those opposed vote Nay.

27. The voting is open. Have all voted who wish? Take the

28. record. On that question the Ayes are 52, the Nays are

29. none, none Voting Present. The Senate does concur in

30. House Amendment No. 1 to Senate Bill 227 and the bill

31. having received the required constitutional majority is

32. declared passed. Senate Bill 228, Senator Guidice.

33. Waiting period. Senator D'Arco.

1. SENATOR D'ARCO:

2. Senator Bruce, I am the principal sponsor of that
3. piece of legislation.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Calendar must...the Calendar is in error. Senator
6. D'Arco should be shown as the principal sponsor. Senator
7. D'Arco on Senate Bill 228.

8. SENATOR D'ARCO:

9. I would move to concur in House Amendment No. 1 to
10. Senate Bill 228. It simply provides that the court
11. may impose reasonable conditions other than those already
12. in the Statute plus they can assess cost against the
13. defendant and the order is a final order for purposes
14. of appeal. I would move to concur.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? The question is does the
17. Senate concur in House Amendment No. 1 to Senate Bill 228.
18. Those in favor vote Aye. Those opposed vote Nay. The
19. voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question the Ayes are
21. 54, the Nays are none, none Voting Present. The Senate
22. does concur in House Amendment No. 1 to Senate Bill 228
23. and the bill having received a required constitutional
24. majority is declared passed. Senate Bill 287, Senator
25. Berning. Senator Berning is recognized.

26. SENATOR BERNING:

27. Thank you, Mr. President. Senate Bill 287 with
28. House Bill...House Bill Amendment...House Amendments No.
29. 1 and 2 are simply to make mandatory rather than permissive
30. for the reinstatement of an employee if it is proven that
31. the Department of Personnel provisions and rules have...
32. relating to layoff, have been violated. In other words, it
33. goes a step further in protecting the employee and House

1. Amendment No. 2 strikes from the State Department of
2. Personnel any reference to the Secretary of State since
3. that office now has its own merit system. Unless there are
4. any questions, I would move to concur with House Amendments
5. No. 1 and No. 2.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is shall the Senate
8. concur in House Amendments No. 1 and 2 to Senate Bill
9. 287. Those in favor vote Aye. Those opposed vote Nay.
10. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question
12. the Ayes are 54, the Nays are none, none Voting Present.
13. The Senate does concur in House Amendments No. 1 and 2
14. to Senate Bill 287 and the bill having received the
15. required constitutional majority is declared passed.
16. Senate Bill 294, Senator Rock. Senator Rock is recognized.
17. SENATOR ROCK:

18. Thank you, Mr. President. I would move you, Mr.
19. President and colleagues, that the Senate do concur with
20. House Amendment No. 1 to Senate Bill 294. This is the
21. annual appropriation for the Illinois Legislative Investigating
22. Commission. The House amendment changed...merely changed
23. the total pursuant to two reductions that were made. We
24. reduced Personal Services over here. They reduced
25. travel an additional five hundred dollars over there and
26. changed the final total to five hundred and eighty-two
27. thousand four hundred dollars. I would move that we concur
28. with House Amendment No. 1.
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The question is shall the Senate
31. concur in House Amendment No. 1 to Senate Bill 294.
32. Those in favor vote Aye. Those opposed vote Nay. The
33. voting is open. Have all voted who wish?

1. Take the record. On that question the Ayes are 55, the
2. Nays are none, none Voting Present. The Senate does
3. concur in House Amendment No. 1 to Senate Bill 294 and the
4. bill having received the required constitutional majority
5. is declared passed. Senate Bill 322, Senator Harber Hall.
6. Senate Bill 323, Senator Bowers. Senate Bill 324, Senator
7. Philip. Senator Philip is recognized.

8. SENATOR PHILIP:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. Senate Bill 324 is the appropriation for the
11. Department of Insurance. House Bill...House Amendment No.
12. 1 reduces travel twenty thousand, contractual service,
13. ten thousand, total reduction of thirty thousand dollars.
14. Brings the total appropriation to four million four hundred
15. and two thousand five hundred. I agree with the amendment
16. and I move the House do...the Senate do concur on House
17. Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? The question is shall the Senate
20. concur in Amendment...House Amendment No. 1 to Senate Bill
21. 324. Those in favor vote Aye. Those opposed vote Nay.
22. The voting is open. Have all voted who wish? Have all
23. voted who wish? Take the record. On that question the Ayes
24. are 53, the Nays are none, 1 Voting Present. The Senate
25. does concur in House Amendment No. 1 to Senate Bill 324
26. and the bill having received the required constitutional
27. majority is declared passed. Senate Bill 325, Senator Sommer.
28. Senator Sommer is recognized.

29. SENATOR SOMMER:

30. Mr. President, I move the Senate nonconcur in
31. House Amendments 2 and 3.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Sommer moves to nonconcur in House Amendments No.

1. 2 and 3 to Senate Bill 325. All in favor say Aye. Opposed
2. Nay. The Ayes have it. The motion carries and the Secretary
3. shall so inform the House. Senate Bill 327, Senator
4. Grotberg. Senate Bill 328, Senator Rupp. Read the bill,
5. Mr. Secretary. Senator Rupp.

6. SENATOR RUPP:

7. The amendment merely line items the hundred thousand
8. nine hundred dollar Senior Citizens Action Senate appropriation
9. which was in the Senate Bill as amended. That's all it does.
10. I recommend concurrence.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there debate? The question is shall the Senate
13. concur in House Amendment No. 1 to Senate Bill 328. Those
14. in favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Take the record. On that question
16. the Ayes are 53, the Nays are none, none Voting Present.
17. The Senate does concur in Amendment No. 1 to Senate Bill
18. 328 and the bill having received the required
19. constitutional majority is declared passed. Senate Bill
20. 329, Senator Walsh. Senate Bill 330, Senator Mitchler.
21. Senator Mitchler is recognized on Senate Bill 330.

22. SENATOR MITCHLER:

23. Mr. President and members of the Senate. There are
24. two amendments in the House to Senate Bill 330. I'll take
25. them both together. Amendment No. 1...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. What...what purpose does Senator Buzbee arise?

28. SENATOR BUZBEE:

29. Well, Mr. President, the Democratic side had requested
30. that bill be held till we get a letter from...from the
31. Office of the Bureau...of the Director.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right. Is there leave to take it from the record?

1. Leave is granted. Senate Bill 332, Senator Roe. Senator Roe
2. is recognized on Senate Bill 332.

3. SENATOR ROE:

4. Mr. President and members of the Senate. This
5. is the appropriation for the Racing Board and I would move
6. that we concur with House Amendment No. 1. This restores
7. a cut that was made in the Senate upon receipt of an
8. exemption letter from BOB.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Roe, it is Amendment No. 2 that you wish
11. to concur with.

12. SENATOR ROE:

13. Pardon me. Pardon me. Amendment No. 2.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and members of the Senate.
18. I would oppose Senator Roe's motion. He is seeking to
19. restore some thirty-eight thousand dollars in positions
20. which have been vacant for some long period of time
21. which is why the Senate had originally taken this monies...
22. out of the budget. If they don't need the people, they
23. shouldn't be now given new and expanding programs in these
24. tight fiscal times. I would hope that the Senate not concur
25. and thereby ask the House to recede from its amendment and
26. I would urge the members to not concur in the House amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator Rock.

29. SENATOR ROCK:

30. Parliamentary inquiry.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. State your point.

33. SENATOR ROCK:

1. If, in fact, the sponsor makes a motion to concur
2. which fails, is nonconcurrency automatic and the House
3. is so informed?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. We will so rule that on a motion to concur and on
6. failure to receive thirty affirmative votes, it will be
7. the ruling of the Chair that there's an automatic
8. nonconcurrency. Is there further discussion? For what...
9. what purpose does Senator Walsh arise?

10. SENATOR WALSH:

11. I...I think, Mr. President, that the ruling might
12. be improper. I think if you then...you then recognize
13. someone for a motion to nonconcur, that it's not necessary
14. to have a recorded vote on that. You could rule there
15. was nonconcurrency but you can...a sponsor could conceivably
16. move to postpone further consideration of his motion to
17. concur and it could stay here.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. That is correct but Senator Rock's question was
20. based on the fact that we had taken a roll call on
21. concurrency and that having failed we then would have
22. nonconcurrred...

23. SENATOR WALSH:

24. Well, I think maybe...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. If the sponsor had asked to postpone further
27. consideration, that could be done.

28. SENATOR WALSH:

29. ...well, if it's automatic...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Cause there would not have been...

32. SENATOR WALSH:

33. ...nonconcurrency, you would be...you would be

1. denying him that privilege.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Well, if he asked for further consideration...

4. SENATOR WALSH:

5. Well, he's got to make his motion to concur first
6. and if he fails to prevail, he would be entitled to move
7. to postpone further consideration if you recognized him for
8. that purpose. I think you should reconsider the thing.
9. It probably doesn't make any difference right now, but...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Gentlemen, let us not get into the theoretical...
12. the motion is...Senator Wooten.

13. SENATOR WOOTEN:

14. I merely want to point out, there is no difficulty,
15. Senator, because the...the request for postponed consideration
16. becomes...comes before an announcement of the roll call
17. and so there need not be any conflict. If you ask for
18. a postponed consideration, then you receive that. If he
19. permits the roll call to go ahead and be announced, then I
20. think it would save us all a lot of time. We would just
21. go right away and question nonconcurrency and so it is
22. really quite simple.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion on the motion? Senator
25. Nimrod.

26. SENATOR NIMROD:

27. Yes, Mr. President. My only concern is that in fact,
28. if a motion were to...the sponsor had a non...a concurrence,
29. and it failed, then the sponsor, does he lose control of
30. his own bill? That's what you're saying and I think that's
31. the issue at stake here and I would think that if you took
32. another vote and it passed or failed, you then have a chance
33. to...otherwise, you're automatically having the sponsor lose

1. control of his bill and he can take no further action that
2. he desires.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. No, it be the ruling of the Chair, in fact, that
5. he has not lost control. He has...he has the obligation
6. to make the motion to concur. That was solely within
7. his jurisdiction. If he makes that motion to concur
8. is before this Senate. Once we take a roll call on the
9. concurrence, then the House has not concurred and it
10. goes...we so inform the House. If he wishes to postpone
11. consideration of the motion to concur, no roll call, in
12. fact, is taken and he has a second shot at a concurrence.
13. Thank you, Senator Graham. The question is does the Senate
14. concur in House Amendment No. 2 to Senate Bill 332.
15. Those in favor vote Aye. Those opposed vote Nay. The
16. voting is open. It will require thirty affirmative votes.
17. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question the Ayes are 27, the
19. Nays are 25, none Voting Present. The Senate does not
20. concur in House Amendment No. 2 to Senate Bill 332
21. and the Secretary shall so inform the House. Senate Bill
22. 335, Senator Regner. Senator Regner is recognized.

23. SENATOR REGNER:

24. Yes, Mr. President and members of the Senate. I'm
25. going to move to concur in House Amendments 1 and 4
26. and nonconcur in 5. House Amendment 1 realigns the
27. ...the appropriation bill in conformity with the
28. reorganization of the Department of Law Enforcement which
29. was approved in the General Assembly and House Amendment No.
30. 4 puts two hundred and ninety-three thousand two hundred
31. dollars line items in General Revenue for the operation
32. of the Office of Investigation...Special Investigators which
33. was included in the reorganization plan and I'm going to

1. move to concur in both of those amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. You're moving to concur in 1 and 4 and nonconcur
4. in No. 5?

5. SENATOR REGNER:

6. Yes, No. 5...what the No. 5 amendment did, it deletes
7. the language authorizing the director to expend contractual
8. service dollars within the Division of Investigation for the
9. purchase of evidence and there is specific language in the
10. Statutes requiring them to do that so I want to get that
11. back in to conference if necessary, to clean that language
12. up.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. For what purpose does Senator Carroll arise?

15. SENATOR CARROLL:

16. Parliamentary inquiry, Mr. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. State your point.

19. SENATOR CARROLL:

20. What will be our procedure in concurrence versus
21. nonconcurrence in various amendments? I know at one time
22. there was discussion when...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well, perhaps...

25. SENATOR CARROLL:

26. ...pertaining to joint rules with the House...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Perhaps I should...

29. SENATOR CARROLL:

30. ...that if we...okay.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. ...answer your question and then we can proceed.

33. On a question where the sponsor split the issue between

1. amendments, we will take the roll call on those motions
2. ...on those amendments where the sponsor has asked for a
3. concurrence. And we will take a roll call that will require
4. thirty votes to concur in the event the House recedes from
5. their amendment, that will, in fact, be final passage.
6. On those amendments where nonconcurrence is sought, we will
7. take a...we will take a voice vote. Senator Carroll.

8. SENATOR CARROLL:

9. The further question was because at one time, there
10. had been discussions of having a rule with the House by
11. way of joint rule that if we had acted in such a manner of
12. voting, that that could not be before a Conference Committee
13. and only that small section at issue was before the
14. Conference Committee and it is my recollection that that
15. had never been adopted by both Chambers so that regardless
16. of what we concur in, if it ends up in a Conference Committee,
17. the whole topic is before the Conference Committee, not
18. just the limited item.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. That is correct. There are no joint rules on
21. Conference Committees although some are being circulated
22. today. Senator Buzbee.

23. SENATOR BUZBEE:

24. I would ask Senator Regner if he would take this out
25. of the record for...temporarily.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there leave to take it from the record? Leave
28. is granted. Senate Bill 336, Senator Moore. Senator Moore
29. is recognized.

30. SENATOR MOORE:

31. Thank you, Mr. President. I move to nonconcur in House
32. Amendment 1 to Senate Bill 336.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Moore, the question is down here will you move to

1. concur or nonconcur. We did not hear.

2. SENATOR MOORE:

3. We want to nonconcur.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. To nonconcur. The question is...Senator Moore moves

6. to nonconcur in House Amendment No. 1 to Senate Bill 336.

7. Those in favor say Aye. Opposed Nay. The Ayes have it

8. and the Secretary will...shall so inform the House.

9. Senate Bill 337, Senator Ozinga. Senate Bill 339,

10. Senator Berning. Senator Berning is recognized on Senate

11. Bill 339.

12. SENATOR BERNING:

13. Thank you, Mr. President. House Amendment No. 1 to

14. Senate Bill 339 raises the appropriation to total sum of

15. one hundred one thousand three hundred forty-eight dollars

16. for the Emergency Services and Disaster Agency for the

17. purposes stated. I move to concur with House Amendment

18. No. 1.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you. I would rise to resist the concurrence

23. motion in this reduction. It's even some...almost twenty

24. thousand over the amount they originally requested from the

25. General Assembly. I see no reason to add this unique and

26. high amounts to this lump sum action in this particular

27. program. While many of us see the need for a Hazardous

28. Materials Program, we think that better figures are the

29. figures arrived at after close scrutiny with them and I think

30. to give them even more than they asked for should not be the

31. action of the General Assembly during these economic times.

32. I would ask us to resist a motion to concur.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? The question is shall
2. the Senate concur in House Amendment No. 1 to Senate Bill
3. 339. Those in favor vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Have all voted
5. who wish? Take the record. On that question the Ayes
6. are 25, the Nays are 28, 1 Voting Present. The Senate
7. does not concur in House Amendment No. 1 to Senate Bill
8. 339 and the Secretary shall so inform the House.
9. Senate Bill 341, Senator Coffey.

10. SENATOR COFFEY:

11. Mr. President and members of the Senate. I would
12. like to ask this Body to concur with Amendments No. 1,
13. 2 and 3. Amendment No. 1 increases the Personal Services,
14. the retirement and social security on lines...division of
15. meat and poultry and livestock inspection reflected the action
16. of House Bill 584 that passed this Body. Amendment No....2
17. increases by ten thousand eight hundred dollars, a
18. funds available for premiums to vocational agriculture
19. section fairs. Amendment No. 3 corrects...corrects references
20. to the Federal Wholesome Meat Fund. It's a technical amendment.
21. I'd ask this Body could concur.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? The question is shall the Senate
24. concur in House Amendments No. 1, 2, and 3 to Senate
25. Bill 341. Those in favor vote Aye. Those opposed vote
26. Nay. The voting is open. Have all voted who wish?
27. Take the record. On that question the Ayes are 53, the Nays
28. are none, none Voting Present. The Senate concurs in House
29. Amendments No....Nos. 1, 2, and 3 and the bill having received
30. the constitutional majority is declared passed.
31. Senate Bill 343, Senator Nimrod. Senator Nimrod
32. is recognized on Senate Bill 343.

33. SENATOR NIMROD:

1. Yes, Mr. President and Ladies and Gentlemen of the
2. Senate. Senate Bill 343, House Amendment No. 1 increases
3. the personal services by thirty-six thousand eight hundred
4. and I would move for concurrence in House Amendment No. 1.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Carroll.
7. SENATOR CARROLL:

8. Because of some request on this...I agree with Senator
9. Nimrod and would also move that we concur in House Amendment
10. No. 1.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? The question is shall the
13. Senate concur in House Amendment No. 1 to Senate Bill
14. 343. Those in favor vote Aye. Those opposed vote Nay.
15. The voting is open. Have all voted who wish? Take the
16. record. On that question the Ayes are 53, the Nays are 1,
17. none Voting Present. The Senate concurs in House Amendment
18. No. 1 to Senate Bill 343 and the bill having received a
19. constitutional majority is declared passed. Senate Bill
20. 347, Senator Clewis. Senator Clewis is recognized on
21. Senate Bill 347.

22. SENATOR CLEWIS:

23. Mr. President, members of the Senate. I move that
24. the Senate concur with House Amendment No. 1 to Senate
25. Bill 347. Well,...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Perhaps you should explain the amendment.

28. SENATOR CLEWIS:

29. ...we'll go into an explanation here but it's going to
30. be a rather lengthy one.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Clewis.

33. SENATOR CLEWIS:

34. All right. The original intent of Senate Bill 347

1. was to provide for a commissioner of appeals outside of the
2. City of Chicago in certain counties in Cook to hear appeals
3. from welfare recipients and applicants. The House
4. ...now this would take the place of a Public Aid Committee
5. which originally consisted of the president of the county
6. board and four supervisors appointed by him with the
7. advise and consent of the respective townships. The House
8. amendment provides that the president of the county board
9. will not sit on that Public Aid Committee, that he will
10. appoint five members rather than four, one additional
11. one to take his place, and that's the essence of the
12. amendment to 347.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator...Senator Moore.

15. SENATOR MOORE:

16. Thank you, Mr. President. I agree with Senator Clewis.
17. I think this is a good amendment and I would urge the support
18. of the membership on its concurrence.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Wooten.

21. SENATOR WOOTEN:

22. I just wanted to clarify that you said the bill
23. originally made changes in counties under three million
24. population and the...this says, provides in counties in
25. excess of three million population...and...and under. So,
26. it's all counties?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Clewis.

29. SENATOR CLEWIS:

30. To the best of my understanding, it's Cook County.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. So, the bill applies to Cook County alone?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Clewis.

4. SENATOR CLEWIS:

5. ...from a Public Aid Committee consisting of the
6. president of the county board and four other members, has
7. been changed to five members, not including the president
8. of the county board in Cook County only.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? The question is shall
11. the Senate concur in House Amendment No. 1 to Senate Bill
12. 347. Those in favor vote Aye. Those opposed vote Nay.
13. The voting is open. Have all voted who wish? Take the
14. record. On that question the Ayes are 56, the Nays are
15. none, none Voting Present. The Senate does concur in House
16. Amendment No. 1 to Senate Bill 347 and the bill having
17. received the required constitutional majority is declared passed.
18. The difficulty on Senate Bill 335 has been resolved. Senator
19. Regner is recognized on Senate Bill 335.

20. SENATOR REGNER:

21. Mr. President, members. I explained in Senate Amendment
22. No. 1 before and I will move to concur in Senate Amendment
23. No. 1 to Senate Bill 335 and then I will nonconcur in 4 and 5.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. We agree and concur in Senator Regner's No. 1 Amendment
28. and nonconcur in 4 and 5.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is shall the Senate concur in House Amendment
31. No. 1 to Senate Bill 335. Those in favor vote Aye. Those
32. opposed vote Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Take the record. On that

1. question the Ayes are 52, the Nays are 2, none Voting
2. Present. The Senate concurs in House Amendment No. 1 to
3. Senate Bill 335 and the bill having received the constitutional
4. majority...no. The Senate concurs in House Amendment No. 1
5. to Senate Bill 335. Senator Regner. Senator Regner now
6. moves to nonconcur in House Amendments No. 4 and 5 to Senate
7. Bill 335. All in favor say Aye. Opposed Nay. The Ayes
8. have it. Secretary shall so inform the House. Senate
9. Bill...Senator Ozinga.

10. SENATOR OZINGA:

11. You want to go back to 337 for...I understand there's
12. a...will not concur, too. So, I make a...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. You wish...you wish to go back to 337. Yes.
15. Senate Bill 337, Senator Ozinga.

16. SENATOR OZINGA:

17. I understand that there is an objection to this amendment
18. so I would move that we do not concur in this amendment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Ozinga moves to nonconcur in House Amendment
21. No. 1 to Senate Bill 337. All in favor say Aye. Opposed
22. Nay. The Ayes have it. The motion carries and the Secretary
23. shall so inform the House. For what purpose does Senator
24. Wooten arise?

25. SENATOR WOOTEN:

26. Just a parliamentary inquiry. My memory has grown
27. hazy on this. Not that the...the occasion has arisen, thusfar,
28. but in the...in case it does, if a member moves to nonconcur
29. in an amendment, may a member of this Body offer a
30. substitute motion to concur?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Well, Senator, we have faced that, as I recall, by
33. having a roll call vote on a nonconcurrence and the failure

1. of a majority to nonconcur would then places...it before
2. the Body on a concurrence motion. Senate Bill 350, Senator
3. Berning. Senator Berning is recognized on Senate Bill 350.
4. SENATOR BERNING:

5. Thank you, Mr. President and members of the Senate.
6. House Amendment No. 1 to Senate Bill 350 reinserts language
7. which was originally stricken and reestablishes this
8. phrase, physician's assistants cannot exercise independent
9. judgment for the purposes of diagnosis and treatment of
10. patients. This was an amendment agreed to in the House
11. committee after which...after a very long and in depth
12. analysis of the bill. It was unanimously agreed to and
13. I move to concur with House Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is does the Senate
16. concur in House Amendment No. 1 to Senate Bill 350. Those
17. in favor vote Aye. Those opposed vote Nay. The voting is
18. open. Have all voted who wish? Senator Carroll.
19. Have all voted who wish? Take the record. On that question
20. the Ayes are 52, the Nays are 3, none Voting Present.
21. The Senate does concur in House Amendment No. 1 to Senate
22. Bill 350 and the bill having received the required
23. constitutional majority is declared passed. Senate Bill 351,
24. Senator Harber Hall. For what purpose does Senator Nimrod
25. arise?

26. SENATOR NIMROD:

27. Mr. President, I think the record is wrong. I think
28. the record should show that I am the main sponsor of that.
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Are...are you the Senate...principal sponsor of Senate
31. Bill 351, Senator Nimrod? Senator Nimrod is recognized
32. on Senate Bill 351.

33. SENATOR NIMROD:

1. Since this just came to me, can I just have leave
2. just to look at this for a minute and then come right back to
3. it?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there leave to take it from the record? There is
6. leave. Senator Glass informs me that the difficulties on
7. Senate Bill 170 have been resolved. Senator Glass is
8. recognized on Senate Bill 170.

9. SENATOR GLASS:

10. Thank you, Mr. President and Ladies and Gentlemen.
11. If the Body will remember this is a bill relating to
12. amendments to the Probate Act. Senator Maragos raised the
13. question on Amendment No. 2. I have spoken to him
14. and we've determined that there is a provision for...for
15. a guardian ad litem to be appointed so I would ask for concurrence
16. with House Amendments No. 1, 2, and 3 to Senate Bill 170.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is shall the Senate
19. concur in House Amendments No. 1, 2 and 3 to Senate Bill 170.
20. Those in favor vote Aye. Those opposed vote Nay. The
21. voting is open. Have all voted who wish? Have all voted
22. who wish? Take the record. On that question the Ayes
23. are 51, the Nays are none, none Voting Present. The Senate
24. does concur in Amendments No. 1, 2 and 3 to Senate Bill 170
25. and the bill having received the constitutional majority is
26. declared passed. Senator Nimrod, are you ready now on
27. 351? Senate Bill 351. Senator Nimrod is recognized.

28. SENATOR NIMROD:

29. Yes, I would...I would move for concurrence in
30. both House Amendment 1 and 2. What House Amendment 1 does
31. is to reduce the travel by fifty-five hundred on a contractual
32. services by seven thousand two hundred for a total of twelve
33. thousand seven hundred. And on House Amendment 2, it increases
34. the personal services by twenty-six thousand and that is

1. to allow for one and a half positions to be transferred from
2. the Federal payroll to the General Revenue and reinstates to six
3. ...it says reinstates a six percent pay plan.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator...Senator Buzbee or Senator Carroll, do you
6. have comments? Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President and members of the Senate.
9. I rise to support Senator Nimrod's motion. What, in fact,
10. this House action does, we in the Senate, took out one
11. and a half job positions in committee, the funding for one
12. and a half, that had been under a Federal Arts Grant in
13. all prior years and they were suddenly transferring
14. these people to General Revenue Funds claiming that they
15. hadn't been able to get to their Federal sources. We have
16. since learned that the Federal fundings for these types of
17. positions has stopped. They had been moved to the Federal
18. payroll by way of a gift from the special Federal Arts
19. Council for a couple year period with the understanding at
20. the original time that they would go back to General
21. Revenue when those funds stopped. That's why those
22. positions were added. The other was a small cut in contractual
23. for an accountant which Senator Regner had wanted because
24. we had allowed them a new fiscal officer and they also had
25. a part time accountant while they had convinced us that
26. the Auditor General mandated them to go out and follow their
27. grants and make sure that these monies were properly being
28. spent on an audit basis. Apparently the House didn't
29. agree with the Auditor General and for the amount of
30. ...involved in that part of it, then the travel for
31. the accountant, we didn't feel it worth fighting with the
32. House about and let's see what the Auditor General says about
33. it next year. So, I would therefore, support Senator Nimrod

1. in his concurrence.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator...Senator Regner.

4. SENATOR REGNER:

5. First of all, a question of Senator Nimrod.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates that he will yield. Senator Regner.

8. SENATOR REGNER:

9. Did you say that this included six percent...something

10. for a six percent pay raise?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. It allows back in the funds for those one and a half

15. persons and I imagine what the...this note says here is

16. that we're putting back the money and the original money

17. provided for that one and a half persons on that six percent

18. pay plan. It does not provide for all the pay plans, but I

19. just wanted you to be aware that this amount of money

20. didn't include that full amount that was taken out.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Regner.

23. SENATOR REGNER:

24. Well, we're limiting everyone else to two and a half of our...

25. in our regular appropriations and I would suggest this one

26. person doesn't deserve six percent but above and beyond that,

27. you know, here we go. We adopt and allow these agencies

28. to have all these silly programs because there's Federal

29. monies available and then the Federal monies get cut off

30. and lo and behold, we have to pick them up on General

31. Revenue. And the Arts Council, in particular, and all the

32. agencies and departments and boards and commissions in this

33. State has been the most useless thing we have as far as

silly programs and waste of money and I would urge that we

1. nonconcur in this particular amendment and if nothing
2. else, at least get that six percent straightened out
3. for that one employee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer.

6. SENATOR SOMMER:

7. Well, I would just reiterate. This is about the only
8. agency that we're going to give a six percent increase to
9. and I think we should send it back and cut it down to the
10. two and a half and ship it to the Governor. But let's
11. reject this motion right now to do it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. I appreciate the troglodytic expressions we've
16. just had from Senators Regner and Senator Sommer but I
17. personally think that this is money well spent. The positions
18. in question are...are the kind that we need because they're
19. the ones that travel around and stimulate local activities and
20. interests and I urge that we concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Kenneth Hall.

23. SENATOR KENNETH HALL:

24. Well, that's the point that I wanted to bring up.
25. Now, I'm for the Art Council, but we've cut everybody
26. two and a half percent. Now, we're going to come along and
27. give somebody six percent? We ought to be consistent
28. on this. Now, I mean, that there's no need in the world...
29. if you're going to do that, let's give everybody six percent.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. I would just point out, Mr. President, we're talking...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Can we have some order, please. Senator Buzbee.

3. SENATOR BUZBEE:

4. We're talking about fourteen thousand dollars here.

5. We've got a billion and seven hundred and fifty million

6. coming up in a few minutes. I hope we get as

7. equal amount of time as we do on this fourteen thousand.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion? Senator Carroll.

10. SENATOR CARROLL:

11. I only rise to speak twice because of a lot of

12. confusion that had been mentioned by Senator Nimrod

13. and apparently reading a staff analysis that I deem

14. incorrect. There is only two and a half percent here in

15. the pay plan. There is not six percent. It's a two and

16. a half percent pay plan like all other agencies. This

17. is the amounts of monies that are needed because of a

18. mistake in their hiring and turnover lag figures to meet

19. their budget at the full staff that they have had. There

20. is only two and a half percent in there and I would urge

21. concurrence.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. I just wanted to ask, is the seventy-five

26. thousand for Ethnic Arts still in here?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. That amount has not been disturbed.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Soper.

33. SENATOR SOPER:

1. Well, thank you. You talk about fourteen thousand
2. like it's buttons, but I remember when you started this
3. gem with twenty-five thousand in '67. Now it's two
4. million two hundred and ninety-three thousand nine hundred and
5. it's still a bummer.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? Senator Nimrod may
8. close.

9. SENATOR NIMROD:

10. Yeah, I think that we should have a roll call on this
11. Mr. President and...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. We will.

14. SENATOR NIMROD:

15. ...I think that the differences have been cleared
16. up.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is shall the Senate concur in Amendment...
19. House Amendments No. 1 and 2 to Senate Bill 351. Those
20. in favor vote Aye. Those opposed vote Nay. The voting is
21. open. Have all voted who wish? Take the record.
22. On that question the Ayes are 38, the Nays are 17, none
23. Voting Present. The Senate does concur in House
24. Amendments No. 1 and 2 to Senate Bill 351 and the bill
25. having received the required constitutional majority is
26. declared passed. Senate Bill 354, Senator Kenneth Hall.
27. Senate Bill 354. Senator Kenneth Hall is recognized.
28. Senator Kenneth Hall.

29. SENATOR KENNETH HALL:

30. Mr. President and Ladies and Gentlemen of the Senate.
31. I move to concur with House Amendment No.1 to Senate Bill
32. 354. Now, what this does is that Senate Bill 354
33. amends the Housing Authority Act to permit one tenant

1. of an authority to serve as a commission...authority
2. provided the facts of such tenants is disclosed in writing
3. and entered on the...authority immediately upon his
4. assuming office. The House put on the Amendment No. 1.
5. On page 1, inserting the words, following after authority
6. in a municipality having a population of less than five
7. hundred thousand or a tenant of an authority in a county
8. having a population of less than one million. I move
9. for the concur...I move to concur with the House Amendment
10. No. 1.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Weaver.

13. SENATOR WEAVER:

14. Senator Hall, you're saying this just applies to
15. downstate counties, now, not to Cook County.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Kenneth Hall.

18. SENATOR KENNETH HALL:

19. In essence, you're correct, Senator.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? Senator Regner.

22. SENATOR REGNER:

23. Just a question of the sponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates that he will yield. Senator Regner.

26. SENATOR REGNER:

27. Why is this good for the rest of the State but not
28. Cook County?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hall.

31. SENATOR KENNETH HALL:

32. Home rule.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Regner.

1. SENATOR REGNER:

2. That's one of the things I thought was wrong
3. with the 1970 Constitution.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Question is does
6. the Senate concur in House Amendment No. 1 to Senate
7. Bill 354? Those in favor vote Aye. Those opposed vote Nay.
8. The voting is open. Have all voted who wish? Have all
9. voted who wish? Take the record. On that question the
10. Ayes are 31, the Nays are 23, none Voting Present.
11. The Senate does concur in House Amendment No. 1 to
12. Senate Bill 354 and the bill having received the
13. required constitutional majority is declared passed.
14. Senator Regner.

15. SENATOR REGNER:

16. Mr. President, I ask for a verification...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. There's been a request for a verification.
19. Will the members please be in their seats. Will the
20. Secretary...Sergeant-at-Arms clear the aisles.
21. Secretary will call those who voted in the affirmative.

22. SECRETARY:

23. The following voted in the affirmative: Berman,
24. Bruce, Buzbee, Carroll, Chew, Clewis, Collins, D'Arco,
25. Daley, Demuzio, Donnewald, Egan, Guidice, Kenneth Hall,
26. Hickey, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,
27. Leonard, Maragos, Merlo, Netsch, Newhouse, Rock,
28. Smith, Vadalabene, Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Regner, do you question the presence of
31. any member...

32. SENATOR REGNER:

33. Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

1. ...who voted in the affirmative.

2. SENATOR REGNER:

3. Senator Guidice.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Guidice is on the podium.

6. SENATOR REGNER:

7. Senator Vadalabene.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Regner. Roll call has been verified.

10. The Ayes are 31, the Nays are 23, none Voting Present.

11. The Senate does concur in House Amendment No. 1 to Senate

12. Bill 354 and the bill having received a constitutional

13. majority is declared passed. House Bill 350...Senate

14. Bill 357, Senator Netsch. Can we have some order,

15. Gentlemen? Senator Netsch is recognized on Senate

16. Bill 357.

17. SENATOR NETSCH:

18. Thank you, Mr. President. I reluctantly move

19. to concur in Amendments No. 1 and 2 to Senate Bill

20. 357. Amendment No. 1 eliminated what was known as

21. the...what came to be known as the no fault dependency

22. language which some of the members of the House felt

23. had potentially expensive implications and the amendment

24. deletes that language. Amendment No. 2 deletes the

25. language which allowed in a dependency petition allowed

26. the court to order the agencies involved to make sure that

27. children were provided with some program or other.

28. It referred to those children who are often described

29. as having fallen between the cracks. Again, there was some

30. opposition to this in the House because they felt that

31. it had potentially expensive and nondesirable implications.

32. I think they were both good provisions, but the Commission

33. on Children from which the bill emanated, has agreed that we

1. should go along with the amendments to delete these
2. two provisions.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? The question is shall
5. the Senate concur in House Amendments No. 1 and 2 to
6. Senate Bill 357. Those in favor vote Aye. Those opposed
7. vote Nay. The voting is open. Have all voted who wish?
8. Take the record. On that question the Ayes are 57, the
9. Nays are none, none Voting Present. The Senate does
10. concur in House Amendments No. 1 and 2 to Senate Bill 357
11. and the bill having received the required constitutional
12. majority is declared passed. For what purpose does Senator
13. Chew arise?

14. SENATOR CHEW:

15. Point of personal privilege.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. State your point, Senator.

18. SENATOR CHEW:

19. In the gallery almost behind the President's
20. platform is the Director of Revenue, Bob Whitler.
21. I would recognize him with his lovely family.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Would you please stand and be recognized by the Senate.

24.

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26. End of reel

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Senate Bill 362...For what purpose does Senator Hynes rise?

SENATOR HYNES:

I just want to indicate to the membership that the director is down here to help Senator Chew pass House Bill 41.

PRESIDING OFFICER: (SENATOR BRUCE)

Senate Bill 362. Senator Schaffer. Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President. I move to concur in House Amendments 1,2 and 3. This is a supplemental appropriation for a...a, pardon me, this is the appropriation for Children and Family Services. House Amendment 1 transfers funds to provide seven thousand dollars for a...a van for Herrick House in Cook County. House Amendment No. 2 transfers funds sixty-four thousand six hundred dollars in Federal funds for counseling services for... to line items for the Metropolitan Area Protective Services and House Amendment No. 3 cuts out a photographer...a total of fourteen thousand one hundred and forty-one dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Buzbee.

SENATOR BUZBEE:

We concur, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The question is, does the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 362. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are

1. 1. 1 Voting Present. The Senate does concur in House
2. Amendments No. 1, 2 and 3 to Senate Bill 362. And the
3. bill having received the required constitutional
4. majority is declared passed. Senate Bill 364, Senator
5. Berning. Senator Berning is recognized on Senate Bill
6. 364.

7. SENATOR BERNING:

8. Thank you, Mr. President and members of the Senate.
9. I move to concur with House Amendment No. 1 to Senate
10. Bill 364. This provides further reductions in the
11. one instance of twenty eight thousand two hundred and
12. in another two hundred sixty six thousand and unless there
13. are questions I move to concur.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there...is there further discussion? Senator
16. Washington.

17. SENATOR WASHINGTON:

18. Will the...will the sponsor yield to a question?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates he will yield. Senator Washington.

21. SENATOR WASHINGTON:

22. Senator Berning, I note that amendment, House Amend-
23. ment No. 2 deletes two hundred and sixty-six thousand dollars
24. as the appropriation for the model employer. Is that
25. the total amount of that budget for that sub-agency
26. of the Department of Personnel?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Berning.

29. SENATOR BERNING:

30. Yes.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Washington.

33. SENATOR WASHINGTON:

1. Well, what was the rationale for deleting the total
2. budget for a model cities?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Berning.

5. SENATOR BERNING:

6. I was not privy to the deliberations which came
7. to this conclusion. This was the result of a House
8. Appropriation Committees hearing and their deliberations
9. and I have no reason to object and that's why I am
10. moving to concur.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Washington.

13. SENATOR WASHINGTON:

14. Well, it seems to me, Mr. President, if we're going
15. to take the entire appropriation for a model employment
16. agency, which is a sub-agency of...of the Department of
17. Personnel out of the budget after it is passed the Senate
18. Appropriations Committee here and passed the full Senate.
19. It seems to me we...must have or should have some reasonable,
20. logical, rational reason for it. I don't know of any. I
21. would suggest to the sponsor that he take this bill out of
22. the...the reading so that we can look at it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Berning.

25. SENATOR BERNING:

26. Well, Mr. President, I was discussing the amendments.
27. There are Amendments No. 1 and Amendments No. 2. Amend-
28. ment No. 1 is a reduction of twenty-eight thousand two
29. hundred. Let us take that and concur with that if there's
30. no discussion on that first.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. (Machine cut-off) motion is just to concur with
33. House Amendment No. 1? Senator Berning.

1. SENATOR BERNING:

2. Yes. Let's take House Amendment No. 1 first since
3. there's a discussion on Amendment No. 2.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Well, Senator Berning, will your...do you plan to
6. move to oncur on No. 2 also?

7. SENATOR BERNING:

8. Yes.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Well, the Chair would advise that it might be a
11. quicker way to expedite the things to...if there is
12. any controversy on 1 you will lose no votes on having
13. 1 and 2 considered together. Senator Berning.

14. SENATOR BERNING:

15. Very well, Mr. President. Not wanting to prolong
16. it, I respect the Gentleman's position. I renew my
17. motion that the Senate Do Concur in House Amendments
18. No. 1 and 2 to Senate Bill 364.

19. PRESIDING OFFICER: (SENATOR RBUCE)

20. ...Senator Carroll.

21. SENATOR CARROLL:

22. ...Thank you Mr. President. First, by way of parlia-
23. mentary inquiry, I guess. Assuming Senator Berning correct
24. in his original motion to concur in 1 and if he...if that
25. passed then...then he moved to concur in 2 and let's
26. presume that did not the House could always recede from
27. that one, which will be final action. So I don't think
28. it actually delayed anything. And in fact might have
29. been definitive action. But that again is his choice
30. which to do. It was recommendation of our staff that we
31. do concur in both 1 and 2. I might add that there was a
32. question on another area that apparently the other side
33. of the aisle had brought up and now may not wish to raise

1. any more. And that was to pull out the money for the
2. arbitrators since the Governor's Office has apparently
3. entered into a two year agreement. There was no need to
4. continue the funding of these. And in Conference Committee
5. there might have been room to move those people out.
6. But our recommendation is to concur in Amendments 1 and 2.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Washington.

9. SENATOR WASHINGTON:

10. Well, I object to a concurrence with Amendment No.
11. 2. House Amendment No. 2. It seems to me it would be
12. a tragedy to dismantle entirely an agency which was
13. addressing itself to one of the major critical problems
14. not only in this State but throughout the country. And
15. that's unemployment. If my memory serves me right, that
16. agency is only about six or seven years old. It was
17. instituted by Governor Ogilvie. And I, frankly, think
18. it's one of the finest things he did while he was in
19. office. We are in the throws of a tremendous recession
20. in my community and many other depressed communities and
21. here the State is saying we're going to wash our hands
22. of a problem which we haven't even begun to address. I
23. simply can think of no rational reason for taking out
24. these funds. And I urge you to nonconcur in this motion.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, I have a question to the sponsor to start with,
29. Mr. President.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates he will yield. Senator Buzbee.

32. SENATOR BUZBEE:

33. Now that we have...now that we have a two year agreement

1. a negotiated agreement with AFSCME. Why do we need four
2. hundred thousand dollar line item for all those other
3. arbitrators and negociators for the Department of Personnel?
4. We got a two year contract. Those folks aren't going to
5. have anything to do for two years.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berning. Senator Berning.

8. SENATOR BERNING:

9. Mr. President. I don't believe that I or any member
10. of this Body is in a position to determine whether negoti-
11. ators will be necessary today, tomorrow or a year from now.
12. If they are not those funds will not be expended and certainly
13. they would lapse.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Buzbee.

16. SENATOR BUZBEE:

17. Well, of course, if you...Senator Berning, it is...
18. Senator Berning, it is interesting to note that you,
19. of all people would make that argument. That let's go
20. ahead and appropriate it. If it's not used it'll lapse.
21. We could make that argument on every agency. We could
22. just give everybody a ten jillion dollars and that way
23. if they don't use it, why then they can just lapse it.
24. But that's not the way we do things around here. And
25. so I...I really see no reason to leave all that money
26. in there now and since we've got that negotiated contract
27. worked out, number one. Number two. I have always
28. backed fully Senator Carroll's decisions on the committee.
29. The action that comes out of his committee and I think now
30. he's going to change his opinion so I will give the rest
31. of my time to Senator Carroll, Mr. President.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Well, Gentlemen. Let's...let's divide the question

1. on...on Amendment No. 1 there seems to be a...an opinion
2. of the Chair. Substantial agreement. So the question is,
3. shall the Senate concur in Amendment No. 1 to Senate Bill
4. 364. Those in favor...Senator Berning. Senator Berning.
5. SENATOR BERNING:

6. Well, Mr. President. Since there is some dispute
7. and it's not of my making and my motion is to concur
8. with Amendments No. 1...1 and 2. I'll persist in my
9. motion and let it rise or fall.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Wooten. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you. After further cogitation I would recommend
14. that we not support Senator Berning's motion and would not
15. concur in his motion which is now to concur in 1 and 2.
16. And put it in a Conference Committee so that we can determine
17. ...what happened with that exact program. And what the
18. House's problem was with it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berning.

21. SENATOR BERNING:

22. Mr. President. Please take this out of the record.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there leave? Leave is granted. Senate Bill 401,
25. Senator Berning. Hearing impaired? Senator Berning is
26. recognized.

27. SENATOR BERNING:

28. Thank you, Mr. President. House Amendment No. 2
29. and I should explain House Amendment No. 1 failed. House
30. Amendment No. 2 to Senate Bill 401 improves the bill and
31. sets up guidelines for the handling of the revolving fund
32. for the Deaf and Hard of Hearing purchase of TTY equip-
33. ment and the reimbursement. And also then sets up a hearing

1. impaired loan revolving fund in the Treasurer's Office.

2. I think Amendment No. 2, House Amendment No. 2 makes
3. Senate Bill 401 a more workable bill and I would move
4. for Concurrence in House Amendment No. 2.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Demuzio.

7. SENATOR DEMUZIO:

8. Senator Berning, is there anything in Amendment No.
9. 1 or 2 to this bill that requires that a person who is
10. under the age of eighteen be seen by a...a physician
11. or a ear doctor or...or...audiologist or whatever you
12. call...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berning.

15. SENATOR BERNING:

16. As I said Amendment No. 1 failed in the House.
17. Amendment No. 2 strictly addresses itself to the provisions
18. and the rules and regulations for the implementation of the
19. revolving fund and establishes the special fund within the
20. Treasurer's Office. It does not have anything to do with
21. audiologist.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. ...no...no more questions. No.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berman:

28. SENATOR BERMAN:

29. Will the sponsor yield?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates he will yield. Senator Berning.

32. SENATOR BERMAN:

33. Senator Berning, was this revolving loan fund in the

1. bill before it went to the House?
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Berning.
4. SENATOR BERNING:
5. Yes.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Berman.
8. SENATOR BERMAN:
9. I just didn't recall any provisions. Is there an
10. appropriation to fund this fund and how much is it and
11. how...what is the intent of it?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Berning.
14. SENATOR BERNING:
15. Yes, it is within the Division of Voc-Rehab
16. appropriation. It's a hundred twenty thousand dollars.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Berman.
19. SENATOR BERMAN:
20. And what's it for?
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Berning.
23. SENATOR BERNING:
24. It is a revolving fund for the express purpose of
25. providing loans and that's one of the things that's
26. covered in the amendment at...interest up to six percent.
27. To the deaf and hard of hearing for the acquisition of
28. TTY. This an electronic type of communication system
29. the...Division of Voc-Rehab itself has on order at this
30. time. Forty of these communication devices. This will
31. enable those people who wish to apply for these loans
32. and make arrangements for repayment. To acquire similar
33. equipment so as to be able to participate in this

1. communication system, which is of the latest and most
2. effective communication device for the deaf and hard of
3. hearing. It's a major step foward in communication for
4. these people.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? The question is,
7. shall the Senate concur in House Amendment No. 2 to
8. Senate Bill 401. Those in favor vote Aye. Those
9. opposed vote Nay. The voting is open. Have all voted
10. who wish? Take the record. On that question, the Ayes
11. are 55, the Nays are None. None Voting Present. The
12. Senate does concur in House Amendment No. 2 to Senate
13. Bill 401 and the bill having received the required
14. constitutional majority is declared passed. Senate Bill
15. 414, Senator Davidson. Senator Davidson is recognized
16. on Senate Bill 414.

17. SENATOR DAVIDSON:

18. Yes, I'd move to concur in House Amendment No. 1.
19. It added the words maintenance in front of the word
20. building and this recommendation is from IOE to...to
21. tighten up this bill. I move to concur in House Amend-
22. ment No. 1 to Senate Bill 414.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is, does the
25. Senate concur in House Amendment No. 1 to Senate Bill
26. 414. Those in favor vote Aye. Those opposed vote Nay.
27. The voting is open. Have all voted who wish? Take the
28. record. On that question, the Ayes are 55, the Nays
29. are None. None Voting Present. Senate does concur
30. in House Amendment No. 1 to Senate Bill 414 and the
31. bill having received the required constitutional majority
32. is declared passed. Senate Bill 419, Senator Berman.
33. Senator Berman is recognized.

1. SENATOR BERMAN:

2. I will move to concur in three...in Amendments 3
3. and 4. I'm going to move to nonconcur in 1. 3 and 4...
4. Amendment 3 expands the language upon which a child
5. who's absent from school is absent with cause. At...
6. Amendment 4 merely changes the words "or willfully" to
7. "and willfully" which again tightens up the language.
8. So I move to concur in 3 and 4 and Amendment 1 is just
9. in such bad form it's going to have to wind up in a
10. Conference Committee. So...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? The question is, shall the
13. Senate concur in House Amendments No. 3 and 4 to Senate
14. Bill 419. Those in favor vote Aye. Those opposed vote
15. Nay. The voting is open. Have all voted who wish?
16. Take the record. On that question, the Ayes are 51,
17. the Nays are None. None Voting Present. The...Senate
18. does concur in House Amendments No. 3 and 4 to Senate
19. Bill 419. Senator...Berman moves that the Senate non-
20. concur in House Amendment No. 1 to Senate Bill 419.
21. Those in favor...say Aye. Opposed Nay. The Ayes have
22. it. Senate nonconcur with House Amendment No. 1 and
23. the Secretary shall so inform the House. Senate Bill
24. 421, Senator Merlo. Senator Merlo is recognized.

25. SENATOR MERLO:

26. Thank you, Mr. President. House Amendment No. 1
27. to Senate Bill 422 was adopted in the House and acts
28. non-substantive change in the language of the bill. In-
29. stead of reading that the company may not exercise its
30. right of non-renewal unless and then followed by a list
31. of provisions relating to the improper conduct on behalf
32. of the policy holder. The bill as amended would read,
33. "the company shall not exercise its right of non-renewal

1. except for one or more of the following reasons. I move
2. that the Senate concur with House Amendment No. 1 to
3. Senate Bill 421.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Wooten.

6. SENATOR WOOTEN:

7. Senator Merlo, forgive me. Are you saying that that
8. is merely a change in language and the exceptions are the
9. same as in the bill as it left here or are there reasons
10. which are further specified beyond the Senate Bill?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Merlo.

13. SENATOR MERLO:

14. No, there has been no changes in the reason. It's
15. just a non-substantive change in language.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further discussion? The question is, shall
18. the Senate concur in House Amendment No. 1 to Senate Bill
19. 421. Those in favor vote Aye. Those opposed vote Nay.
20. The voting is open. Have all voted who wish? Take the
21. record. The question, the Ayes are 55, the Nays are None.
22. None Voting Present. Senate does concur in House Amendment
23. No. 1 to Senate Bill 421 and the bill having received the
24. required constitutional majority is declared passed. Senate
25. Bill...435. Senator Weaver. Senator Weaver.

26. SENATOR WEAVER:

27. Thank you, Mr. President. I would move that the
28. Senate concur in House Amendment No. 1 and House Amendment
29. No. 3. House Amendment No. 2 adds a hundred and twenty-six
30. thousand dollars for the cystic fibrosis treatment of out
31. patients over twenty-one years of...age. And House Amend-
32. ment No. 3 adds fifty-eight thousand for planning health
33. profession education in Chicago. It's in conjunction with

1. an amendment on Senate Bill 438, the Board of Governor's
2. bills. I have to answer the study...to help with the
3. study and complete it. It's recommended by the Board
4. of Higher Education.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Senator Buzbee.

7. SENATOR BUZBEE:

8. Mr. President, we concur with these...with the action
9. that Senator Weaver has requested.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall the Senate concur in House
12. Amendments No. 2 and 3 to Senate Bill...435. Those in
13. favor vote Aye. Those opposed vote Nay. The voting is
14. open. Have all voted who wish? Take the record. On that
15. question, the Ayes are 55, the Nays are None. None Voting
16. Present. The Senate does concur in House Amendments No.
17. 2 and 3 to Senate Bill 435 and the bill having received
18. the required constitutional majority is declared passed.
19. Senate Bill 438, Senator Carroll. Senator Carroll is
20. recognized on Senate Bill 438.

21. SENATOR CARROLL:

22. Thank you, Mr. President and members of the Senate.
23. I move that the Senate do concur with the House Amendments
24. No. 1 and 3 which are all the amendments added. House
25. Amendment No. 1 is a transfer, in effect, that certain
26. contractual services money taking it from each of the
27. universities in the system and putting it in their
28. computer center. House Amendment No. 3 deals with part
29. of what Senator Weaver just talked about. And that's to
30. appropriate the Chicago State University for planning
31. and implementation of pre-med and allied health education
32. opportunities. And I would therefore move that we do
33. concur. Senator Buzbee is chairman of that committee.

1. I think he's nodding something something or other.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. ...Would you complete your motion, Senator Carroll?

4. SENATOR CARROLL:

5. I would move that we concur in House Amendments

6. 1. Is it 2 and 3?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The Secretary has 2 and 3. And that's why...

9. SENATOR CARROLL:

10. ...1 and 3 and...2 and 3 then.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Senator Buzbee.

13. SENATOR BUZBEE:

14. We agree.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. The question is, shall the Senate concur

17. in House...House Amendments No. 2 and 3 to Senate Bill

18. 438. Those in favor vote Aye. Those opposed vote Nay.

19. The voting is open. Have all voted who wish? Take the

20. record. That question, the Ayes are 56, the Nays are

21. None. None Voting Present. The Senate does concur in

22. House Amendments 2 and 3 to Senate Bill 438 and the bill

23. having received the required constitutional majority is

24. declared passed. Senate Bill 449, Senator Shapiro.

25. Senator Shapiro is recognized.

26. SENATOR SHAPIRO:

27. Mr. President and Ladies and Gentlemen of the Senate.

28. I would like to move that the Senate concur with House

29. Amendment No. 1 to Senate Bill 449. It's a merely a

30. technical amendment and corrects a misplaced comma.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? The question is, shall

33. the Senate concur with House Amendment No. 1 to Senate Bill

1. 449. Those in favor vote Aye. Those opposed vote Nay.
2. The voting is open. Have all voted who wish? Take the
3. record. On that question, the Ayes are 55, the Nays are
4. None. None Voting Present. The Senate does concur on
5. House Amendment No. 1 to Senate Bill 449 and the bill
6. having received the required constitutional majority
7. is declared passed. Senate Bill 452, Senator Wooten.
8. Senator Wooten is recognized on Senate Bill 452.

9. SENATOR WOOTEN:

10. Yes, Mr. President and colleagues. House Amendment
11. No. 1 keeps the limit of three thousand dollars on the
12. amount of money that may be expended by drainage district
13. commissioners without taking bids. We had raised it to
14. five thousand and the present of three thousand. The House
15. wants it moved back to three thousand and I'm happy with
16. that. I was not too crazy about raising it up to five.
17. So I move that we concur in House Amendment No. 1 to
18. Senate Bill 452.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The question is, shall the
21. Senate concur with House Amendment No. 1 to Senate Bill
22. 452. Those in favor will vote Aye. Those opposed vote
23. Nay. The voting is open. Have all voted who wish? Take
24. the record. On that question, the Ayes are 57, the Nays
25. are None. None Voting Present. The Senate does concur
26. on House Amendment No. 1 to Senate Bill 452 and the bill
27. having received the constitutional majority is declared
28. passed. Senate Bill 482. Senator Leonard. Senator
29. Leonard is recognized on Senate Bill 482.

30. SENATOR LEONARD:

31. Mr. Chairman this is the Waukegan Exposition
32. Authority which was amended in the House to include
33. Joliet. And the...the cosponsor in the House is Senator

1. Sangmeister who has asked for its support. He is
2. obviously not with us tonight. He is incapacitated with
3. what he believes to be his final chemotherapy treatment.
4. He asks for your support in lieu of his inability to
5. vote and I ask for your support and the adoption of this
6. amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. Just one comment. I'm certainly not going to oppose
11. this. I know the Waukegan Auditorium and Exposition. They
12. had hearings up there and they had this bill filed by
13. Senator Morris and now being handled by Senator Leonard.
14. But when it got over to the House on the Floor, after it
15. got out of committee they put an amendment on to include
16. Joliet, the City of Joliet. Now that's in my district.
17. This were...this would go...be right in my district. ...
18. Senator Sangmeister does represent portions of the City
19. of Joliet with me. I checked back because I checked
20. with the...some of the House members and they...they didn't
21. know anything about a civic center being requested by the
22. City of Joliet. I know of no organized effort in the
23. City of Joliet to have a civic center established. You
24. know, you just don't get these things out of the air. They
25. are interested in preserving the old Rialto Theatre which
26. in addition to the theatre it has a number of office
27. buildings in the Rialto Complex. But if you're going...I want to
28. just want to bring this to your attention. Let it go through.
29. But if you're going to have these civic centers you might
30. as well without any organized effort on the part of the
31. Chamber of Commerce, the city that wants it or that type
32. ...you might as well just say anybody that wants to apply
33. and have sort of a blanket thing. You erect these little

1. elephants all over the State. But, go ahead, I 'm not
2. going to oppose it. I just wanted to make that so we have it
3. in the record that these city council or the the Chamber
4. of Commerce or anyone that I know of in the City of
5. Joliet is not actually requested a Civic Center Authority
6. as did Waukegan and the others that have been in...included
7. in the Act.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion? Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, I just want to correct Senator Mitchler that
12. everybody doesn't get a civic center.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? The question is, shall the
15. Senate concur on House Amendment No. 2 to Senate Bill 482
16. Those in favor vote Aye. Those opposed vote Nay. The
17. voting is open. Have all voted who wish? Take the
18. record. On that question, the Ayes are 52, the Nays are
19. 1. 2 Voting Present. The Senate does concur with House
20. Amendment No. 2 to Senate Bill 482 and the bill having
21. received the constitutional majority is declared passed.
22. Senate Bill 487. Senator Moore. Senator Moore is rec-
23. ognized.

24. SENATOR MOORE:

25. Thank you, Mr. President. I would move that the
26. Senate do concur in Amendments No. 1, 2, 3, 5, 8, 9, 12, 13,
27. and 15 to Senate Bill 487...Amendment No. 1 breaks out
28. the medical line item by deleting "other practitioners"
29. and specifically listing the various medical provider.
30. There are no dollar changes in this. I think that this
31. is a good amendment. It will give the General Assembly
32. an exact idea of how much we pay chiropractors or podiatrists
33. or pharmacists or nursing homes or hospitals or physicians

1. or what have you. Amendment No. 2 moves two hundred thousand
2. dollars from the EDP Printing to Central Printing. No dollar
3. change. It reduces EDP contractual services by fifty-seven
4. hundred and reduced medical contractual by twelve thousand.
5. A total reduction of seventeen thousand seven hundred.
6. Amendment No. 3 appropriates two hundred thousand in Federal
7. funds for the conversion and general utilization of a
8. mathematical model to predict welfare case loads. Amendment
9. No. 5 appropriates nine hundred and twelve thousand ninety-
10. eight dollars for a purchase of migrant worker medical
11. assistance under Article V including the Federal funds
12. as they are made available by the Federal Government pursuant
13. to House Bill 563, which has passed both the House and Senate.
14. Amendment. No. 8 reduces the AFDC line item by six million
15. five hundred and fifty-four thousand four hundred dollars.
16. This reflects the current reduction in the case load as it
17. is...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Can be have some order, Gentlemen? Senator Moore.

20. SENATOR MOORE:

21. Amendment No. 9 restores nine hundred thousand to
22. the aged, blind and disabled line item. Number 12 reduced
23. the direct purchase of...social services by one million
24. two hundred and fifteen thousand three hundred contractual
25. services in the homemaker problem and places the same
26. amount in the personal service line item. There's no
27. dollar change. Amendment No...13 increases personal
28. services in the medical by sixty-three thousand five
29. hundred. Retirement two thousand five forty and social
30. services by two thousand five forty for a total of sixty-
31. eight thousand five hundred and eighty dollars. Amendment
32. No. 15 reduces the patients line item by eight hundred
33. and thirty-eight thousand seventy dollars and the...and

1. the hospital outpatient line item by nine hundred and
2. forty-one thousand six hundred and seventy dollars. A
3. total reduction of one million seven hundred and seventy-
4. nine dollars...one million seven hundred and seventy-
5. nine thousand seven hundred and forty dollars. Al-
6. together the reduction amounts to approximately six
7. million four hundred nineteen thousand sixty seven
8. dollars. I...who does? All right. I have discussed
9. this with the director. He feels that he can live within
10. these reductions and I understand that there is a request
11. for a separate vote on No. 15. So I would move you
12. that we do concur, Mr. President, in Amendment Nos.
13. 1, 2, 3, 5, 8, 9, 12 and 13 and then we would have a
14. separate roll call on No. 15.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. ...the motion is, that we concur with House Amend-
17. ments No. 1, 2, 3, 5, 8, 9, 12 and 13. Is there discussion?
18. Senator Maragos.

19. SENATOR MARAGOS:

20. Yes, will the sponsor yield to a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates that he will yield.

23. SENATOR MARAGOS:

24. On Amendment...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. ...excuse me, Senator Maragos. May we break up the
27. caucuses on the Floor? Senator Maragos.

28. SENATOR MARAGOS:

29. On your House Amendment No. 3 there's two hundred
30. thousand dollars which is supposed to be for a mathematical
31. ...model. Are any State funds going to be used at all in
32. that?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maragos, will you repeat your question?

2. Senator Maragos.

3. SENATOR MARAGOS:

4. Senator Moore, in your House Amendment No. 3

5. you're going to appropriate two hundred thousand in Federal

6. funds for the...for the conversion and general utilization

7. of mathematical model to predict welfare case loads. I'm

8. asking is there any matching funds that have to be spent on

9. behalf of...by the State of Illinois for this project?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Moore.

12. SENATOR MOORE:

13. No. That's all one hundred percent Federal funds.

14. This comes out, Senator Maragos, of a grant that the

15. Legislative Advisory Committee on Public Aid was given

16. by HEW two years ago. It was a two year grant. We

17. have expended approximately four hundred thousand, two

18. hundred thousand a year. And we are now have it developed

19. to the point that we can take what we have done at the

20. LAC and integrate it into the soft ware of the department

21. so that it can be used for or by the department. The de-

22. partment is got an application pending with HEW to get

23. the grant to get the model working and operating in the

24. Department of Public Aid.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Buzbee.

27. SENATOR BUZBEE:

28. Yes, Mr. President. First of all, to save an awful

29. lot of troubles that we probably will bringing upon our-

30. selves if we move to nonconcur with these amendments. I

31. have gone along with the idea of concurring. I can tell

32. you right now that Amendment No. 8 is not a good idea.

33. The reduction of the AFDC line item we will be in in the

1. Spring for a supplemental, the annual supplemental approp-
2. riation for the Department of Public Aid. Now, the case
3. load is down at this time. There's no question about that.
4. There is an indication that, perhaps, it may stay down, apparent-
5. ly. But you know, these are guesstimates, again. And I don't
6. think it's too good of an idea, but I think that we probably
7. would be causing a lot more trouble for ourselves because
8. we'll be in for the annual supplemental appropriation for
9. ...for the Department of Public Aid in the Spring anyhow.
10. That is Amendment No. 8. I don't see anything objectionable
11. in the rest of the amendments. But I would like to point
12. one thing out. And if Senator Regner, if I could get
13. Senator Regner's attention just a second. It was discussions
14. that we had and Senator Grotberg. I want to inform those
15. people who did the lobbying for the additional camping
16. money that don't ever do that again. Because we had
17. agreement. We even withdrew our opposition. Both
18. Senator Regner and I withdrew our opposition to that
19. additional camping money and we had an agreement worked
20. out and then lo and behold behind our backs they come and
21. add more money. So next year that more money is going
22. to be cut out. And...if...just want to get on the record
23. for that. So I...I'd planned to cut that out in...in
24. Conference Committee but hopefully we can save a Confer-
25. ence Committee and we're going to leave it stay in there
26. this year. So I would move that we...we do go along
27. with the...I would agree rather that we go along with
28. Senator Moore's motion to...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Washington.

31. SENATOR WASHINGTON:

32. Will the sponsor yield?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates he will yield. Gentlemen, may we have...
2. and Ladies. It's a very complicated bill. ...we're
3. having to ask the questions twice because the sponsor
4. of the bill cannot hear them. Senator Washington.

5. SENATOR WASHINGTON:

6. Yes. Senator Moore, you didn't cover House Amend-
7. ment 10 in your explanation. Would you cover that, please?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Moore.

10. SENATOR MOORE:

11. House Amendment 10 is not before us, Senator Washing-
12. ton. I know it is in our little digest. But according
13. to the messages...a message that we received from Mr.
14. O'Brien, the Clerk of the House of Representatives, House
15. Amendment 10 apparently did not pass the House and is not
16. before us. Was not reported to us on this bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. That is correct, Senator Washington. House Amendment
19. No. 10 is not with...within our purview. Senator David-
20. son.

21. SENATOR DAVIDSON:

22. Yes, Mr. President. When Senator Moore was giving
23. all those people the identity...in the fairness of
24. time. I think you...you should also mention dentists
25. so we...do have one of those in the August part of this
26. Body.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Netsch.

29. SENATOR NETSCH:

30. Well, it seems to me that the decision that the
31. Senate made with respect to the level of appropriation
32. for the distributive purposes for AFDC was really a very
33. sound decision and well thought out at the time. And my

1. judgment is that in the House in trying to force the
2. situation where we might have to come back for a deficiency
3. is really trying to achieve a purpose that I simply
4. cannot support. And that is to try to continually put out
5. front the...the cost of this program which is fine. I
6. mean we should know what it costs. But to try to always
7. make the case that they all of the State's fiscal problems
8. are dependent and caused by the people who are on welfare.
9. I think our version of it was much better. And theirs
10. is irresponsible and I, for one, am not going to vote to
11. concur.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Moore, may
14. close the debate.

15. SENATOR MOORE:

16. Thank you, Mr. President. I just do want to concur
17. with Senator Buzbee's remarks concerning the reduction
18. in the AFOC line item by six million five hundred and
19. fifty four thousand four hundred dollars. If and this
20. is the if and I want to make this perfectly clear to the
21. membership, if our case load continues to decline as it
22. has in the last three or four or five months we can live
23. within this amount. If there should be a problem in the
24. economy and if the case load does increase we will have to
25. be back here for a deficiency in the line item because
26. of the reduction of the six million five hundred thousand.
27. So I want to make it perfectly clear that the department's
28. estimates maybe they were a little high. There's no
29. sin to lapsing money. But they cannot predict what is
30. going to happen from January...July 1 until June 30th
31. of next year. And if there is a slow down or a turn
32. down in the economy and the case load increases we will
33. be back here for a supplemental appropriation and I hope

1. the members on both sides of the aisle recall what I am
2. saying so we won't have too much debate on it. I would
3. now move you, Mr. President, that the Senate do concur
4. in Amendments No. 1, 2, 3, 5, 8, 9, 12 and 13 to Senate
5. Bill 487.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question...the question is, shall the Senate
8. concur in House Amendments No. 1, 2, 3, 5, 8, 9, 12
9. and 13 to Senate Bill 487...to Senate Bill 487. Those
10. in favor vote Aye. Those opposed vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who
12. wish? Take the record. On that question, the Ayes are
13. 44, the Nays are 9. 5 Voting Present. The Senate does
14. concur in House Amendments No. 1, 2, 3, 5, 8, 9, 12 and
15. 13 to Senate Bill 487. Senator Moore. Senator Moore.

16. SENATOR MOORE:

17. Thank you, Mr. President. I now move you, Mr.
18. President, that the Senate do concur in Amendment No.
19. 15 which reduces the physician line item by eight hundred
20. and thirty-eight thousand seventy dollars and the hospital
21. out patient line item by nine hundred and forty-one thousand
22. six hundred and seventy dollars. Total reduction one
23. million seven hundred and seventy-nine thousand seven
24. hundred and forty dollars.

25. PRESIDING OFFICER:(SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, this is...this is one that supposedly we're
29. going to get to tomorrow. Because it's on the special
30. order of business tomorrow. The special Calendar. Here's
31. the money for it folks. This is the, if you don't want
32. people to have on Public Aid to have abortions, this is
33. it. This cuts out the money for the Public Aid abortion

1. money represented to pay for non-therapeutic abortions.
2. The total reduction is a million seven hundred seventy-
3. nine thousand seven hundred and forty dollars. It
4. reduces the physicians line item by eight hundred thirty-
5. eight thousand seventy dollars and the hospital out
6. patient line item by nine hundred forty-one thousand
7. six hundred and seventy dollars. Now I suppose that
8. all of the impassioned arguments both ways will be made
9. on the bill tomorrow. But the decision is going to
10. be made tonight. And I just wanted to identify what
11. you're voting on.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.

14. SENATOR ROCK:

15. Well, I rise in support of the motion to concur
16. in Amendment 15 and would point out to Senators Buzbee
17. and others who are worried about the bill tomorrow
18. that it is not at all unusual that agencies such as
19. this if...can utilize money already existing or
20. come in for a supplemental appropriation in the event
21. that the bill fails. I happen to think the bill will
22. be successful. And I think we should, in fact, concur with
23. the House action and get this bill out of here.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further debate? Senator Lemke.

26. SENATOR LEMKE:

27. I think this is a good amendment. I think it does
28. what the Supreme Court said it does. And I think we...we
29. should do this. When I looked at this. We have the State
30. of Illinois performing abortions in the second trimester.
31. Private citizens don't even perform abortions in the second
32. trimester. Only the first. We passed a law. Now we're
33. talking about the second. Next thing you know, we'll be

1. talking about the third. And we're supporting these...these
2. clinics that...that don't even observe the law as we're
3. paying for abortions in the second trimester. That's
4. why I'm supporting this amendment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you. I rise to oppose this amendment and
9. let me just say, I know we are going to deal with the
10. substantive legislation tomorrow. But while we are
11. doing that, then we talk of supplementals, et cetera,
12. there's a couple of other points that have to be made.
13. One is that all medical data and the reports of the
14. commission that runs the county hospital in Cook, the
15. Cook County Health and Hospital Governing Commission
16. has indicated that prior to 1973 their expenses for
17. what they call septic abortions, which are those
18. people who went to back alley type operations, et cetera.
19. That they were having four thousand people a year come
20. through County Hospital at an average stay of ten days,
21. at an average cost in Public Aid dollars of twenty five
22. hundred dollars per person. Since '73, since the abortion
23. decision, they are having thirty-two hundred people a year
24. coming through, instead of four thousand at an average cost
25. of two hundred and fifty dollars instead of twenty-five hundred
26. dollars per person. The stay is no where near as long. The
27. expense is no where near as great and they have had zero deaths
28. as opposed to an average seven hundred deaths per year since
29. as compared to before. So when you're talking dollars,
30. forgetting about the issue of House Bill 333, when you're
31. talking about dollars in this budget, you're about eighty
32. percent short of what you're really going to need if 333
33. passes. To pull it out is silly. In fact you should be

1. adding more money cause that's what it's really going to
2. cost. The decision itself, of course, by the Supreme
3. Court, I think we should address tomorrow for it did
4. not say that you should not pay these monies through
5. public funds. It merely said the State can determine
6. a policy and they will not hold that policy to be
7. discriminatory. I think that we should nonconcur in
8. this amendment. If, in fact, Senator Lemke's bill does
9. pass, we're going to have to about triple this approp-
10. riation. Not even leave it where it's at.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Glass.

13. SENATOR GLASS:

14. Well, Mr. President. I agree that we should non-
15. concur and...and the substantive bill, I guess,
16. will be debated tomorrow. I would only point out to
17. the membership that by denying abortions to the indigent
18. which this bill would do, you're not stopping abortion
19. you're just simply making it a...a either impossible for
20. those who can't afford an abortion to obtain one or
21. else driving them to illegal practitioners. I think
22. this should be nonconcurrent in.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Yes, Mr. President and colleagues. I hope we don't
27. something really shortsighted here. Please think of the
28. alternatives. We are going to make a decision tomorrow.
29. I urge you not to force the decision in this form to-
30. night. We're talking about a shortage in Public Aid
31. and I think what Senator Carroll said makes very good
32. sense. If we pass the bill tomorrow to forbid the use
33. of Public Aid funds for abortions that, of course, will

1. have no effect on the incidents of abortions. It will
2. simply place a greater load as we drive poor people to
3. the rusty coat hanger school of abortions. Every time
4. you strike a noble attitude, quite often there is a
5. brutal element underlying it. And that is the grim
6. reality of the whole question of...of paying for
7. abortions through Public Aid. But I think it would be
8. most imprudent to concur and the reason is, Gentlemen,
9. depending on how that decision goes tomorrow we will
10. be in the posture of being able to address it in a
11. Conference Committee, because if that bill fails,
12. this should be enough money. If that bill passes, we're
13. going to need more. So I think it'd be a prudent thing
14. to leave this in a Conference Committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Hickey.

17. SENATOR HICKEY:

18. Thank you, Mr. President and fellow members. I'll
19. be brief. I simply want to give you nine words from the
20. minority opinion of the Supreme Court decision which I
21. think are very apt in this situation. This shows a
22. distressing insensitivity to the plight of impoverished
23. women.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Washington.

26. SENATOR WASHINGTON:

27. Mr. President, I agree this should go to a Conference
28. Committee. No matter how we feel about abortion and the
29. right or the ability of the State to provide abortions
30. for Public Aid recipients, there is another very important
31. factor. And that is, as I read 333, what it will do, in
32. effect, is to deny Public Aid recipients who go to
33. hospitals for treatment from rape, and incest from receiving

1. the kind of treatment which would sterilize sperm. To
2. me that's unconscionable. It's somewhat hasty. I have
3. a feeling that the drafters of 333 haven't really thought
4. it out. I think this bill should be held in advance until
5. such time as we thoroughly discuss 333 tomorrow.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. (Machine cut-off) further discussion? Senator
8. Chew.

9. SENATOR CHEW:

10. Thank you. You know, it...it's not a question
11. as to whether I believe in abortions or whether I
12. don't. I'll assure you I'll never have to go through
13. the strain. But you know, we get emotionally disturbed
14. and possibly vote out legislation here that will be
15. totally detrimental to our society and pocketbooks
16. tomorrow. If you were to figure on some of the figures
17. that Senator Carroll alluded to, I think he makes a lot
18. of sense. Number one, if we had as many people in this
19. State tuned to family planning to those that are ill-
20. informed, we would have a healthy economy. That's
21. a preventive measure. But if we're going to pay two
22. hundred dollars per abortion we are probably saving
23. ourselves a tremendous amount of money and suddenly
24. I would rather pay two hundred or two hundred and fifty
25. dollars on a one time base than to be burdened with the
26. child's birth till eighteen taking care of him on public
27. monies. Sure, some of us might get some political gravy
28. out of voting against abortion monies. But common sense
29. ought to tell you if there is no family planning and
30. Mrs. X becomes pregnant we don't encourage her to be
31. aborted. But certainly there ought to be some means
32. that are illegitimate without her having to seek the
33. back room, as it has been stated, because if she doesn't

1. get aborted and finds herself with another mouth to feed,
2. wanted or not, it's here. Then watch your Public Aid
3. roll increase. I think the program is as it should be
4. now and it ought not be changed, and mind you, Gentlemen and
5. Ladies, the Supreme Court did not rule that abortions
6. could not be paid for by any sovereign State. It
7. merely said the State had the right to enact it's own
8. laws and it would not be held unconstitutional. But
9. this is a moral issue. Do we want more people on our
10. Public Aid rolls or do we want to emphasize family
11. planning? Coupled with the small amount of money as
12. Carroll alluded to, that it cost to eliminate this
13. increase in our roll. I don't think we ought to concur
14. and, very rarely, I go against my good friend, Don Moore.
15. But Don, I think you're ninety percent off track this
16. time.

17. PRESIDING OFFICER:(SENATOR BRUCE)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, I've always admired Senator Chew and his speeches
21. here on the Floor have been delightful. But...and when he
22. says this is a moral issue he is right. But he doesn't
23. make it a moral issue. I could never, Charles, equate life
24. with dollars and cents. Unborn or born, it is a moral
25. issue. But you're not equating it with morals. You're
26. equating it with money and this offends me, Charles.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further debate? Senator Don Moore may close.

29. SENATOR DON MOORE:

30. Thank you, Mr. President and members of the Senate.
31. Mr. President I think that all of the...the debate in the
32. world won't change anyone's mind on how they're going to
33. vote tonight on Amendment No. 15 or tomorrow on Senate Bill

1. ...333. I hope that the debate that we had tonight will
2. shorten the debate that we have tomorrow when Senate Bill
3. 333 comes up before this Body. I would now move you, Mr.
4. President, that the Senate do concur in House Amendment
5. 15 to Senate Bill 487.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, does the Senate concur in House
8. Amendment No. 15 to Senate Bill 487. Those in favor
9. vote Aye. Those opposed 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 38, the Nays
12. are 15. 5 Voting Present. The Senate does concur in
13. House Amendment No. 15 to Senate Bill 487 and having
14. prior to this concurred in House Amendments 1, 2, 3,
15. 5, 8, 9, 12 and 13, the bill having received a constitut-
16. ional majority is declared passed. For what purpose
17. does Senator Grotberg rise?

18. SENATOR GROTBORG:

19. Parliamentary inquiry, Mr. President.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. State your point.

22. SENATOR GROTBORG:

23. ...simply to ask if the last vote on the final
24. amendment is the vote of record on the Public Aid bill?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. No, Senator. There will be reflected in our Journal
27. 2 roll call votes on the bill concurrence in the amend-
28. ments other than 15 and a motion to concur on 15. Senator
29. Grotberg.

30. SENATOR GROTBORG:

31. In case there's any doubt...would want to be recorded
32. on the Public Aid bill in total as present because of
33. conflict of interest with a nursing home...that are involved

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1. in my...with my employer. Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. The electronic record will so show.

4. PRESIDENT:

5. Senate Bill 492. House Amendment No. 1. Senator
6. Mitchler.

7. SENATOR MITCHLER:

8. Mr. President and members of the Senate. House Amend-
9. ment No. 1 to Senate Bill 492 is a simple technical change.
10. It changes Illinois Veteran's Commission to Department of
11. Veteran's Affairs. I move for adoption and concurrence
12. in House Amendment No. 1 to Senate Bill 492.

13. PRESIDENT:

14. Is there any discussion? If not, the question is,
15. on Senator Mitchler's motion. Shall the Senate concur in
16. House...House Amendment No. 1 to Senate Bill 492. Those
17. in favor will vote Aye. Those opposed will vote Nay. The
18. voting is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question, the Ayes
20. are 47, the Nays are 1. 2 Voting Present. The Senate
21. does concur in House Amendment No. 1 to Senate Bill 492
22. and the bill having received the constitutional majority
23. is declared passed. Senate Bill 493, Senator Joyce.
24. House Amendment No. 8. Senator Joyce.

25. SENATOR JOYCE:

26. Yes, Mr. President. Thank you. I do move to concur
27. in House Amendment No. 8. That amendment, what it does
28. basically in this farm bill. It takes the...the farm
29. house out. It will be assessed as any other dwelling
30. would be. It's puts a whole harmless clause in that no
31. taxing body would receive less money than they did the
32. preceding year. And there are some other technical
33. changes that LGA wanted and they are in there right now.

1. PRESIDENT:

2. Senator McMillan.

3. SENATOR McMILLAN:

4. Mr. President and members of the Senate. I rise in
5. support of concurrence of Amendment No. 8 from the House
6. It's now put in the shape that it can be made workable and
7. I seek a favorable roll call on that motion.

8. PRESIDENT:

9. Senator Walsh.

10. SENATOR WALSH:

11. Mr. President and members of the Senate. Just
12. briefly in...in opposition to the Gentlemen's motion
13. to concur. This is final action on this farm value
14. assessment bill. The amendment says the Gentleman said,
15. probably improved the bill somewhat. However, I think
16. we should consider this as a second chance to beat a bad bill.
17. The...the Farm Value Assessment Bill would provide that
18. the farm values be assessed in a...in a special manner
19. unlike all other real property in the State of Illinois.
20. It would eliminate assessment on a local level and pro-
21. vide for assessment by the Department of Local Government
22. Affairs. It would provide for assessment on only a
23. productivity basis ignoring true market value. I would
24. urge a No vote on this motion.

25. PRESIDENT:

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes. I would urge my colleagues to vote Aye on this
29. amendment. It's been worked out thoroughly. A long and
30. tedious job and I think now we have one that will...that
31. will satisfy our supervisors of assessments.

32. PRESIDENT:

33. Senator Glass.

1. SENATOR GLASS:

2. Without prolonging this, Mr. President, does the
3. amendment delay the effective date? I...I wonder if
4. you could indicate again very briefly, Senator Joyce,
5. what it does do? I'm sorry I missed your explanation.

6. PRESIDENT:

7. Senator Joyce.

8. SENATOR JOYCE:

9. No. It does not delay the effective date. It takes
10. ...you want the...okay. It takes the house out. The
11. house is assessed as any other house. It puts a whole
12. harmless clause on that no taxing body would lose any
13. money. It would get the same amount or more. It makes
14. some technical changes that the Local Government Affairs
15. wanted. So they could implement the bill.

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. You say it provides that there'd be no loss of
20. revenue. Where's the loss or potential loss going to
21. be made up?

22. PRESIDENT:

23. Senator Joyce.

24. SENATOR JOYCE:

25. Well, there is no loss. It...any...any farm the
26. tax bill would not be lower than the year before.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Yes, but there is a loss if...if the...if the levy is
31. bigger. If, for instance, the local unit of government
32. wants more the tax bill, my tax bill is approximately
33. ten percent higher each year. So there's a loss, at

1. least of that revenue. All you're saying is that you're
2. freezing it. Now, is there going to be money come from
3. some place to make up that ten percent normal increase?

4. PRESIDENT:

5. Senator Joyce.

6. SENATOR JOYCE:

7. Well, that...that's speculative. The ten percent.
8. You don't know that it's going to go up ten percent. This
9. ...with this formula as the...it's a three part formula
10. which we've discussed and discussed and discussed. But
11. as the land values go up the tax bill will go up. As the
12. produce sold, the dollars, the income per acre go up and
13. so will the the tax bill. It probably will go up at a
14. slower rate. It will slow it down.

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Where are the units of local government going to
19. make up this money that they need? This...

20. PRESIDENT:

21. For what purpose does Senator Rock arise?

22. SENATOR ROCK:

23. Well, I...I think there's some...some misunderstanding.
24. It's not a question of the units of local government making
25. up lost money or being held harmless against the loss of
26. money. As I understand the formula that was put in by
27. Representative Bradley over in the House, it says that
28. whatever happens, the equalized assessed valuation of
29. farm land force for 1977 cannot be less than...cannot be
30. less than 1976. That's the way it works.

31. PRESIDENT:

32. Senator Knuppel.

33. SENATOR KNUPPEL:

1. Well, I just happen have about six hundred acres of
2. farm land and I don't think I need the explanation. I
3. think I understand how it works now. Let Senator Joyce
4. if he knows the bill explain it, please. I'm saying
5. that when a local...when a unit of local government
6. needs more money or school district where in the hell
7. are they going to get it?

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The following typed previously.

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1. PRESIDENT:

2. Senator Joyce.

3. SENATOR JOYCE:

4. Well, Senator, the...the...with the...the way the provision
5. is, you know, it's speculative. Now, farmland has risen forty-one
6. percent. That's right. Now that tax...that raise is much higher
7. than the need for taxing bodies. Their need has not risen forty-
8. one percent, you know, this year. So...

9. PRESIDENT:

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Well, of course, this doesn't answer the question. It didn't
13. answer it over in the House. This is a thoroughly bad bill but
14. it's a real windfall for me. I had four hundred... four hundred
15. and fifty acres of land the last time the bill came through here, I got
16. six hundred. In ten years that will amount to ten dollars an
17. acre. Multiply it up. I'll save six thousand dollars a year.
18. Hell, I couldn't possibly vote against this bill, I got a conflict
19. of interest, but for you people who don't live on farms or
20. own farmland, God bless you, you are going to be paying for the
21. schools and so forth.

22. PRESIDENT:

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Senator Knuppel, you're right, the local government units
26. won't reap any big windfalls from the skyrocketing price of
27. farmland but this bill as amended, I think, is in good shape.
28. It will protect open spaces in Illinois and without it they'll
29. build a development on your property and you will do much better.
30. I think this will protect our farmers in this State and I think
31. it's as best a compromise as we can come up with in light of the
32. Supreme Court's decision on some of our other tries.

33. PRESIDENT:

34. Senator Berman. Is there any further discussion? If not,

1. on Senator Joyce's motion that the Senate concur in House Amendment
2. No. 8 to Senate Bill 493, the question is shall the Senate
3. concur in House Amendment No. 8 to Senate Bill 493. Those in
4. favor will vote Aye. Those opposed will vote Nay. The voting
5. is open. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question, the Ayes are 48, the
7. Nays are 2, 7 Voting Present. The Senate does concur in House
8. Amendment No. 8 to Senate Bill 493 and the bill having received
9. the required constitutional majority is declared passed.
10. For what purpose does Senator Knuppel arise?

11. SENATOR KNUPPEL:

12. On a matter of personal privilege. I just want to say thank
13. you all.

14. PRESIDENT:

15. Senate Bill 499, Senator Davidson.

16. SENATOR DAVIDSON:

17. Yes, I move to concur in a House Amendment No. 1 and 3 and
18. nonconcur in No. 4. House Amendment No. 1 has to do with waiving
19. fees and language clean up requested by OE. House Amendment
20. No. 3 is a request by OE to clear up on clarification on
21. transportation refunds. I move to concur in House Amendment No.
22. 1 and 3 to Senate Bill 499.

23. PRESIDENT:

24. Is there any discussion? If not, the question is...
25. Senator Rock.

26. SENATOR ROCK:

27. I'm just ...which motion is first, we're going to concur
28. on two of them and not on another one?

29. PRESIDENT:

30. The question is, shall the Senate concur in House Amendments
31. 1 and 3 to Senate Bill 499. Those in favor will vote Aye. Those
32. opposed will vote Nay. The voting is open. Have all who wish?
33. Have all voted who wish? Take the record. On that question,

1. the Ayes are 48, the Nays are none, none Voting Present. The
2. Senate does concur in House Amendments No. 1 and 3 to Senate
3. Bill 499 and the bill having received a constitutional majority is
4. declared passed. Excuse me. Strike that from the record.
5. The Senate does concur in House Amendments Nos. 1 and 3
6. to Senate Bill 499. Senator Davidson...

7. SENATOR DAVISON:

8. I move to ...

9. PRESIDENT:

10. ...moves to nonconcur in House Amendment No. 4 to Senate
11. Bill 499. All those in favor signify by saying Aye. Opposed.
12. The Ayes have it. The motion carries and the Secretary shall
13. so inform the House. Senator Savickas and Senator Rhoads,
14. you are excused for the rest of the evening and we... and the
15. rest of us will remain. Ladies and Gentlemen of the Senate,
16. it is our intention to complete the concurrences on page
17. 25, the next several bills then we will go to Messages from the
18. House and adjourn. So if everyone could be patient till
19. we do that...With respect to Senate...to House Bills on 3rd
20. reading, there are about twenty-five requests to bring bills
21. back to the Order of 2nd reading for the purpose of amendment.
22. We will do that as the first order of business tomorrow
23. morning and we will by agreement and leave of the Body we will
24. not prevent the members whose bills are involved from calling
25. them for final passage tomorrow. But if we get into this
26. now there is no way to segregate those that are controversial
27. from those that are not controversial and we simply cannot
28. get it done in the time it appears that the membership is
29. willing to remain so we will do that as a first order of business
30. in the morning and then we will give the members an opportunity
31. to call those bills later on in the day after the amendments have
32. been distributed and made available and there has been a reasonable
33. opportunity for the members to digest them. Senate Bill 502,

1. Senator Rupp. House Amendments 1, 2 and 3. Senator Rupp.

2. SENATOR RUPP:

3. Yes, sir and thank you. Thank you, Mr. President. I
4. move that the Senate concur on House Amendment 1, House Amendment
5. 2 and House Amendment 3. House Amendment 1 decreases the General
6. Revenue Fund appropriation by fifteen thousand nine hundred dollars.
7. I'll skip 2 for a minute and No. 3 corrects a technical error
8. in the Senate Amendment and does not change the total. House
9. Amendment No. 2 allows the Department of Labor and the Bureau
10. of Employment Security to remain at their current offices at
11. 910 South Michigan. Now, I personally, I do not subscribe nor
12. agree with how this situation came about and have yet to find
13. anyone who does. But the offices at 910 South Michigan take up
14. thirteen floors, three hundred and sixty-three thousand square
15. feet. The cost is five dollars and four cents a square foot
16. plus utilities. Comparable office space at 55 East Jackson
17. Boulevard costs five dollars and sixty-one cents a square
18. foot plus utilities. Costs elsewhere in downtown Chicago
19. also over the five dollar and fifty cent square foot cost.
20. It's also difficult to find thirteen floors of available
21. office space in one location at a reasonable price. There are
22. sixteen hundred and sixty-five employees at 910 South Michigan
23. and the Bureau estimates of relocation of the staff and the equip-
24. ment would cost in excess of one million dollars. And the funds
25. are not available for this move nor are there extra funds for
26. more costly lease and it says here too it is doubtful that the
27. Comptroller would honor this substantive language in an appropriation
28. bill. I do move that the House...Senate concur and I do put my
29. request in to the Secretary for a copy of the roll call so I
30. can refer all the phone calls I get when the unemployment checks
31. do not arrive to those who vote a certain way on the proposed
32. concurrence.

33. PRESIDENT:

1. Senator Daley.

2. SENATOR DALEY:

3. Mr. President and fellow Senators. I agree with Senator
4. Rupp in regards to House Amendment No. 1 and 3 but in regards to
5. Amendment No. 2 which is placed on in the committee in regards
6. to 910 South Michigan Avenue building Senator Savickas and the
7. bipartisan committee a year ago investigated 910 South
8. Michigan Avenue building in regards to the lease arrangements
9. and financing. The Federal Grand Jury subpoenaed the records
10. from the committee. We are still waiting. It's a whole year,
11. year and a half in regards to that investigation. They requested
12. by letter that witnesses would not be called before the
13. committee, subcommittee due to technicalities in the law in regards
14. to witnesses testifying before a subcommittee of the Senate
15. Labor and Commerce Committee and going before a Federal Grand
16. Jury. I think we are doing a disservice to the people of Illinois.
17. You know there is something wrong and let's do something right
18. now and nonconcur in Amendment No. 2.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and members of the Senate.
23. I agree with Senator Rupp, two thirds of the way, as Senator
24. Daley did. And that is in concurrence in Amendment No. 1 and
25. Amendment No. 3. Amendment No.1 being a very minimal "nickel
26. and dime amendment" and No. 3, I think, was correctly referred
27. to as a technical amendment. But Amendment No. 2 is very interesting.
28. Amendment No. 2 by deliberate action of this Body, we said
29. we would not go along with what happened at 910 South Michigan
30. unless and until we received competent and adequate data from
31. all those involved as to what was really the situation and that
32. includes the U.S. Attorney who has precluded us from looking
33. any further but has taken no action himself and will give us no

1. explanation for that result. Senator Rupp indicated that he
2. would refer all phone calls since this bill if we do not concur
3. and the House recesses...Mr. President, can I have a little bit
4. of order.

5. PRESIDENT:

6. May we have some order.

7. SENATOR CARROLL:

8. A couple of important points. If the House recesses, that's
9. final action. There's no problem with the department. If they
10. don't, then we're in a Conference Committee and we pass the
11. bill again, there's no problem. No checks will be delayed
12. because the department told us, give us four months there, four
13. months to move, and we'll be able to do it without any disruption
14. in service, without any dislocation of people. No problem whatsoever.
15. So when originally we took out all the money, the department
16. came to us and said leave us four months...

17. PRESIDENT:

18. Senator Carroll. Excuse me for interrupting but your
19. debate has convinced Senator Rupp and he has decided to change
20. the form of his motion and Senator Rupp now moves that the Senate
21. concur in House Amendments Nos. 1 and 3 to Senate Bill 502. The
22. question is, shall the Senate concur in House Amendments Nos.
23. 1 and 3 to Senate Bill 502. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Take the record. On that
26. question the Ayes are 55, the Nays are none, none Voting Present.
27. The Senate does concur in House Amendments 1 and 3 to Senate Bill
28. 502. Senator Rupp now moves to nonconcur in House Amendment No.
29. 2 to Senate Bill 502. All those in favor signify by saying Aye.
30. Opposed. The Ayes have it. The motion carries and the Secretary
31. shall so inform the House. Senator Carroll, I'm not sure whether
32. it was you or Senator Daley that convinced him, but one of you
33. deserves the credit. Or the lack thereof. Senator Maragos.

1. SENATOR MARAGOS:

2. I'd like to give some parliamentary information to the
3. members of this Body. In the rear of this Body is seated
4. a lovely lady, the President's wife, Mrs. Hynes. Please
5. acknowledge her.

6. PRESIDENT:

7. Thank you, Senator Maragos. ...Gave it away, Senator Maragos.
8. Senate Bill 505, Senator Don Moore.

9. SENATOR MOORE:

10. Thank you, Mr. President and members of the Senate. There
11. was a House Amendment put on Senate 505. The present law is that
12. a...that alcoholic...alcohol can be dispensed at an airport in
13. a city with a population of fifty thousand or more. The House put
14. on an amendment that the fifty thousand population be changed to
15. forty thousand. That's the only change in the amendment. Changing
16. fifty thousand to forty thousand. I'd recommend that the Senate
17. do concur in House Amendment No. 1 to Senate Bill 505.

18. PRESIDENT:

19. The Calendar indicates No. 3, Senator Moore. The question
20. is, shall the Senate concur in House Amendment No. 3 to Senate
21. Bill 505. Those in favor will vote Aye. Those opposed will vote
22. Nay. The voting is open. Have all voted who wish? Have all voted
23. who wish? Take the record. On that question, the Ayes are 49,
24. the Nays are 1, 3 Voting Present. The Senate does concur in
25. House Amendment No. 3 to Senate Bill 505 and the bill having
26. received the required constitutional majority is declared passed.
27. We've had some inquiries as to House Bills on the Order of 2nd
28. Reading and since the time is growing short for the passage of
29. bills, any...any member wishing to advance a bill, if you would
30. please notify the Secretary and with the agreement of the Body,
31. if a bill is...if it is to be a controversial matter, we will simply
32. read the bill a second time tonight and take care of the amendments
33. tomorrow. If it is not controversial, we will read and adopt the

1. amendments and move it to 3rd reading and we would ask you to
2. exercise good judgment in your determination as to whether the
3. bill is constitutional...is controversial and it's a good
4. thing we're about to adjourn. ...Bill 517, Senator Rupp.

5. SENATOR RUPP:

6. Thank you, Mr. President. I move that we... that the Senate
7. concur with the House in Amendment No. 1. What the amendment
8. does, is it complies with the request with...from Senator Philip
9. that he had made in a Senate committee and it was apparently
10. agreed on by the House members. The amendment would provide
11. that the insured in these instances would be entitled to
12. attorney's fees plus either twenty-five percent of the amount
13. the jury finds the entitled to or fifteen thousand dollars rather
14. than the present one thousand dollars. It deletes the double
15. recovery provision. I recommend concurrence.

16. PRESIDENT:

17. Is there any discussion? If not, the question...Senator
18. Rhoads.

19. SENATOR RHOADS:

20. I'm sorry, Senator Rupp, I had difficulty hearing that explan-
21. ation. Is this a fee schedule for attorneys?

22. PRESIDENT:

23. Senator Rupp.

24. SENATOR RUPP:

25. No, it is not.

26. PRESIDENT:

27. Is there any further discussion? If not, the question is,
28. shall the Senate concur in House Amendment No. 1 to Senate Bill 517.
29. Those in favor will vote Aye. Those oppsed will vote Nay. The
30. voting is open. Have all voted who wish? Have all voted who
31. wish? Take the record. On that question, the Ayes are 54, the
32. Nays are 1, none Voting Present. The Senate does concur in House
33. Amendment No. 1 to Senate Bill 517 and the bill having received

1. the required constitutional majority is declared passed.
2. ...House Bill 524, Senator Merlo. Senate Bill 524, Senator
3. Merlo.

4. SENATOR MERLO:

5. Thank you, Mr. President. The adoption of Amendment No.
6. 1 in the House does not change the purpose of Senate Bill 524.
7. It merely reduces the extension period originally granted to the
8. Joint Underwriters' Association by one year. In other words,
9. from five to four years. And I move that we concur with House
10. Amendment No. 1 to Senate Bill 524.

11. PRESIDENT:

12. Is there any discussion? If not, the question is, shall
13. the Senate concur in House Amendment No. 1 to Senate Bill 524.
14. Those in favor will vote Aye. Those opposed will vote Nay.
15. The voting is open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 53, the
17. Nays are none, none Voting Present. The Senate does concur
18. in House Amendment No. 1 to Senate Bill 524 and the bill having
19. received the required constitutional majority is declared passed.
20. ...Bill 533, Senator Merlo.

21. SENATOR MERLO:

22. Thank you, Mr. President. And the House Amendment to
23. Senate Bill 533, it restricts the time lost to a teacher's
24. pension in the Chicago Teachers' Union Fund to just to the time
25. period between June 6th to the 21st. If you recall this was the
26. economic layoff of sixteen days. I move, of course, Mr. President,
27. that the Senate concur to House Amendment No.1 to Senate Bill 533.

28. PRESIDENT:

29. Is there any discussion? If not, the question is shall
30. the Senate concur in House Amendment No. 1 to Senate Bill 533.
31. Those in favor will vote Aye. Those opposed will vote Nay.
32. The voting is open. Have all voted who wish? Have all voted who
33. wish? Take the record. On that question the Ayes are 35, the Nays

1. are 5, 2 Voting Present. The Senate does concur in House Amendment
2. No. 1 to Senate Bill 533 and the bill having received the required
3. constitutional majority is declared passed. Senate Bill 539,
4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. There were two amendments to this bill in the House. One of which
7. provided for ninety thousand dollars that had been appropriated
8. a year ago but which, due to definition, was not usable. The...
9. and this was for a ...a repair on the Emerson Building for
10. electrical and heating system and it didn't define what the repairs
11. were to be to. I...I...it was all done in one amendment, he tells
12. me but there were three different items and the third item
13. appropriates...well, the third item is a hundred thousand dollars
14. for remodeling and rehabilitation of the Services Junior Livestock
15. Building, twenty thousand to separate the storm and sanitary
16. sewer because when they have rains, refuse runs out...over out
17. of the sanitary sewer out into their conservation pond and
18. ninety thousand dollars to repair the roof on that building.
19. I think these are legitimate amendments and I would move to concur
20. in Amendment No. 1 to Senate Bill...Senate Bill 539.

21. PRESIDENT:

22. Senator Carroll:

23. SENATOR CARROLL:

24. Thank you, Mr. President. I join Senator Knuppel in this
25. recommendation that we concur in House Amendment No. 1 to Senate
26. Bill 539.

27. PRESIDENT:

28. The question is shall the concur in House Amendment No. 1
29. to Senate Bill 539. Those in favor will vote Aye. Those opposed
30. will vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Take the record. On that question
32. the Ayes are 51, the Nays are none, none Voting Present. The Senate
33. does concur in House Amendment No. 1 to Senate Bill 539 and the

1. bill having received the required constitutional majority is
2. declared passed. ...Bill 543, Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President. I'd move that the Senate concur
5. in House Amendments No. 1 and 2 in...on Senate Bill 543. Amendment
6. No. 1 adds three thousand dollars to Personal Services,
7. basically bringing up, providing I should say, a two percent
8. salary increase for lower paid employees. Amendment No. 2 adds
9. thirteen million five hundred and ninety-two thousand nine hundred
10. dollars to put this bill in line with the Board of Higher Education's
11. recommendation and as it was originally sponsored in the Senate.
12. I'd move that the Senate concur in House Amendments No. 1 and 2
13. to Senate Bill 543.

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
18. I rise in opposition to the motion to concur the House by virtue
19. of Amendment No. 2 added an additional thirteen and a half million
20. dollars. Now we sat through a number of hours of committee
21. yesterday listening to Dr. Mandeville tell us that the State was
22. broke and didn't have any money for this and any money for that
23. and to add thirteen million dollars to the Pension Funds seems
24. to me just to be an inaffordable luxury. We had, by virtue of
25. Senate Amendment No. 1, which was offered by me on this Floor,
26. reduced the amount to the actual required payout level which is what
27. the Governor recommended. The additional thirteen and a half mil-
28. lion dollars as I said seems to be just a nonaffordable luxury at
29. this point and I would urge opposition to House Amendment No. 2
30. if, in fact, this kind of money is available, it should be placed,
31. as we did yesterday, in the Common School Distributive Fund. I
32. think we should nonconcur with Amendment No. 2 which adds this
33. thirteen and a half million dollars.

1. PRESIDENT:

2. Is there any further discussion? Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. I half way agree with Senator
5. Rock in that this amount of money is about...about twice as much
6. as what we had passed at one point in this Body, for additional
7. money to the University Retirement Pension System. We...we passed
8. about six and half million dollars which then later was lost in
9. another effort and I, at that time and still do favor the addition
10. of six and a half million dollars but I think we, as Senator Rock has
11. made the point, were probably going too far with this. It's about
12. fourteen as I recall, is that not true, Senator Weaver?

13. PRESIDENT:

14. Senator Weaver:

15. SENATOR WEAVER:

16. Well, the amendment would restore thirteen million, five hundred
17. ninety-two thousand, nine hundred. This is payout plus two percent
18. as it was initially introduced plus some improvements over and
19. above that for the surveys which had been a half a million dollars
20. under payout last year so there is a little catch up money in the
21. surveys.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Well, as I said, what we originally did in this Body was, we
26. passed a total of ten million dollars above the Governor's
27. budget for all of Higher Education. We asked the Board of
28. Higher Education to allocate that for us, to indicate how they
29. would like to have that allocated. In their suggestions, they put
30. six and a half million of it additional into the Pension System,
31. three and a half million into a combination of utility cost increases
32. and salary increases. That three and a half million stuck through
33. here, it stuck through the House. Unfortunately, as I said, we
34. lost the six and half million later before the legislation got

1. completely out of this Body and it has not been restored. What
2. I would like to do, my own personal desire, would be to get this
3. bill into a Conference Committee and restore about six and a
4. half million. So I'm going to support Senator Rock's motion or
5. effort, rather, here to nonconcur.

6. PRESIDENT:

7. The question is , shall the Senate concur in House Amendments No.
8. 1 and 2 to Senate Bill 543. Those in favor will vote Aye. Those
9. opposed will vote Nay. The voting is open. Have all voted who
10. wish? Have all voted who wish? Take the record. On that
11. question the Ayes are 21, the Nays are 28, none Voting Present.
12. The Senate does not concur in House Amendments 1 and 2 to Senate
13. Bill 543 and the Secretary shall so inform the House. Senate
14. Bill 549, Senator Wooten. House Amendment No. 1
15. SENATOR WOOTEN:

16. Thank you, Mr. President and colleagues. We're closing on
17. a simple one. It's hard to believe but the language that came out
18. of the Senate did not make a whole lot of sense. When we
19. argued this bill in the House, I realized that and so the House
20. amendment simply makes specific what was set down in rather
21. vague and general terms at the...terms of the Illinois Aeronautics
22. Board. The four to be appointed this year. Two will be for
23. two years, two will be for four years, and thereafter all appointments
24. shall be for four years. Simply clarifies the intent of the bill.
25. I move that we concur in House Amendment No. 1 to Senate Bill 549.

26. PRESIDENT:

27. Is there any discussion? If not the question is...question
28. is shall the Senate concur in House Amendment No. 1 to Senate
29. Bill 549. Those in favor will vote Aye. Those opposed will vote
30. Nay. The voting is open. Have all voted who wish? Have all
31. voted who wish? Take the record. On that question, the Ayes
32. are 50, the Nays are 1, none Voting Present. The Senate does
33. concur in House Amendment No. 1 to...on that question, the Ayes

1. are 50, the Nays are 1, none Voting Present. The Senate does
2. concur in House Amendment No. 1 to Senate Bill 549 and the bill
3. having received the required constitutional majority is declared
4. passed and the record will reflect that Senator Wooten inadvertently
5. hit the wrong the button and voted No and he intended to vote Aye.
6. House Bills 2nd reading, House Bill 64, Senator Kosinski.
7. Read the bill.

8. SECRETARY:

9. House Bill 64

10. (Secretary reads title of bill)

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

12. PRESIDENT:

13. Any amendments from the Floor?

14. SECRETARY:

15. No, no amendments from the Floor?

16. PRESIDENT:

17. 3rd reading. House Bill 113, Senator Guidice. Read the
18. bill.

19. SECRETARY:

20. House Bill 113

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Elementary and Secondary
23. Education offers one amendment.

24. PRESIDENT:

25. Senator Guidice.

26. SENATOR GUIDICE:

27. Thank you, Mr. President. The amendment that was offered
28. just changes one word from employees to teachers. I'm going...

29. PRESIDENT:

30. Senator Guidice:

31. SENATOR GUIDICE:

32. I would move to Table Amendment No. 1 at this time.

33. PRESIDENT:

1. Senator Guidice moves to Table Amendment No. 1. All those in
2. favor signify by saying Aye. Opposed. The Ayes have it. The
3. amendment is Tabled. Any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. Senator Guidice.

8. SECRETARY:

9. Amendment No. 2 offered by Senator Guidice.

10. PRESIDENT:

11. Senator Guidice,

12. SENATOR GUIDICE:

13. Thank you, Mr. President and members of the Senate. Amendment
14. No. 2 strikes everything after the enacting clause and puts the
15. bill in shape. Actually, it read very bad and...and what it does,
16. in fact, is to indicate that if there is any residency requirement
17. placed upon a...in a particular school district that it will not
18. act retroactively. I move its adoption.

19. PRESIDENT:

20. Senator Guidice moves the adoption of Amendment No. 2.
21. All those in favor...Senator Glass.

22. SENATOR GLASS:

23. If I could ask the sponsor a brief question, Mr. President.

24. PRESIDENT:

25. Indicates he will yield.

26. SENATOR GLASS:

27. Senator...Senator Guidice, does this put it in substantially
28. the same shape as House Bill 112?

29. PRESIDENT:

30. Senator Guidice.

31. SENATOR GUIDICE:

32. As House Bill 113. 112 was the...was the junior college...

33. PRESIDENT:

1. The question is, does this put 113 in the...substantially
2. the same shape as 112.

3. SENATOR GUIDICE:

4. I don't remember what 112 was.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Well, 112 which we've already passed does the same thing
9. for elementary and secondary...one is for junior community colleges
10. and one is for elementary and secondary. They do the same thing
11. and...and I thought this did...would have put it in about the
12. same shape. And if it does that fine. We'll get a chance to
13. look at the amendment later.

14. PRESIDENT:

15. Senator Guidice.

16. SENATOR GUIDICE:

17. Thank you. Yes, Senator Glass, I believe it does and I would move
18. the adoption of Amendment No. 1.

19. PRESIDENT:

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

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. Senate Bill 192, Senator Lemke. Has the fiscal
27. note been satisfied, Mr. Secretary?

28. SECRETARY:

29. Yes.

30. PRESIDENT:

31. Read the bill.

32. SECRETARY:

33. House Bill 192

HB 1325
2nd Reading
6/26/77

1. (Secretary reads title of bill)
2. 2nd reading of the bill. There was a fiscal note...requested for
3. this bill. That has been answered. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor? Senator Lemke, there are amend-
6. ments which you have indicated are controversial.
7. SENATOR LEMKE:
8. Well, one of the...there's six amendments, I think one
9. of...I...I...I'm against so what we can do is move the bill to
10. 3rd and then bring it back for...
11. PRESIDENT:
12. Well, we could leave it on the Order of 2nd reading.
13. It has been read a second time. We can take the amendments
14. up tomorrow, move it to 3rd reading tomorrow and then it is...
15. SENATOR LEMKE:
16. Okay, just so we have it read and we can act on it.
17. PRESIDENT:
18. What purpose does Senator Mitchler arise?
19. SENATOR MITCHLER:
20. Just to clarify something so we don't take up time tonight.
21. The hour is late. Senator Lemke, what if we just moved it without
22. these amendments to 3rd reading and then we can bring it back.
23. PRESIDENT:
24. Is leave granted to follow that procedure? The bill be moved
25. to 3rd reading, it will be brought back for the purpose of the
26. amendments. They will be temporarily withdrawn. Leave is granted.
27. House Bill 1325, Senator Joyce. Read the bill.
28. SECRETARY:
29. House Bill 1325
30. (Secretary reads title of bill)
31. There was a request for a fiscal note on this bill. It has been
32. withdrawn. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:
34. Senator Joyce.

1. SENATOR JOYCE:
2. Yes, Mr. President. Thank you. This is the identical bill,
3. the House bill that we just concurred in on Senate Bill 493. These
4. are the same amendments.
5. PRESIDENT:
6. Any amendments from the Floor?
7. SECRETARY:
8. Amendment No. 1 offered by Senator Joyce.
9. PRESIDENT:
10. Senator Joyce.
11. SENATOR JOYCE:
12. Yes, Mr. President. As I explained, these...this is the
13. same amendment that was on Senate Bill 493 that we just concurred
14. in so it...we just had the explanation of it.
15. PRESIDENT:
16. Senator Joyce moves the adoption of Amendment No. 1. All
17. those in favor signify by saying Aye. Opposed. The Ayes have
18. it. The amendment is adopted. Any further amendments?
19. SECRETARY:
20. No further amendments.
21. PRESIDENT:
22. 3rd reading. On the Order of Resolutions.
23. SECRETARY:
24. Senate Joint Resolution No. 50 offered by Senator Hynes and
25. Shapiro.
26. PRESIDENT:
27. Senator Netsch, would you explain the resolution.
28. SENATOR NETSCH:
29. Yes, thank you, Mr. President. This resolution, which is
30. offered by you and by Senator Shapiro and has been discussed with
31. all of the people who have been involved in the legislation
32. involving revision of the Mental Health Code would create a
33. special joint House-Senate committee composed of members from

1. existing committees to continue to work on the mass of bills
2. which were proposed by the Governor's commission and which are
3. in limbo for the moment. The idea being that with both Houses
4. working on them in between Sessions that we could get them in shape
5. and present them to the Legislature next year. I would move that...
6. for the suspension of the rules so that this resolution could
7. be immediately considered.

8. PRESIDENT:

9. Is there any discussion? If not, Senator Netsch has
10. moved for the suspension of the rules for the immediate consider-
11. ation and adoption of Senate Joint Resolution 50. All those
12. in favor signify by saying Aye. Opposed. The Ayes have it.
13. The rules are suspended. Senator Netsch moves for the
14. adoption of Senate Joint Resolution 50. Is there any discussion?
15. If not all those in favor signify by saying Aye. Opposed.
16. The Ayes have it. The resolution is adopted. Messages from
17. the House.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate
21. that the House of Representatives has refused to recede
22. from their Amendment No. 1 to a bill with the following title,
23. to-wit:

24. Senate Bill 153.

25. I am further directed to inform the Senate that the House
26. of Representatives request a First Committee of Conference
27. to consist of five members from each House to consider the
28. differences of the two Houses in regards to the amendment
29. to the bill. The Speaker of the House has appointed a such
30. committee and on the part of the House, Representative Matijevich,
31. Kozubowski, Leverenz, Cunningham, and Rigney.

32. PRESIDENT:

33. Senator Roe.

1. SENATOR ROE:

2. Mr. President, I move that we accede to the requests
3. of the House.

4. PRESIDENT:

5. Senator Roe moves that the Senate accede to the requests
6. of the House and a Conference Committee be appointed with respect
7. to Senate Bill 153. All those in favor signify by saying Aye.
8. Opposed. The Ayes have it. The motion carries.

9. SECRETARY:

10. A Message from the House By Mr. O'Brien, Clerk.

11. Mr. President - I am directed to inform the Senate that
12. the House of Representatives has concurred with the Senate
13. in the passage of a bill with the following title, to-wit:

14. Senate Bill 29 with House Amendment No. 5
15. A like message on Senate Bill 110 with House Amendment No. 1.
16. A like message on Senate Bill 116 with House Amendment No. 2.
17. A like message on Senate Bill 293 with House Amendment No. 2.
18. A like message on Senate Bill 305 with House Amendment No. 1.
19. A like message on Senate Bill 478 with House Amendment No. 1.
20. A like message on Senate Bill 596 with House Amendment No. 1
21. A like message on 622 with House Amendments Nos. 2, 3, and 4.
22. A like message on Senate Bill 8...689 with House Amendments No. 1
23. and 2.
24. A like message on Senate Bill 693 with House Amendments 1 and 2.
25. A like message on Senate Bill 961 with House Amendment No. 1.
26. A like message on Senate Bill 1068 with House Amendment No. 3.
27. A like message on Senate Bill 1142 with House Amendments Nos. 1,
28. 5 and 7.
29. A like message on Senate Bill 1148 with House Amendment No. 3.
30. A like message on Senate Bill 1203 with House Amendment No. 1.
31. A like message on Senate Bill 1208 with House Amendments Nos. 1
32. and 2.
33. A like message on Senate Bill 1281 with House Amendment No. 5.

1. A like message on Senate Bill 1301 with House Amendments 1 and 2.
2. A like message on Senate Bill 1308 with House Amendments Nos. 3 and
3. 4.

4. PRESIDENT:

5. Secretary's Desk.

6. SECRETARY:

7. Motion in Writing.

8. I move to reconsider the vote by which House Bill
9. 2383 passed. Signed...dated, the 25th of June. Signed by
10. Senator Savickas.

11. Motion in Writing.

12. I move that the vote by which House Bill No. 2257...
13. I'm not sure whether the House Bill failed or passed, they're
14. both on here..be reconsidered and the bill placed on the Order
15. of 3rd reading. Dated the 25th. Signed by Senator Rhoads.

16. Having voted on the prevailing side, I move to
17. reconsider the vote by which House Bill 230 was lost.
18. Dated June the 26th. Signed by Senator Newhouse.

19. PRESIDENT:

20. Is there leave of the Body to have these motions placed
21. on the Calendar for consideration tomorrow? Leave is granted.
22. Is there any further business to come before the Senate? If
23. not the Senate stands adjourned until 9 a.m. tomorrow morning.

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