

80TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1978

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. House Bill...that concludes the bills on the Order of
3. Postponed Consideration. Senator Maragos, for what purpose
4. do you arise?
5. SENATOR MARAGOS:
6. Mr. President, I have 3370 on postponed consideration,
7. it was held earlier and I'd like to have it recalled at this
8. time please.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. It was not on the...on...not on the Presiding Officer's
11. List because it was put on postponed consideration and I
12. apologize to the members. House Bill 3370 and who will
13. be the...designated...hitter?
14. SENATOR MARAGOS:
15. Mr. Chairman...Mr. President...Mr. Chairman, just a
16. minute, please.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Wait a minute.
19. SENATOR MARAGOS:
20. I would like to bring that bill back to 2nd reading
21. for...the purpose of Tabling an amendment.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Is there leave to return the bill to the Order of
24. 2nd reading?
25. SENATOR MARAGOS:
26. 2nd reading.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Leave is granted. The bill is on the Order of 2nd
29. reading. Senator Maragos, would you please explain to
30. the Chair and the Secretary what you wish to do.
31. SENATOR MARAGOS:
32. Mr...Mr. President, I move at this time...
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Can we have...

2. SENATOR MARAGOS:

3. ...to Table Amendment No. 3.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Maragos having voted on the prevailing side,

6. moves to reconsider the vote by which Amendment No. 3 was

7. ...was adopted. Senator Maragos, have you changed your

8. mind?

9. SENATOR MARAGOS:

10. I didn't hear you, Mr. Chairman...President...too many

11. voices.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Well, Senator, you asked to Table Amendment No. 3. Is

14. that...

15. SENATOR MARAGOS:

16. Well, we didn't go through the...the motion of reconsid-

17. ering, so I'd hold off on that just a second please.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right.

20. SENATOR MARAGOS:

21. All right. We have to add four before we do anything

22. else.

23. SECRETARY:

24. Amendment No. 4 offered by Senator Carroll.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll is recognized.

27. SENATOR CARROLL:

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

29. the Senate. Amendment No. 4 adds a whole bunch of

30. commissions that are otherwise in some other bill and

31. I would move adoption of Amendment No. 4.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. On the Motion to Adopt, is there discussion? Senator

1. Philip.

2. SENATOR PHILIP:

3. Thank you, Mr. President. I hope you'll notice the

4. time is after twelve o'clock. Also I haven't seen a...I

5. haven't seen a copy of the amendment. Has...has the amend-

6. ment been printed and distributed to the members of the

7. Senate?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Carroll.

10. SENATOR CARROLL:

11. If they'd look at 3395 they could see the list of

12. Commissions.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Philip.

15. SENATOR PHILIP:

16. Is...is the Rockford program on here?

17. SENATOR CARROLL:

18. No.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR PHILIP:

22. Well, I...I'd like to know what's on here. We haven't

23. even...the amendment has not been printed, it has not been

24. distributed. It would seem to me we ought to have some

25. kind of an idea what's on this Amendment No. 4.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Aggregate Mining Problems, ten thousand, Atomic Energy,

30. forty-nine, four, Chain of Lakes, Fox River, twenty-two

31. five, County Problems, sixty, Data Information Systems, forty,

32. Election Laws, fifteen, Electronic Funds Transfer, twenty,

33. Insurance Laws, eighty-five, Judicial Advisory, twenty-five,

1. Kankakee River, twenty, Labor Laws, twenty, Law Revision,  
2. thirty, anybody say give yet? Legislative advisory to ITA,  
3. Council on Nutrition...is that okay so far, you want me to  
4. keep reading? He surrenders, okay.  
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Well...Senator Philip. For what purpose does Senator  
7. Nimrod arise?

8. SENATOR NIMROD:

9. I was just going to ask Senator Carroll if he forgot  
10. one other amendment for the one million dollars for the  
11. mental health for the...developmental disabilities, is that  
12. on there? Oh, well, that's part of that amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. For what purpose does Senator Grotberg arise?

15. SENATOR GROTEBERG:

16. A question of the sponsor and ask leave of the Body  
17. to amend on its face the two or three that we changed...  
18. in conference. Thank you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. All right. For what purpose does Senator Washington  
21. arise?

22. SENATOR WASHINGTON:

23. Yes, I think we've just witnessed in my opinion  
24. one of the most flagrant abuses of the legislative process  
25. that I've seen here in fourteen years. Now we voted on  
26. the so-called Medley Amendment about five times. We voted  
27. on it last year, we voted it down. We voted on it three  
28. times the day we voted it down. It's on this bill. I  
29. have a very sneaking suspicion and I'm not a very suspicious  
30. person, that this amendment is being added to make this  
31. Christmas tree so glamorous you can't vote it down just  
32. to get the Medley Amendment through. I think it's an  
33. abuse of process here. I think we're being played for a

1. bunch of fools. Are we going to let one person blackmail  
2. us and tie up this Senate for that one amendment? Further-  
3. more, Mr. Medley, that's an incorrect picture painted here of  
4. Mr. Medley. Mr. Medley is no fool. Mr. Medley is not  
5. dumb. Mr. Medley is not deprived. Mr. Medley is a very  
6. affluent man, has excellent counseling, good research and  
7. guidance. He went to the Court of Claims and he was  
8. rejected and he comes in here and gives an ex party  
9. hearing and gets some...favorable report. Are you going  
10. to vote for a sixty-two thousand dollar amendment simply  
11. because you have a gut reaction from one person that it's  
12. good. I think we're being played for a bunch of fools.  
13. It's all on this bill. It's all on this bill. It's all  
14. on this bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. For what purpose does Senator Carroll arise?

17. SENATOR CARROLL:

18. Mr. President, first of all, I object to the Chair.  
19. I've been trying to raise a point of order for some  
20. time. It is not in this amendment. If he is opposed  
21. to the bill in any form, let him say so when the bill is  
22. being called. And I think we should limit our remarks to  
23. the amendment at this stage of the proceedings and let's  
24. proceed with the amendment. I have moved the adoption.  
25. I would answer any questions.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. For what purpose does Senator Washington arise?

28. SENATOR WASHINGTON:

29. To finish. I think my remarks are relevant and they  
30. are more or less on a point of personal privilege. I  
31. maintain that this Body has been a flagrantly...has been  
32. flagrantly abused by the tactics of one person in this  
33. General Assembly who tacked this amendment on every darn

1. bill in the House and...and the Senate. It's on House Bill  
2. ...Senate Bill 1601 in the Senate now. And I resent this  
3. ploy of making this bill a Christmas tree and making it  
4. impossible for these members to vote against it and ride  
5. this Medley Amendment through it. You've expressed your  
6. desires on this thing time and time again and I think the  
7. process has been abused.

8. PRESIDING OFFICER: (SENATOR BRUCE)

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

10. SENATOR CHEW:

11. A...to discuss the amendment. I have a great deal of  
12. respect for Senator Washington. If Senator Washington  
13. prefers not to vote for the bill as it's amended, he has  
14. that right. I don't think it's a problem of Medley as  
15. a subject, it's a problem of right or wrong. Now, if there's  
16. a personal vendetta going on between Mr. Washington and  
17. Medley, that's not my business. But I don't think it  
18. should be taken up on the Senate Floor. If Medley doesn't  
19. like Washington or Washington doesn't like Medley, Charlie  
20. Chew has nothing to do with that. We owe Mr. Medley sixty-  
21. two thousand dollars. We know that. We know Mr. Washington  
22. would like to have that bill defeated, especially that part  
23. of the bill on the amendment. I happen to think it's wrong  
24. to defeat the amendment. I happen to think that the State  
25. ought to pay its dues and it's clear that we owe him. I've  
26. stated before, yes, he kept bad records, I grant you that,  
27. but that has nothing to do with the manpower, the gas, the  
28. use of his vans, to move...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. For what purpose does Senator Buzbee arise?

31. SENATOR CHEW:

32. ...recipients of Public Aid.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Buzbee.

1. SENATOR CHEW:

2. Now...whatever he has...

3. SENATOR BUZBEE:

4. Mr...point of order, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Chew...Senator Buzbee.

7. SENATOR BUZBEE:

8. Mr. President...the rules of this Body very clearly  
9. delineate that whenever we are discussing amendments that  
10. our conversation will be...will be restricted to those  
11. amendments. The Medley Amendment is not in this amendment.  
12. It is a part of the bill. When we get to 3rd reading and  
13. consider the bill, that's when this type of conversation  
14. is appropriate. But right now we are only discussing the  
15. amendment which adds these commissions to this bill, the  
16. Mary Orkis Bill and I would suggest, that, Mr. President,  
17. that you so rule that this type of conversation and debate  
18. is out of order.

19. SENATOR WASHINGTON:

20. Mr. President, point of personal privilege.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The Chair would admonish the membership that we are  
23. on the adoption of Amendment No. 4 and their comments should  
24. be confined to adoption of that amendment. And the Chair  
25. also realizes the amendment has not been circulated and  
26. that may cause some degree of confusion. Are there further  
27. comments on the adoption of Amendment No. 4. For what purpose  
28. does Senator Washington arise?

29. SENATOR WASHINGTON:

30. Point of personal privilege. Clearly my name was used  
31. in debate and not with my consent. The previous speaker is  
32. not privy to my thoughts or my feelings. I expressed what  
33. I thought was a clear cut case of violation of the integrity  
34. of this Body. If the gentleman who took umbrage with it

1. doesn't like it, he doesn't like it. But even...it seems  
2. to me that he's out of order in bringing my name into  
3. debate. He doesn't know my motives. I think I placed  
4. a clear cut case before you of abuse of this Body. If  
5. you like to be played with, if you like to be toyed with,  
6. if you want the same amendment pasted on every darn bill  
7. that goes up and down here, they'll paste it on the back  
8. of your britches before you know it. If you like that,  
9. then you can lump it. I don't particularly care for  
10. that kind of treatment. I think we've been abused. I  
11. think this Body has been abused and I personally have  
12. been abused and that's my point of personal privilege.  
13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion on the motion to adopt Amendment  
15. No. 4? All in favor say Aye. Opposed Nay. Is there  
16. a request for a roll call? Senator Rhoads requests  
17. a roll call. Those in favor will vote Aye. Those opposed  
18. will vote Nay. The voting is open. Have all voted who  
19. wish? Take the record. On that question the Ayes are  
20. 28, the Nays are 10, none Voting Present. Amendment No. 4  
21. is adopted. Further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 3rd reading. The bill is returned to the Order of  
26. Consideration Postponed. The Chair was in error. It was  
27. on that order of business and will return to that order.  
28. We were on the Order of Consideration Postponed, the only  
29. bill remaining is House Bill 3370 and Senator Shapiro, who  
30. was the designated opponent on this bill? Senator Walsh.  
31. For what purpose does Senator Walsh arise?

32. SENATOR WALSH:

33. Now...whatever...whoever the designated hitter was...  
34. was supposed to have acted on the 27th of June. Today is



1. the 28th of June. It's too late to act on this bill on 3rd  
2. reading.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Right. Under...if you give me time, Senator Philip,  
5. I expect to get to it. All right. Under our rules on  
6. June the 28th the final date for 3rd reading passages of  
7. all House Bills. Before this bill could be considered, there  
8. would have to be a motion to suspend the rules. Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President, Ladies and Gentlemen of the  
11. Senate. This is pretty obviously the last bill that will  
12. be considered before the motion to adjourn until 11:00  
13. o'clock this morning is put and I would move you, sir, that the  
14. rules be suspended for the purpose, single purpose of the  
15. consideration and passage of House Bill 3370.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to suspend the rules for the consideration  
18. of House Bill 3370. Is there discussion of the motion to  
19. suspend the rules to this bill. Senator Rhoads.

20. SENATOR RHOADS:

21. Yeah, in all seriousness, the remarks of Senator  
22. Washington were well taken. This is just incredible. I  
23. thought Senator Maragos had made the representation to me  
24. a few minutes ago that he was calling that bill back for  
25. the purpose of Tabling Amendment No. 3. Now, really, Senator  
26. Maragos, you brought this bill through committee, it was  
27. a simple bill. I voted for it then. It's...it's just  
28. become an incredible vehicle. Now for...for the purpose  
29. of...of suspending the rules to do what you want to do  
30. with this bill is just about the most repugnant thing  
31. that's happened in this Chamber all Spring.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion of the motion to suspend the rules?

1. The...the motion to suspend will require thirty votes. A  
2. roll call is required and those who wish to vote in the  
3. affirmative will vote Aye. Those opposed will vote Nay.  
4. The voting is open. On the motion to suspend. Not on  
5. final passage. Have all voted who wish? Have all voted  
6. who wish? Take the record. On that question the Ayes  
7. are 31, the Nays are 14. The motion to suspend the rules  
8. prevails. The rules are suspended as the consideration  
9. of House Bill 3370. For what purpose does Senator Wooten  
10. arise?

11. SENATOR WOOTEN:

12. A parliamentary inquiry before voting No on the  
13. Medley Amendment again. Does the suspension of the  
14. rules...constitute intervening business and...for the...  
15. with the addition of an amendment?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The Chair would rule that the motion to suspend  
18. the rules and the roll call attached thereto is, in  
19. fact, intervening business. House Bill 3370. The bill  
20. has been read a 2nd...3rd time. Senator Maragos is  
21. recognized. For what...for what purpose does Senator  
22. Glass arise?

23. SENATOR GLASS:

24. Question...parliamentary inquiry. Did Senator Maragos  
25. move to Table the Medley Amendment or did he not?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. How many amendments are on the bill, Senator...Mr.  
28. Secretary.

29. SECRETARY:

30. Four amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. I believe that the...the Medley Amendment was the  
33. 3rd Amendment and it remains on the bill, Senator. Well,

1. the question was of the Chair, Senator. I thought it  
2. might be appropriate. Senator Maragos on House Bill 3370.  
3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. I've been  
5. castigated tonight. All I'm trying to say is I want to  
6. help a old lady who's eighty-five years old. When I...  
7. when I brought...when I brought this bill back for 2nd  
8. reading, I did not understand that any other amendment  
9. was going to go on except two that I was aware of. If  
10. the Body put them on, it's no fault of mine. We have  
11. a...a process called the Conference Committee. It's  
12. got to go back to the House...as was...eventially before  
13. this bill becomes a reality many amendments will be put  
14. on or taken off. However, let's not kill this bill  
15. for this is the only opportunity we have at this  
16. Session to pass for this elderly woman and I ask for  
17. your support. Thank you.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Walsh, one minute in opposition.

20. SENATOR WALSH:

21. Well, I don't know how it got to be me, but I think if  
22. Senator Maragos really wanted to help the little old lady, he  
23. wouldn't have introduced her to Mr. Medley. The...the  
24. bill...the bill had smooth sailing there for awhile until  
25. ...until Mr. Maragos intervened and got the two together.  
26. I would hope that the...that the Senate would reject this  
27. bill. If there is any merit in this bill as amended and  
28. there can't be much, I'm sure we could find a vehicle in  
29. the Conference Committee to...to put the merit on another  
30. bill, but let's make sure Mr. Medley doesn't get out of  
31. this Senate. I urge a No vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is shall House Bill 3370 pass. Those

1. in favor vote Aye. Those opposed vote Nay. The voting  
2. is open. Have all voted who wish? Have all voted who  
3. wish? Take the record. On that question the Ayes are  
4. 24, the Nays are 27. House Bill 3370 having failed to  
5. receive the constitutional majority is declared lost.  
6. For what purpose does Senator Vadalabene rise?

7. SENATOR VADALABENE:

8. Yes, Mr. President, I have a very important announce-  
9. ment to make and I would like to have some order.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. May we have some order please.

12. SENATOR VADALABENE:

13. Yes, for the twelfth consecutive year I have offered  
14. an annual traditional invitation to my colleagues on  
15. this side of the House to be my guests at the Sunset Hills  
16. Country Club at Edwardsville for a brunch beginning at  
17. 11:00 o'clock tomorrow. I understand they can't be there,  
18. so I'll make this offer in my thirteenth year up here.  
19. And beside that, I can't get any buses to take us down  
20. there. It's postponed.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Chew.

23. SENATOR CHEW:

24. All I would suggest, Mr. President, that we would mandate  
25. that Senator Sam would put on his shindig at the time that we  
26. can go. This is a sham and he knows if we are in Session that  
27. we can't go so would you admonish him for even making the  
28. announcement.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. He is so admonished. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Well, thank you, Mr. President. I have checked with  
33. the Gillespie Bus Lines and they inform me that they would

1. indeed have a bus that would be available to take everyone  
2. down to the Country Club tomorrow and so Sam if we're not  
3. going into Session say like till 1:00 o'clock, why I think  
4. we could all probably get on the bus and probably make it.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Berman.
7. SENATOR BERMAN:
8. I was told that Mr. Medley would be glad to move us.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Rock.
11. SENATOR ROCK:
12. On that happy note, I will move to adjourn until 11:00  
13. o'clock this morning, Mr. President.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. The motion I think, Senator Rock, is to recess until  
16. 11:00.
17. SENATOR ROCK:
18. Recess until 11:00.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. The motion is to recess until 11:00 o'clock today.  
21. The Senate is in recess until 11:00 o'clock today.
22. RECESS
23. AFTER RECESS
24. PRESIDING OFFICER: (SENATOR KENNETH HALL)
25. The hour of 11:00 having arrived, the Senate will please  
26. come to order. Our Chaplin for today is Father G. Neal Dee,  
27. Little Flower Church, Springfield, Illinois. Will our guests  
28. in the Gallery please rise.
29. FATHER DEE:
30. (Prayer given by Father Dee)
31. PRESIDING OFFICER: (SENATOR KENNETH HALL)
32. Reading of the Journal, Senator Harold Washington.
33. SENATOR WASHINGTON:

1. Mr. President, I move that reading and approval of the  
2. Journals of Tuesday, June 20th, Wednesday, June 21, Thursday,  
3. June 22, Friday, June 23, Saturday, June 24, Sunday, June 25,  
4. Monday, June 26, and Tuesday, June 27 in the year 1978 be  
5. postponed pending arrival of the printed Journals.

6. PRESIDING OFFICER: (SENATOR KENNETH HALL)

7. You've heard the motion. All in favor say Aye. Opposed  
8. Nay. So ordered. Resolutions.

9. SECRETARY:

10. Senate Resolution 463 offered by Senator Netsch, it's  
11. commendatory.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Consent Calendar.

14. PRESIDENT:

15. May I have your attention please. Any member having  
16. a bill on the Order of Concurrence and wishing to nonconcur  
17. in the House amendments, that is to say it is your intention  
18. to get the machinery to set up a Conference Committee in  
19. operation, please notify the Secretary as to the bill number.  
20. Any member with a bill on the Secretary's Desk on the Order  
21. of Nonconcurrence and these would be House bills, if it is  
22. your intention to refuse to recede from the Senate amendment,  
23. which again is the first step towards setting up a Conference  
24. Committee, please give the Secretary the number of that bill  
25. and we will go to those bills first so that the paper work  
26. can get started. Again, to summarize it, if you intend to  
27. try to get a bill on the Secretary's Desk into a Conference  
28. Committee, please notify the Secretary. On the Secretary's  
29. Desk on the Order of Concurrence is Senate Bill 309, Senator  
30. Sangmeister. Senate Bill 309, with House Amendment No. 1.

31. SENATOR SANGMEISTER:

32. Thank you, Mr. President and members of the Senate. At  
33. this time I would move that the Senate not concur in House

1. Amendment No. 1 to Senate Bill 309.

2. PRESIDENT:

3. You've heard the motion. Is there any discussion?  
4. Senator Sangmeister moves that the Senate nonconcur in  
5. House Amendment No. 1 to Senate Bill 309. All those in  
6. favor signify by saying Aye. Opposed. The Ayes have  
7. it. The motion carries. The Secretary shall so inform  
8. the House. On the Secretary's Desk on the Order of Non-  
9. concurrence is House Bill 2885, Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President, Ladies and Gentlemen of  
12. the Senate. House Bill 2885 is the ordinary appropriation  
13. for the Judicial system. It appears that the House  
14. sponsor, Representative Houlihan, has found a technical  
15. deficiency with respect to Senate Amendment No. 1. So  
16. I would refuse to recede from Senate Amendment No. 1 and  
17. ask that a Conference Committee be appointed.

18. PRESIDENT:

19. Senator Rock moves that the Senate refuse to recede  
20. from Senate Amendment No. 1 to House Bill 2885 and that  
21. a Conference Committee be appointed. All those in favor  
22. of the motion signify by saying Aye. Opposed. The Ayes  
23. have it, the motion carries. The Secretary shall so  
24. inform the House. On the Secretary's Desk on the Order  
25. of Nonconcurrence is House Bill 2808, Senator Lane.

26. SENATOR LANE:

27. Thank you, Mr. President, members of the Senate.  
28. I recommend that we...refuse to recede on House Bill 2808.  
29. It's...the Senate will refuse to recede from the Senate  
30. Amendment to House Bill 2808. The...the amendment involves  
31. the...restricts the coverage for losses and the House is  
32. now ready to agree with our amendment so they want to go  
33. to a Conference Committee for that agreement.

1. PRESIDENT:

2. Senator Lane moves that the Senate refuse to recede  
3. from the adoption of Senate Amendment No. 1 to House Bill  
4. 2808. And that a Conference Committee be appointed. All  
5. those in favor of the motion signify by saying Aye. Opposed.  
6. The Ayes have it. The motion carries and the Secretary shall  
7. so inform the House. House Bills 1st reading.

8. SECRETARY:

9. House Bill...2585 will be sponsored by Senator Vadalabene.

10. House Bill 2706 will be sponsored by Senators D'Arco and  
11. Glass.

12. House Bill 3405 will be sponsored by Senator Rock.

13. PRESIDENT:

14. Rules Committee.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Hynes.

17. SENATOR HYNES:

18. Mr. President and members of the Senate. I would ask  
19. for your attention for a moment. The Pages are distributing  
20. a memorandum relating to Conference Committees and I would  
21. ask each member to carefully read the statements in that  
22. memorandum. In particular, I would call your attention to  
23. the fact that Conference Committees on substantive bills  
24. will be heard in Rooms 212, 116, 118, 122 A and 122 B.  
25. Appropriation bills...for appropriation bills the Conference  
26. Committees will be in Room 400. The Chairman of...of the  
27. Conference Committee and in the case of a Senate Bill, that  
28. would be the chief sponsor, should notify the Speaker's  
29. Officer as indicated to set the time and place of the...of  
30. the committee hearing. All of...all of the meetings will  
31. be arranged through one central place whether it be a  
32. House bill or a central...a Senate bill. Please look at  
33. the provisions in this memorandum and it will help to expedite



1. the flow of business in the next couple of days.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. If there are any members that have nonconcurrences or  
4. refusals to recede, why, if they would call the attention  
5. of the Secretary, we can dispose of those matters. Messages  
6. from the House.

7. SECRETARY:

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

9. Mr. President - I am directed to inform the Senate  
10. that the House of Representatives refused to concur with  
11. the Senate in the adoption of their amendment to a bill  
12. with the following title:

13. House Bill 562 with Senate Amendment No. 1. Senator  
14. Regner is the sponsor of this bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Regner.

17. SENATOR REGNER:

18. Mr. President and members of the Senate. I move that  
19. the Senate refuse to recede from Amendment No. 1 to House  
20. Bill 562 and that a Conference Committee be appointed.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Regner moves that the Senate refuse to recede  
23. from adoption of Amendment No. 1 to House Bill 562. Those  
24. in favor indicate by saying Aye. Those opposed Nay. The  
25. Ayes have it. The motion carries and the Secretary shall  
26. so inform the House. Message from the House.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the Senate  
30. that the House of Representatives refused to concur with  
31. the Senate in the adoption of their amendments to a bill  
32. with the following title:

33. House Bill 2843 with Senate Amendments 1, 2 and 3.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Washington.

3. SENATOR WASHINGTON:

4. Mr. President, I move too that the House...that the Senate  
5. refuse to recede from Senate Amendments No. 1, 2 and 3 of  
6. House Bill 2843 and that a Conference Committee be formed.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Washington moves that the Senate refuse to recede  
9. from Senate Amendments 1, 2 and 3 of House Bill 2843 and that  
10. a Conference Committee be appointed. Those in favor indicate  
11. by saying Aye. Those opposed. The Ayes have it. Secretary  
12. shall so inform the House. Message from the House.

13. SECRETARY:

14. A like Message on House Bill 2881 with Senate Amend-  
15. ments Number 3 and 4. Senator Nimrod is the sponsor of  
16. this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Thank you...is that 2881 or 2091?

21. SECRETARY:

22. 2981.

23. SENATOR NIMROD:

24. Twenty...all right. On House Bill 2981...refuse to  
25. recede from Senate Amendments 3 and 4 and request a  
26. Committee on Conference.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there discussion? Senator Nimrod moves that the  
29. Senate refuse to recede from Senate Amendments 3 and 4  
30. to House Bill 2981 and that a Conference Committee be  
31. appointed. Those in favor indicate by saying Aye. Those  
32. opposed. The Ayes have it. The Secretary shall so inform  
33. the House. Senator Rupp.

1. SENATOR RUPP:

2. Thank you, Mr. President.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. On the Order on Noncurrence.

5. SENATOR RUPP:

6. I ask that the Senate nonconcur on House Bill 3225

7. and that a Conference Committee be appointed...refuse to

8. recede.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator, what...what amendments?

11. SENATOR RUPP:

12. 1, 2 and 3.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senate...Senator Rupp moves to nonconcur in House

15. Amendments 1, 2 and 3 to House...strike that, Senate Amend-

16. ments 1, 2 and 3 to House Bill 3225. All those in favor

17. indicate by saying Aye. All those opposed Nay. The Ayes

18. have it. The motion carries and the Secretary shall so

19. inform the House. (Machine cutoff)...order to get the

20. record straight. Just a moment. May I have the attention

21. of the Senate. The proper motion was to...that Senator

22. Rupp moves that the Senate refuse to recede from the

23. adoption of Amendments 1...Senate Amendments 1, 2 and 3

24. to House Bill 3225 and that a Conference Committee be

25. appointed. And those in favor indicate by saying Aye.

26. Those opposed Nay. The Ayes have it and the Secretary

27. shall so inform the... House Bill 1803, Senator Davidson.

28. SENATOR DAVIDSON:

29. Yes, Mr. President and members of the Senate. I'd

30. like to move that the Senate not recede from Senate Amend-

31. ments No. 1 and 2 to House Bill 1803 and ask for a Conference

32. Committee be appointed.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Davidson moves that the Senate refuse to recede  
2. from adoption of Amendment...Senate Amendments 1 and 2 to  
3. House Bill 1803. That a Conference Committee be appointed.  
4. All those in favor indicate by saying Aye. Those opposed.  
5. The Ayes have it. The Secretary shall so inform the House.  
6. Message from the House.

7. SECRETARY:

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

9. Mr. President - I am directed to inform the Senate  
10. the House of Representatives has adopted the following report  
11. on House Joint Resolution Constitutional Amendment No. 21  
12. ...in the adoption of which I am instructed to ask the  
13. concurrence of the Senate, to-wit.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Secretary's Desk. The Senate will come to order.  
16. Prior to recessing until the hour of 1:30, you're advised  
17. that at that time we'll immediately go to the Order of  
18. Concurrences. So...we should have all of the members back  
19. by the hour of 1:30. The Senate stands in recess.

20. RECESS

21. AFTER RECESS

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Messages from the House.

24. SECRETARY:

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

26. Mr. President - I am directed to inform the Senate  
27. the House of Representatives refused to concur with the  
28. Senate in the adoption of their amendment...bill with the  
29. following title:

30. House Bill 2775. Senator Rock is the Senate sponsor  
31. and it's Senate Amendment No. 1. Refused to concur.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

HB 2842  
6/28/78

1. SENATOR ROCK:

2. Well, obviously the House misunderstood again and  
3. I would...move you, Mr. President and Ladies and Gentlemen  
4. of the Senate, that we refuse to recede from Senate Amend-  
5. ment No. 1 and request that a Conference Committee be  
6. appointed.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Rock moves to...that the Senate refuse to  
9. recede from the adoption of Senate Amendment to House  
10. Bill 2775 and that a Conference Committee be appointed.  
11. Those in favor indicate by saying Aye. Those opposed.  
12. The Ayes have it. The Secretary shall so inform the  
13. House.

14. SECRETARY:

15. A like message on House Bill 3392 with...Senate  
16. Amendments 1 and 2. Senator Ziomek is the sponsor of this  
17. bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Ziomek. Senator Ziomek moves that the Senate  
20. refuse to recede from Amendments No. 1 and 2 to House  
21. Bill 3392 that a Conference Committee be appointed. Those  
22. in favor indicate by saying Aye. Those opposed. The Ayes  
23. have it. Secretary shall so inform the House. Senator  
24. Vadalabene.

25. SENATOR VADALABENE:

26. Yes, thank you, Mr. President and members of the Senate.  
27. In regard to House Bill 2842 I refuse to recede and request  
28. a Conference Committee be appointed.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator, what amendments do you refer...

31. SENATOR VADALABENE:

32. With Senate Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. All right. Senator Vadalabene moves that the Senate  
2. refuse to recede from the adoption of Senate Amendment No. 1  
3. to House Bill...Senate Amendment No. 2 to House Bill 2842  
4. and that a Conference Committee be reported. Those in  
5. favor indicate by saying Aye. Those opposed Nay. The  
6. Ayes have it. The Secretary shall so inform the House.  
7. Senator Vadalabene, for what purpose do you arise?

8. SENATOR VADALABENE:

9. For the purpose of an announcement. I lost a pair  
10. of bifocal glasses. They are this color with black horn  
11. rims and so if anybody should happen to see them, why, return  
12. to me at no reward.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. That's your second set.

15. SENATOR VADALABENE:

16. They're on the bus.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Soper at Senator Weaver's desk.

19. SENATOR SOPER:

20. I just wanted to make a suggestion to Senator Vadalabene.  
21. If he remembered the story about the preacher that forgot  
22. where he left his bicycle.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Why don't you tell him that story over at his desk.

25. SENATOR SOPER:

26. If he goes out there, I think he'll find his glasses.  
27. Where he left his bicycle.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Fine. Go look for them, Senator. We're going to  
30. proceed to the Order of Concurrences on Page 5 of the Calendar.  
31. We'll start right down the line and those that wish to call  
32. them, please be ready. Senate Bill 82, Senator Regner.  
33. Senate Bill 250, Senator Netsch. Senate Bill...we are on

1. the Order of Concurrences. Senate Bill 386, Senator Berman.  
2. Senate Bill 388, Senator Berman. Senate Bill 393, Senator  
3. Berman. Senate Bill 395, Senator Berman. Senate Bill 554,  
4. Senator D'Arco. Senator D'Arco.  
5. SENATOR D'ARCO:

6. Thank you, Mr. President. What the House did is to  
7. put two amendments on this bill. One of which, the first  
8. amendment, part of it, is the identical language that is  
9. in 2219 as far as the loan provision of the Chicago Laborer's  
10. Benefit Fund. And that obviously is no problem at all.  
11. There's another provision in the bill for CETA employees,  
12. which we incorporated in 2219 as well. There's a provision  
13. for State employees to reenter State service and get qualifying  
14. time for the qualifying year, which is the first year of their  
15. entry into the State system. There is also a provision that  
16. the Board of Trustees of the Municipal Retirement System  
17. have some vested time of eight years before they be allowed  
18. to serve as a Board of Trustee. And there is also a provision  
19. that upon retirement and a person receives an annuity, the  
20. reciprocal article would still be effective if he has  
21. employment in one or more other pension systems that are  
22. within Article VII of the reciprocal article so he could  
23. transfer that time and get a vested interest. I would move  
24. that we concur with the House Amendments to House Bill 554.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? Senator Egan.

27. SENATOR EGAN:

28. House Amendment No. 4, Senator D'Arco, is that the  
29. only amendment that the House put on this bill?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. No, 4 and 5.

32. SENATOR EGAN:

33. All right. Let's...let's address ourselves to each amend-  
34. ment. Amendment No. 4 does what?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator D'Arco.
3. SENATOR D'ARCO:
4. You know it's...it's sort of a complicated amendment,
5. Bob and...you know I...I would go through the whole thing
6. again, but if you had a specific question that I could
7. possibly answer, I would prefer to handle it that way.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Egan.
10. SENATOR EGAN:
11. Thank you. I...I am informed that my recollection
12. is weak, but I'm informed that this is actuarially sound
13. and the...the amendment is...is approved by the actuaries
14. in the...in the commission and I'd...this...this amends,
15. it'll...it...it allows members of the Chicago Laborers
16. Annuity Benefit Fund to participate in the Municipal
17. Employees Credit Union, which is a very simple concept.
18. And if it does nothing more than that, Senator, then it...
19. it has the approval. Now what does Amendment No. 5 do?
20. I don't have the Digest.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator D'Arco.
23. SENATOR D'ARCO:
24. Amendment 5 provides that the Board of Trustees of
25. the...before you can become a Board of Trustee of the
26. Municipal Employees Retirement Pension Fund, you should have
27. a vested interest, which means you should have served
28. eight years in the pension fund before you can be entitled
29. to be a trustee. They want the trustees to, you know, be
30. around for awhile before they empower them to serve as such.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Egan.
33. SENATOR EGAN:



1. As I understand it, it strengthens the...the...the fund
2. participants...requirement that the minimum is eight years.
3. And I have not read the...the language in the amendment, but
4. I understand that that's what it does, it strengthens.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator D'Arco.
7. SENATOR D'ARCO:
8. How are you, sir?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Well, I'm fine, but I think you're requested to respond.
11. SENATOR D'ARCO:
12. ...That's what it does, Bob, it strengthens the...the
13. Board of Trustees and their function as trustees.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Grotberg. Just a moment...just a moment.
16. Senator Egan, do you wish to...Senator Egan.
17. SENATOR EGAN:
18. I...I just had to add (speaking in foreign language).
19. Thank you.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Grotberg.
22. SENATOR GROTEBERG:
23. On a point of order, Mr. President.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. State you point.
26. SENATOR GROTEBERG:
27. Now Senator Regner and his committee have staff
28. that's available to regurgitate stuff that we're not
29. to yet. Why can't we get a print out off this same
30. device of everything that we're going to be...we'll
31. save a lot of time.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Glass.
34. SENATOR GLASS:

1. Thank you, Mr. President. Mr...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment. Senator Grotberg, had you completed  
4. your remarks?

5. SENATOR GROTBORG:

6. Taken care of royally, thank you, Mr. President. I...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. I have two questions, Mr. President, to Senator D'Arco.  
11. Senator D'Arco, under Amendment 4, will you advise if I'm  
12. correct in this assumption. The amendment, as I understand  
13. it would permit an...a pensioner who is receiving a retire-  
14. ment annuity and is also employed in earning pension credits,  
15. to have those credits made applicable to the Reciprocal  
16. Retirement Systems Act. In other words, while you were  
17. getting a pension you could be drawing that pension and  
18. still have your employment made applicable to the Reciprocal  
19. Act so that you could be earning additional credits. I...I'd  
20. like to know if I'm correct on the assumption that that is  
21. now a part of the bill as provided in amendment form?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. Yes, Senator Glass, that is part of the bill. The problem  
26. is that when you do receive an annuity from one of the pension  
27. funds that is incorporated in the reciprocal article, you can't  
28. transfer credit anymore if you happened to be employed after  
29. you receive that annuity in another pension fund. You can't  
30. transfer credit time from the second pension fund into the  
31. first or from the second into a third if somewhere down the  
32. road you happen to be employed even after you're employed  
33. in the second in another pension system. So if you were employed  
34. in one pension system and you've got let's say ten years vested

1. credit, then you can, in fact, receive an annuity for those  
2. ten years, but if you are only employed for five and then  
3. you went to another system and you're employed for five  
4. under that system, you couldn't receive an annuity under  
5. either system because you don't have a vested interest  
6. in either system. And all this says is that you can reciprocate  
7. those two pension systems into one so you can receive a pension  
8. and not lose a vested interest.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

12. Well, I...I can certainly appreciate the need to allow  
13. a...those two periods of time to be accumulated for vesting,  
14. but I...but I do object to the change that would allow some-  
15. body who is actually receiving an annuity. Being paid the  
16. retirement annuity from at the same time working and...and  
17. earning credits...under another system. As...as I under-  
18. stand it, that...that is now permitted under this amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Well, it...it's permitted even without the amendment.  
23. I mean if you receive...if you're receiving an annuity  
24. now and let's say you work in the IMRF. Let's say you  
25. received an annuity in the State Employee System, then you  
26. went to the IMRF and you served there ten years. So you  
27. receive an annuity in the State Employees, then you go to  
28. the IMRF and you get a vested interest in that system and  
29. you can, in fact, receive an annuity from the IMRF for the  
30. ten years you served there. But what happens to a guy who  
31. only serves five years in the IMRF system and then he goes  
32. into the university system and he serves five years in  
33. that system, that person cannot receive an annuity under either

1. system because he doesn't have a vested interest accumulated.  
2. And all this says is, he can transfer the credit time from  
3. one of those two systems into the other in order that he can  
4. accumulate enough time for a vested interest and that's...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Glass.

7. SENATOR Glass:

8. Well, all right, but I...our notes indicate that one  
9. of the things that was stricken here was the language that  
10. is in the law now, apparently, that would exempt pension  
11. credits that are earned during a time that an employee  
12. is in receipt of a retirement annuity. In other words,  
13. I...as I...the reason I asked the question is because I'm  
14. under the impression that we're taking something out of  
15. the law now and...and giving...giving this right to  
16. accumulate pension credits while you're, in fact, drawing  
17. an annuity. And...and maybe you can comment...I know that  
18. we've been over this several times and I...I won't ask  
19. the question again, but I just...I'd like you to confirm  
20. whether we're doing that or not.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator D'Arco. Gentlemen.

23. SENATOR D'ARCO:

24. You have the right to accumulate credits in another  
25. pension system in the reciprocal article, even after you're  
26. receiving an annuity from the first pension system. So it  
27. doesn't affect that right at all.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Mitchler. Senator Egan.

30. SENATOR EGAN:

31. Yes, Senator Glass, the two amendments are relatively  
32. innocuous. I think the basic bill is what you address your  
33. remarks to. And the basic bill allows only a transfer of

1. funds which is done in all the other systems with this one  
2. exception and this allows them to do the same thing.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Berning.

5. SENATOR BERNING:

6. Thank you...thank you, Mr. President. These amendments  
7. have been gone over and essentially, in my opinion, they  
8. are acceptable. We did in my, according to my notes and  
9. recollections, Senator D'Arco, restrict the transfer to  
10. four years though by an amendment to the bill originally.  
11. Is that being eliminated by Amendment 4 now? That's  
12. before us?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator D'Arco.

15. SENATOR D'ARCO:

16. No, I...I think you're talking about 2219 and that  
17. was in regards to the...people who contracted with the  
18. City of Chicago, Corporation Counsel's Office and  
19. restricted the amount of time that he could transfer to  
20. four years. That's not in this bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Berning.

23. SENATOR BERNING:

24. What you are putting into 554 now is 2219, is it not?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. No, not the...not the substantive bill. We will...what  
29. they did was, they incorporated some of the amendments that  
30. we put on on 2219 onto this bill, but not the entire substantive  
31. bill. In fact, the main bill, 2219, is not addressed in this...  
32. in these amendments.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

34. Senator Berning.

1. SENATOR BERNING:

2. Well, let...let me just echo somewhat, Senator Egan's  
3. comments. There are always some areas of contention, but  
4. on the whole, the bill in its present condition is...acceptable  
5. and I would urge that we proceed to adopt this and concur.

6.

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End of Reel #1

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concurrent  
6-28-78

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. I think it's been thoroughly  
5. discussed and I'm glad that Senator Berning thinks it's  
6. acceptable and that Senator Egan thinks it's acceptable  
7. and I would move that we concur in House Amendments 4 and  
8. 5 to Senate Bill 554.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The question is shall the Senate concur in House  
11. Amendments 4, 5 to Senate Bill 554. Those in favor  
12. vote Aye. Those opposed Nay. The voting is open.  
13. Have all those voted who wish? Have all those voted who  
14. wish? Take the record. On that question the Ayes are  
15. 35, the Nays are 13, 1 Voting Present. The Senate does  
16. concur in House Amendments 4 and 5 to Senate Bill 554  
17. and the bill having received the required constitutional  
18. majority is declared passed. Do we have leave to go back to the  
19. Order of Senate Bills 386, 388, and 393 and 1055?  
20. Leave is granted. Senate Bill 386, Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. On page 5.

25. SENATOR BERMAN:

26. Here on page 5, Senate Bills 386, 388, 393, 395  
27. and 1055. Do I have leave to consider them? We'll discuss  
28. each of them, but may we consider them at this time?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there leave? Leave is granted.

31. SENATOR BERMAN:

32. First, when we get to it, I'll...I will indicate, there is  
33. a technical problem in one of the amendments on 395. That one  
34. we will nonconcur in but the others I will present at this time

1. for purpose of concurrence. Senate Bill 386, Mr. President  
2. and members of the Senate, is the first in a series of five  
3. bills to bring Illinois into conformity with the Federal  
4. mandate regarding Education of All Handicapped Children's Act.  
5. The House...may I point out that all of the amendments that  
6. we'll be discussing on concurrence are amendments that  
7. essentially were put on after discussions with the Governor's  
8. Office represented by Bob Corcoran, his special assistant for  
9. education purposes and Jean Williams of the Bureau of the Budget,  
10. so that these...these are amendments that have been put on  
11. primarily in response to their concerns with these bills  
12. as they left the...the Senate. Amendment...I will move to  
13. concur in Senate...in House Amendments 1, 3, 4, 6, 7, 10, and 11  
14. on Senate Bill 386. Amendment No. 1 requires the State Board  
15. of Education to set standards for the programs of supervision  
16. of the programs of special education jointly with the other  
17. State agencies. This was an item of concern regarding the  
18. ...what appeared to be an overriding position of IOE in relation  
19. to the other State agencies. That has been solved by Amendment  
20. No. 1 whereby the standards for supervision and the conduct of  
21. special education programs will be worked out jointly with the  
22. IOE and the specific State agencies that are involved.  
23. The...the rest of the bill deals with the due process procedures  
24. in these hearings. One of the changes is that the requirement  
25. that the hearing officer under the old bill comes from  
26. the American Arbitration Association. That's been stricken.  
27. What we...the problem with that was the timing and the cost  
28. involved in that procedure. We have substituted a procedure  
29. whereby the advisory council which is set up in Senate Bill  
30. 1055 shall approve the method by which hearing officers are  
31. chosen and the State Board of Education shall submit the list  
32. of those hearing officers. Ten...five hearing officers are  
33. selected and there's a procedure set forth for the striking of  
34. names between the parent and the local school board for the



1. determination of the impartial hearing officer. The amendment  
2. also provides a splitting of the cost of the hearings  
3. between the local school board and the State Board of Education.  
4. Amendment...Amendment No. 3 from the House is...requires  
5. the school districts to present evidence that the special  
6. education needs of the child have been appropriately  
7. identified and that the proposed special education  
8. and related services are adequate. It's in line with...  
9. it specifies the burden of proof in these hearings.  
10. Amendment No. 4 requires the school boards to inform parents  
11. or guardians of the availability of legal services during the  
12. process of these hearings. Amendment No. 6 provides for  
13. interpreters for deaf or nonEnglish speaking people at the time  
14. of the hearing and Amendment No. 7 expands that to provide  
15. for interpreters for the deaf in the discussions concerning  
16. the placement of children. I move for concurrence on Amendments  
17. numbered 1, 3, 4, 6, 7, 10, and 11 on Senate Bill 386.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Yes, Mr. President and members of the Senate. I rise  
22. in support of the motion to concur on Senate Bill 386  
23. and the amendments as explained by Senator Berman.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Will the sponsor yield?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Indicates he will.

30. SENATOR HARBER HALL:

31. Senator Berman, does this...do any of these amendments  
32. require that a hearing officer would have to be appointed  
33. from a national arbitrary hearing organization?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Berman.

3. SENATOR BERMAN:

4. No, that's been stricken. That's been...that has been  
5. taken out of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall the  
8. Senate concur in House Amendments 1, 6, 3, 10, and 11...  
9. will repeat the motion. The question is shall the Senate  
10. concur in House Amendments 1, 3, 4, 6, 7, 10, and 11 of Senate  
11. Bill 386. Those in favor vote Aye. Those opposed vote Nay.  
12. The voting is open. Have all those voted who wish? Take the  
13. record. On that question the Ayes are 53, the Nays are none.  
14. The Senate does concur in House Amendments 1, 3, 4, 6, 7, 10,  
15. and 11 to Senate Bill 386 and the bill having received a  
16. constitutional majority is declared passed.

17. Senator Berman.

18. SENATOR BERMAN:

19. On Senate Bill 388, the House put on one amendment.  
20. This bill and the amendment provides that the special education  
21. services provided for handicapped children attending on a  
22. part-time basis a public school will not include transportation  
23. unless the nonpublic school the child usually attends is located  
24. in the district or in another district where there is a joint  
25. agreement to provide the type of special education service  
26. the child needs. We have...by this amendment it delineates  
27. the extent of the obligation and the children that will be  
28. covered for part-time attendance in the public schools for these  
29. special education services. I move for concurrence in  
30. House Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Davidson.

33. SENATOR DAVIDSON:

34. I...I'd rise in support of this concurrence.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall the  
3. Senate concur in House Amendment No. 1 to Senate Bill 388.  
4. Those in favor vote Aye. Those opposed Nay. The voting  
5. is open. ...voted who wish? Have all those voted who wish?  
6. Take the record. On that question the Ayes are 50, the Nays  
7. are none. The Senate does concur in House Amendment  
8. No. 1 to Senate Bill 388 and the bill having received the  
9. required constitutional majority is declared passed. Senator  
10. Berman, 393.

11. SENATOR BERMAN:

12. At the request of Senator Davidson, we'll hold this...  
13. pull this out of the record.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Take it out of the record. Senate Bill 395, Senator Berman.

16. SENATOR BERMAN:

17. Thank you, Mr. President. There's a technical amendment  
18. in the second Amendment No. 2 from the House. We'll need a  
19. Conference Committee to address this so at this time, I  
20. move to nonconcur in House Amendments 1 and 2.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Berman moves to nonconcur in House Amendment...just...  
23. just a moment, Senator. That...I'm advised that that's House  
24. Amendments 1 and 3.

25. SENATOR BERMAN:

26. You're right. 1 and 3.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Berman moves to nonconcur in House Amendments  
29. 1 and 3 to Senate Bill 395. Those in favor say Aye. Those  
30. opposed Nay. The motion carries and the Secretary shall so  
31. inform the House. Senate Bill 1055, Senator Berman.

32. SENATOR BERMAN:

33. Thank you. The House put on two amendments to Senate  
34. Bill 1055. This is a bill that sets up the Special Education

1. Advisory Council. As amended, the powers...the...the powers  
2. of the council were expanded to provide for the...their  
3. participation in setting the guidelines for the hearing officers  
4. and the rules and procedures for the hearings to be conducted  
5. under Senate Bill 386. The...the membership of the council has  
6. been expanded so that there are eleven voting members and  
7. ...and four ex officio members. The...the membership of the  
8. council for your information are as follows; a handicapped  
9. adult, two parents of handicapped children, a consumer  
10. representative, a representative of a private provider,  
11. teacher of the handicapped, regional superintendent of  
12. an educational service region, superintendent of a  
13. school district, director of special education from a district  
14. of less than five hundred thousand population, one professional  
15. affiliate with an institution of higher education, a member  
16. of the general public and the directors or their designees  
17. of the following departments will be ex officio; Department of  
18. Mental Health and Developmental Disabilities, Department of  
19. Children and Family Services, Division of Vocational Rehabilitation  
20. and the Director of Special Ed of the Chicago Board of  
21. Education. I move for concurrence in House Amendments 1 and  
22. 2 to Senate Bill 1055.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Davidson.

25. SENATOR DAVIDSON:

26. Yes, Mr. President. I rise in support of this  
27. concurrence.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The question is shall the  
30. Senate concur in House Amendments 1 and 2 to Senate Bill 1055.  
31. Those in favor vote Aye. Those opposed Nay. The voting  
32. is open. ...those voted who wish? Have all those voted  
33. who wish? Take the record. On that question the Ayes are

1. 51, the Nays are none. The Senate does concur in the...  
2. House Amendments 1 and 2 to Senate Bill 1055 and the  
3. bill having received the required constitutional majority  
4. is declared passed. Senate Bill 5...Senator Berman, for  
5. what purpose do you arise?

6. SENATOR BERMAN:

7. I discussed this with Senator Davidson. Could we have  
8. leave to go back to 393? I want to move to nonconcur.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Do we have leave? Leave is granted.

11. SENATOR BERMAN:

12. On 393, there was...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senate Bill 393.

15. SENATOR BERMAN:

16. There was one amendment and Senator Davidson has some  
17. concern with that and we want to take a look at it in Conference  
18. Committee. I'd move that we nonconcur.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there discussion? Senator Berman moves to nonconcur  
21. in Amendment No. 2 to Senate Bill 393. Those in favor say  
22. Aye. Those opposed Nay. The voting is...the motion carries  
23. and the Secretary shall so inform the House. Senator D'Arco,  
24. Senate Bill 571.

25. SENATOR D'ARCO:

26. Thank you, Mr. President. I would move to concur in  
27. House Amendments 1 and 4 to Senate Bill 571.

28. Kenny, is that right, or 1 and 4?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there discussion?

31. SENATOR D'ARCO:

32. These are the CETA amendments that we incorporated  
33. in 2219 and I guess they want to make sure that the Governor  
sees enough of them.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there discussion? Senator Rhoads.

3. SENATOR RHOADS:

4. Senator D'Arco, the first time through on the debate on  
5. this bill and the other bill, several times the question has  
6. been asked what are the CETA people doing being involved in the  
7. pension to begin with? How...how come they're covered in the  
8. first place?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator D'Arco.

11. SENATOR D'ARCO:

12. It's like the unemployment insurance problem, you know.  
13. The Federal Government says that certain people are covered  
14. and if you exempt them, you're not conforming to our  
15. regulations. And if you hire CETA employees and use Federal  
16. money, grants, Federal CETA grants to hire these employees  
17. you have to cover them under your pension system.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Well, again, I've still never gotten an answer to this  
22. question. Is it the Federal Government or...or State regulation  
23. that requires us to cover them? That's...that's the first  
24. part of the question and the second part of the question,  
25. isn't that totally contrary to the...to the whole purpose of  
26. the program at the Federal level? And these are supposed to be  
27. temporary people, aren't they?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. It's the Federal regulation that requires that the  
32. municipalities, if they accept the CETA grants, have CETA  
33. people in the pension systems for the municipalities. The

1. problem was...and the Federal Government was saying that they  
2. are temporary employees and we don't want to pay the same rate  
3. of contribution as an employer as the municipality pays for its own  
4. employees and therefore, we want to pay a reduced amount  
5. and that's the purpose of the bill to authorize the cities  
6. to either create a separate fund for the CETA employees  
7. where the employer contribution would be made on a actuarial  
8. basis different from those that are made for its own employees  
9. or simply have a refund made from the Federal Government  
10. to the cities for the amount of the difference that would be  
11. forthcoming if we comply with the regs.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. All right. One final question, then. Your bill prohibits  
16. us from using Federal funds for the employers contribution, is  
17. that correct?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator D'Arco.

20. SENATOR D'ARCO:

21. It...it's all Federal money and what the Federal Government  
22. is saying to us is we don't want to pay as much for CETA  
23. employees into the pension system as you pay for your own  
24. employees so we issued this regulation that said we will pay a  
25. reduced amount and if you don't comply with the regulation  
26. meaning the State or the local municipality, then we will not  
27. pay any money at all and you will...the burden will be on you  
28. to pay the employer contribution for the CETA employees and  
29. that's where the figures come in of about three million it  
30. will save the State, one million it will save Chicago,  
31. and so forth down the line. And you know, it's like anything else.  
32. We're mandated to do something and if we don't do it, we're  
33. going to have to pick up the tab because the Federal Government

1. won't pick it up and I don't know how we get out of that  
2. dilemma and if you've got a way, let me know.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Egan.

5. SENATOR EGAN:

6. If Senator Rhoads is satisfied, I wouldn't add to that.  
7. But this will prevent local government from having to  
8. contribute, it will save them about three and a half million  
9. dollars and it's recommended.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? The question is shall  
12. the Senate concur in House Amendments 1 and 4 to Senate  
13. Bill 571. Those in favor vote Aye. Those opposed Nay. The  
14. voting is open. Have all those voted who wish? Have all  
15. those voted who wish? Take the record. On that question the  
16. Ayes are 38, the Nays are 14, 2 Voting Present. The Senate  
17. does concur in House Amendments 1 and 4 to Senate Bill 571  
18. and the bill having received the required constitutional  
19. majority is declared passed. Senate Bill 736, Senator Egan.

20. SENATOR EGAN:

21. Thank you, Mr. President and members of the Senate.  
22. Senate Bill 736 is the...the tax incentive bill for manufacturing  
23. equipment and the amendment that was placed on in the House  
24. provides in substance in four details. Number one, it provides  
25. for a six year phase-in, a very adequately calculated six  
26. year phase-in that has been deliberated upon with the Bureau  
27. of the Budget and the Department of Revenue so that this bill is,  
28. in fact, actuarially sound as it were. But it will, in fact, be a  
29. ...an economically feasible phase-in over a six year period.  
30. Number two, it provides that instead of having an exemption from  
31. the beginning, the manufacturers who do wish to replace  
32. their equipment and capitalize on their plants can, in fact,  
33. get a rebate rather than an exemption from the beginning.



1. This will give the department a handle on enforcing  
2. the very delicate provisions in the differentiations  
3. between what is capitalization, what is new and what is a  
4. replacement part. It also provides for a local option if any  
5. particular local governmental authority taxing body does  
6. not wish to include itself, it can exempt itself just  
7. by its own option and number four, it is deliberative upon  
8. the subject of replacement and repair part. There is  
9. controversy among manufacturers and among the Chamber relative  
10. to the advisability of either the rebate or the local...or the  
11. repair and replacement. There is total agreement on the  
12. phase-in and the local option aspects of the bill.  
13. I am meeting with resistance in the community, in the entire  
14. State, relative only really, to the rebate provision. And the  
15. rebate provision is that which the Bureau of the Budget and the  
16. Department of Revenue insists that they have so that they can  
17. keep a handle on what, in fact, is exempt. There is...there  
18. is question on that advisability. I commend the...the  
19. ...the amendment, the House amendment, to the Body. I will move  
20. for its concurrence, Mr. President.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Yes. There are about five or six that wish to address...  
23. seven that wish to address themselves to this issue. Could  
24. we depart from the regular procedure for a moment and  
25. I...I would ask that Senator Buzbee assume the microphone.  
26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. I usurp the Body's time for just  
29. a moment to introduce somebody that has been very dear to me  
30. in my life and has been very dear to the lives of many  
31. people in southern Illinois over the past fifty years.  
32. Mr. Paul Hibbs is with us today. Paul, would you step forward,  
33. please. Mr. Hibbs has just been inducted into the International

1. Forensic League Hall of Fame as the outstanding coach of all time.  
2. He is...taught. He started fifty years ago at DuQuoin  
3. High School, the same time that Representative Don Brummet started,  
4. as a matter of fact, as a student. Paul started as a teacher.  
5. And over the years, he has touched the lives of literally thousands  
6. of students. He touched my life as a student at Southern  
7. Illinois University when he was the director of summer musical  
8. productions and I participated in two of those. In fact, met  
9. my wife in one of those summer musical productions and we have  
10. with us Representative Ralph Dunn, Representative Brummet,  
11. Representative Harris, Representative Richmond and Representative  
12. Birchler who all have know this man over the years. I just  
13. want to give you a brief little background on his life.  
14. From 1933 to 1948 his debate teams won the State championship  
15. every year in high school debate. Over those years he won  
16. seven national championships and as I said, just last week,  
17. he was inducted into the National Forensic League Hall of  
18. Fame as the outstanding coach of all times. Paul Hibbs has made  
19. an impact on the national political scene through his students  
20. both in the Democratic and the Republican parties and I would  
21. just like to introduce you to one of the outstanding, one of the  
22. premier citizens of southern Illinois and I do thank you for this  
23. time and I would like for Paul to step up and say a few words  
24. just for a minute. Mr. Paul Hibbs.

25. PAUL HIBBS:

26. I suppose everybody thinks that at some time or another  
27. he should be a Senator and that he probably would be a better  
28. one than those who represent him, but in my wildest dreams,  
29. I never thought I would be addressing the Illinois State Legislature  
30. in the Senate. As a matter of fact, the apocryphal  
31. reports that reach us in the hustings of the southern part  
32. of the State would indicate that the closing days of the  
33. Legislature are apt to be a bit robustious and rambunctious

1. and perhaps even unrestrained. But I've been here some  
2. five hours. I haven't dodged a single paper airplane  
3. and nobody has taken my picture with a snake camera.  
4. So, I shall go home refreshed and recreated and very grateful  
5. for the opportunity to have been the subject of this  
6. auspicious occasion. Thank you all very much.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. ...Senator Glass arise?

9. SENATOR GLASS:

10. Well, Mr....Mr. President, I rise for purposes of a  
11. comment on this bill, but preliminary to that, I would like to  
12. say to Mr. Hibbs if he's still on the Floor, that I know  
13. the Democratic side of the aisle in the Senate could  
14. very much use your services of instruction because they  
15. do so poorly in the debates that we hold here.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. That will be stricken from the record. Senator Glass.

18. SENATOR GLASS:

19. Thank you. I would like to speak to the...the emotion of  
20. ...of Senator Egan. I know this may be a...an administrative  
21. recommendation from our Department of Revenue but frankly, the  
22. ...the idea of a rebate program for all of the exemptions  
23. having the businesses pay this tax and then file for rebates  
24. and have to prove their exemptions. It seems to me like  
25. it involves a tremendous amount of additional bureaucracy  
26. and cost and paperwork and I certainly don't want to vote  
27. for something like that unless it's absolutely necessary.  
28. I would hope we would have a chance to put this into a  
29. Conference Committee and find out if we can't revise that  
30. program and I would therefore urge a No vote on this motion.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Bowers.

33. SENATOR BOWERS:

1. Will the sponsor yield to a question?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates that he will yield. Senator Bowers.

4. SENATOR BOWERS:

5. With respect to the opt out as far as local government is  
6. concerned, that concerns me just a little bit. As you know,  
7. I have some problems with this bill in the first place, but  
8. it seems to me that if the local government...if I understand  
9. what you're saying correctly, if a local government has the sales  
10. tax then they may choose to opt out of the exemption, is that  
11. what we're saying?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Yes, that's...that's...that's the bottom line.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Bowers.

18. SENATOR BOWERS:

19. Has the department given us any concept of how they would  
20. administer that?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Egan.

23. SENATOR EGAN:

24. They discussed that with me and said that it would be  
25. difficult but having never tried it, they would be willing to do  
26. that. Now, their willingness to do anything to me is a...is  
27. ...an informatur, if you'll...and so I think that they can do  
28. it. If they can't, then we'll have to look at it next year.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Bowers.

31. SENATOR BOWERS:

32. Well, I...I just wonder, I guess I may end up being on the  
33. league's hit list, but is this the request of the league...

1. the Municipal League?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan.

4. SENATOR EGAN:

5. Yes.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Well, I...I really am opposed to that. I just seems to me  
10. that we're getting a very complicated formula. If we're talking  
11. about percentages as we go into this thing and then the  
12. percentage that the municipal...or that the city gets,  
13. they can opt out of it so that they in turn get it and then  
14. you're talking about filing an exemption to an exemption and  
15. it just seems to me to get complicated, that's all.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Soper. Senator Rhoads. Oh, for what purpose does  
18. Senator Egan arise? That was not a question, Senator.

19. SENATOR EGAN:

20. Only because as we advance, I...just a simple answer, Senator  
21. Bowers, is that it's a matter of locale and it really is not  
22. a difficult administrative problem.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rhoads.

25. SENATOR RHOADS:

26. Question of the sponsor.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield. Senator Rhoads.

29. SENATOR RHOADS:

30. Senator Egan, with respect to repair and replacement parts,  
31. what is the difference between Senate Bill 736 as now written and  
32. the bill that Senator Lemke passed out yesterday?

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

1. SENATOR EGAN:

2. Senator Lemke's bill includes all repair and replacement  
3. parts which means that anytime you repair a...in his bill,  
4. anytime you repair a machine that repair part is exempt. In  
5. 736, only those repair parts that are part of a capital improvement  
6. program are a replacement of a major machinery. For example...  
7. all right.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Rhoads.

10. SENATOR RHOADS:

11. Well, I don't want to see this bill...I want to see this  
12. bill passed and Senator Lemke's but along with Senator Glass,  
13. I feel that the rebate plan is...is the fatal flaw in...in this  
14. bill and hope that it could be corrected in conference committee.  
15. And therefore, I will be opposing the motion for concurrence with  
16. House Amendment No. 5.

17. PRESIDING OFFICER: (SENATOR BRUCE)

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

19. SENATOR EGAN:

20. Well, I...I...let me just say that if this bill is the way  
21. the Governor's Office would like to see it pass, I know the  
22. overwhelming resistance to the replacement...to the rebate  
23. provision and I commend it to your favorable consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is shall the Senate concur in House Amendment  
26. No...House Amendment No. 5 to Senate Bill 736. Those in  
27. favor vote Aye. Those opposed vote Nay. The voting is open.  
28. Have all voted who wish? Have all voted who wish? Have all  
29. voted who wish? Take the record. On that question the Ayes  
30. are 15, the Nays are 30. The Senate does not concur in House  
31. Amendment No. 5 to Senate Bill 736. For what purpose does  
32. Senator Rock arise?

33. SENATOR ROCK:

1. Is the report to the House now automatic?

2. It is. Thank you.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Yes. House Message will inform them that we have

5. nonconcurrred in House Amendment No. 5 to Senate Bill 736.

6. Although I should alert the membership at that...at this

7. point that if Senator Egan had wished, he could place the

8. motion to concur on the Order of Postponed Consideration.

9. That is not your wish, Senator. I know that. But

10. the...that is available to a member to postpone further

11. consideration and take a second shot on concurrence. But once

12. we do take the roll call and it is announced, it will be automatic

13. that the House will be informed that we have, in fact,

14. nonconcurrred even though the motion was to concur if it

15. fails to get thirty votes. Is Senator Netsch on the Floor?

16. For what purpose does Senator Maragos arise?

17. SENATOR MARAGOS:

18. I'm looking at the Calendar here and I understand there was

19. action on the Constitutional Amendment report...Constitutional

20. Amendment 21 report. Has that come over from the House yet or not?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The Secretary informs me that that came over from the House,

23. was put in our record and will appear on the Calendar

24. tomorrow.

25. SENATOR MARAGOS:

26. Thank you, very much. Just a point of inquiry. Thank you.

27.

28. The following typed previously.

29.

30.

31.

32.

33.

1. 1060  
1/2  
House of Representatives

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. United Press has requested leave to shoot still photography.

3. Is there leave? Leave is granted. Senator Berman on 1060.

4. Senate Bill 1060. Senator berman, do you wish to proceed at

5. this time? Senator Berman is recognized on Senate Bill 1060.

6. SENATOR BERMAN:

7. Thank you, Mr. President. Senate Bill 1060 is the

8. Illinois Health Finance Authority Act, the bill for prospective

9. rate review of Illinois hospitals. This is a bill which

10. we passed out of the Legislature a year ago on the understanding

11. that it would be evaluated in great depth, analyzed, worked

12. with with the Governor's Office and the administration and

13. hopefully try to be shaped up for consideration by the

14. House and that is, in fact, exactly what was done. We have a

15. series of amendments that have been adopted by the House and

16. Amendment No. 3, in particular, adopted by the House,

17. strikes everything after the enacting clause, but that was

18. done primarily for purpose of convenience rather than

19. for substance and I will try to go through and explain what

20. the particular amendments do. Let me explain the...the status

21. of the bill as it presently exists. The bill, as I indicated,

22. establishes the Illinois Health Finance Authority. There will be

23. ten members of this authority. They will be appointed by the

24. Governor with the advise and consent of the Senate. It is

25. their function and purpose to review and approve hospital

26. rates for Illinois hospitals. The authority is made up of

27. ten members and of those ten members five are voting members,

28. four are public members and one is a hospital trustee. A

29. hospital trustee is a nonemployee of the hospital. Usually has

30. the position such as a member of the board of trustees or the

31. board of governors of a hospital. There are five nonvoting

32. members, four of them are two representatives of third party

33. payers, such as insurance companies or public agencies and two are



1. hospital administrators. The tenth member who is ex officio  
2. and nonvoting also is the Director of the Illinois Department of  
3. Public Aid. It is the function of this authority to develop  
4. and adopt a uniform system of financial reporting by all of the  
5. Illinois hospitals to review annually hospital rates to determine  
6. where they are...whether they are reasonably related to the  
7. facilities financial requirements and they apply equitably  
8. to all purchasers and third party payers for services  
9. without unfair discrimination or preference. It is also the  
10. function of the authority to establish prospectively rates  
11. for hospitals that are based upon their reasonable financial  
12. requirements. This bill has an immediate effective date. It  
13. also has, uniquely enough, its own sunset provision which provides  
14. for its repeal on July 1 of 1982. The purpose of that is  
15. for us to see if, in the period of time between now and July  
16. 1, 1982, whether the bill lives up to its goals that I and  
17. you and the members of the House and the Governor have for this  
18. authority, and that is to limit the rate of inflation that has  
19. been going on in the dramatic increase in rates of Illinois  
20. hospitals. It is a complex bill. There has been a great number  
21. of participants in the final product that you see here today.  
22. The major effort was put together by a Task Force that was  
23. chaired by former Director of Insurance, Bob Wilcox. The Task  
24. Force was composed of representatives from the hospital and  
25. insurance industries, state agencies and this product that we see  
26. before us today is the...endorsed by the Task Force chaired  
27. by former Director Wilcox. I would be pleased to answer questions  
28. and I move for adoption of Amendments 1...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there...

31. SENATOR BERMAN:

32. ...it's...the amendments that I listed on the Calendar...

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to concur in all...

2. SENATOR BERMAN:

3. ...1, 2, 5, 11, 16, 17 and 23.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. I'm sorry, Senator. Did you skip number 3 on...intentionally?

6. 1, 2, 3, 4, 5, 11, 16...

7. SENATOR BERMAN:

8. I'm sorry. 1...1 through 5, 11, 16, 17, and 23.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion on the motion to concur? Senator  
11. Glass.

12. SENATOR GLASS:

13. Thank...thank you, Mr. President and Ladies and Gentlemen  
14. of the Senate. My concerns with this motion all relate to Amendment  
15. 3 which, as Senator Berman mentioned, strikes everything after  
16. the enacting clause and apparently incorporates much of what  
17. was in Amendments 1 and 2. I have five concerns I'd briefly  
18. state about these...about this amendment and I think while the  
19. House did...did a lot of work on it, I don't think the work is  
20. done. There...there may be grants, gifts and bequests that  
21. will go to this new authority, but there isn't any provision  
22. in the bill for the authority accounting for those funds or  
23. reporting the use of them. I think that could be cured by  
24. having those funds deposited in the Health Finance Authority  
25. Fund where...where the governmental grants go. Secondly,  
26. major Federal program is defined in...in Amendment 3, is one  
27. that is responsible for payment to hospitals of amounts  
28. equal to or greater than two and a half percent of all hospital  
29. payments in the State and I think that definition is not,  
30. frankly, specific enough and I have inquired and have been  
31. advised that those Federal programs could be easily listed  
32. so I...I think that would be the way to go, to specifically  
33. list them rather than to say major Federal program.  
I'd like to see a provision that the Governor, who is the

1. appointing authority, be the only authority that can declare  
2. a vacancy in all cases And under the present amendment, that  
3. is not the case. And finally, there is a provision in the  
4. bill that rates that are set by the authority will be binding  
5. on hospitals only so long as each state agency and  
6. major Federal program pay the rates approved and the state  
7. agency and major Federal program must certify annually that  
8. they will pay the rates approved by the authority. I would  
9. suggest that the same language apply to private and commercial  
10. carriers. I, therefore, would urge opposition to Senator  
11. Berman's motion and hope this may...these concerns may be  
12. corrected in committee.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Rhoads.

15. SENATOR RHOADS:

16. Thank you, Mr. President and members of the Senate. I rise  
17. in opposition to the motion to concur, not for the reason stated  
18. by Senator Glass, because he would ultimately be a proponent  
19. of this concept. I'm opposed to the concept in total and I was  
20. last spring and I am now. But for those of you who are for this  
21. bill or for those of you who may have been contacted by members  
22. of the Illinois Hospital Association asking you to vote for the  
23. bill, I want to point out to you that Senator Berman has been  
24. candid with you today and he has pointed out that this bill  
25. has substantially changed since it left the Senate a year ago.  
26. I do think we need some...some more hearings on this. What you're  
27. doing here is creating a...a board...a finance authority set  
28. up by the Governor with only five voting members, a majority  
29. of whom will make the decisions. In other words, we're giving  
30. to three individuals the power, the absolute power to fix all  
31. hospital prices in the State for all hospitals, public and private.  
32. Now, that on the face of it, is an awful lot of power to give to  
33. three individuals. This is a poor bill for medium sized hospitals

1. especially in the area of two to three hundred beds, the...  
2. especially the non-for-profit hospitals. Some of the  
3. ...the larger hospitals might feel that they're going to be able  
4. to get their people appointed to the board and be able to fix  
5. prices on hospitals. But for the medium non-for-profit  
6. hospitals and for the smaller hospitals who apparently don't  
7. have the voice they would like to have in the counsels  
8. of the Illinois Hospital Association, this is a terrible bill.  
9. At a time when the Federal government is moving towards  
10. deregulation of natural gas at the wellhead and deregulation  
11. of...of airlines, here we're moving toward an iron-clad  
12. regulation of hospitals. We passed in 1973 the certificate  
13. of need which sets up a monopoly for health care in this State.  
14. Now, we encourage this cartel and...and allow the government  
15. to...to fix all the prices. It's a terrible concept. Without  
16. any offense to the sponsor, it's a socialistic concept. The  
17. Chicago Tribune, in its editorial in opposition to this bill,  
18. said that there is no reason to expect that this commission would  
19. be effective. It hasn't worked in other states. It hasn't  
20. worked particularly well in Maryland. The five states that  
21. have adopted some sort of so called hospital rate review, and it  
22. isn't rate review, it's rate setting, have found their hospital  
23. prices going up anyway. This is an awful bill. I admitted that  
24. I'm against the bill to begin with. But I certainly, even if  
25. you think the bill has some merit, would ask you to please  
26. carefully consider your vote on concurrence here because this  
27. bill has substantially changed since it left this Chamber and  
28. it needs more work.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Senator Egan.

31. SENATOR EGAN:

32. Well, I...in...in substance, Senator Rhoads, I think that  
33. your argument is rational and I think it's...I think it's  
acceptable with one exception and that is the intrusion of

1. the Federal government in the picture. If we don't do something,  
2. they will and it's going to be a heck of a lot worse, and  
3. consequently, this is better.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Nimrod.

6. SENATOR NIMROD:

7. Thank you, Mr. President. Only a remark to Senator Egan.  
8. My only concern is that the Federal government hasn't  
9. done anything yet and I think there are enough states that...  
10. for us to rush into something of this type, before the  
11. Federal government has done anything, would certainly be the  
12. wrong action and if, in fact, we do do anything about it,  
13. what assurance do we have the Federal government is going to come  
14. in anyway? I do think and want to call your attention to the  
15. fact that there are some serious defects in this and I do have  
16. some very serious concerns about this whole concept. I think it  
17. needs more study and we certainly should be coming up with a  
18. better answer. It's been reported five of the six states which have  
19. tried this, the rates have gone up. And that's certainly not  
20. the way to proceed.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President and Ladies and Gentlemen of the  
25. Senate. I rise in support of the motion to concur with the  
26. House amendments to Senate Bill 1060. This is a matter contrary,  
27. frankly, to what Senator Nimrod said, that has been under study  
28. for at least two and a half Sessions of this General Assembly.  
29. I was the chief sponsor, I think, in the 79th General Assembly  
30. and finally, through the efforts of Senator Berman and others,  
31. we have brought the bill, I think, into excellent shape here  
32. in the 80th General Assembly. I think the concept is one that  
33. is long overdue. It is unanimously supported by the Hospital  
34. Association and I would urge an Aye vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Berman...Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. I'm intrigued by Amendment  
5. No. 4, House Amendment No. 4, which includes library services  
6. as one of the elements to be considered. Does that mean  
7. a normal library? Is that what we're talking about?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berman.

10. SENATOR BERMAN:

11. No, Sir. This library service is...is the hospital  
12. facility services which involve a library. Most of your  
13. hospitals today do have library services in the physical  
14. plant for research purposes for the doctors.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. In other words, as I would interpret it then,  
19. in establishing a uniform rate, this is perhaps a small  
20. item, but typical of what could be vast variations between  
21. hospitals in one area as compared to another area. When  
22. we include library services as one of the elements to be  
23. considered by the authority in determining rates and adds to that  
24. list which already includes salaries, wages, fringe benefits,  
25. services...services. I don't know what...services. Supplies,  
26. insurance, energy, food and so forth. The point I'm  
27. concerned about and trying to make is lumping everything in a  
28. major institution and establishing a rate predicated upon  
29. that, to apply to smaller institutions, it seems to me,  
30. is providing perhaps a windfall to smaller less complex,  
31. perhaps even more efficient, smaller institutions and their  
32. rates then would really represent an unwarranted increase  
33. covering more than their normal cost of operation. Could that  
not be true, Senator?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berning...Senator Berman.

3. SENATOR BERMAN:

4. The answer is no. What is contemplated and spelled out in  
5. this bill is that the rate involved in providing the full  
6. range of services for a hospital will be reviewed by the authority.  
7. Each hospital will have its own rate set. It is not a uniform  
8. rate for a lump of hospitals. Each individual hospital will have  
9. to justify its charges to the authority one on one.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berning. Your time has nearly expired, Senator.

12. SENATOR BERNING:

13. Well, I have learned something now that I probably should  
14. have learned before, that this super agency now is going to  
15. be charged with the responsibility of reviewing the operation  
16. of every single hospital and establishing an individual  
17. rate for everyone. This seems to me to be a...a monumental  
18. task. I can't help but question how this is going to be beneficial  
19. since the rates for all the hospitals is so...insofar  
20. as my own personal knowledge is concerned, has to do with their  
21. own interpretation of what it costs them to do business and  
22. meet their overhead and where the...where this review board is  
23. going to perform any individualized service, it is going to be  
24. beneficial to the consumer, hasn't been clarified for me,  
25. Mr. President.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. Question of the sponsor.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates that he will yield. Senator Grotberg.

32. SENATOR GROTBORG:

33. And I'm the fortunate man on our side of the aisle that's  
your cosponsor...sponsor. Is there anything in this Act

1. because it's an authority, that would bring the promulgated  
2. rules and regulations underneath the Administrative  
3. Rules Commission of the General Assembly?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berman.

6. SENATOR BERMAN:

7. This authority is subject to the Administrative Procedures  
8. Act and the Administrative Review Act.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Grotberg.

11. SENATOR GROTEBERG:

12. That...that helps it a little bit and as a cosponsor  
13. of this bill, I'm going to vote for it, but if it does what  
14. some other things we've done around here by authorizing  
15. this type of thing, drive health care costs up and do the  
16. reverse of what we're trying to do here, I would ask leave  
17. of this Body to file the first year the repealer of it and  
18. about sixteen more, because most of the hospital costs these  
19. days are in the back room shuffling paper and we're certainly  
20. adding to it here. Now, hospitals have saved my life and they're  
21. for it so I'm for it. But I'm afraid they're biting a bullet  
22. that they don't ever want to see again and I'm going to be prepared  
23. and on guard now and each of you, as the days go on, in the  
24. days ahead and especially the joint Commission on Administrative  
25. Rules to watch for those regs very carefully and be prepared to  
26. deal severely with them. Thank you.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Harber Hall.

29. SENATOR HARBER HALL:

30. Mr. President, just before I left the hospital in my hometown  
31. a week ago, I was importuned by the hospital manager on  
32. this bill and I told him without pledging any particular support  
33. that I would certainly look at it and try and look favorably



1. upon it. Since that time, when it got to the House, they  
2. struck the enacting clause and now I am trying to read a new  
3. bill on which it is stated that they don't know the fiscal impact  
4. and on which I am frankly not very clear. I've heard the argument  
5. that we studied this for three years. I would suggest to the  
6. membership that this is a budgetary year. It's not a year when  
7. we are supposed to be considering major legislative change  
8. outside of the budget and frankly, I am...I am unpersuaded  
9. that an entirely new bill coming to us for concurrence is  
10. something that I want to vote on and therefore, I am going to have  
11. to vote No and hope that one more year will present a better  
12. bill or at least one that I will be able to understand.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Knuppel.

15. SENATOR KNUPPEL:

16. Well, it's been my experience that when you have something  
17. like this and you start to regulate it, it gets even worse.  
18. Medicare was supposed to do something with respect to social  
19. security people and doctors said it was the start of  
20. social...socialized medicine and everything, but they  
21. just charge the hell out of you under it. It's made more money  
22. for doctors than any other thing you can think of and I think  
23. this is probably what's going to happen with hospitals.  
24. Somehow or other, they'll get control of this small  
25. a board, as Senator...as Senator Rhoads has said and  
26. they'll move in. I think that there's other ways than...that  
27. we could handle this situation rather than in this manner.  
28. I...I'm very skeptical about the outcome of this type of  
29. legislation.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion?

32. SENATOR RHOADS:

33. Mr. President.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. I only rise for the second time to correct a statement  
5. made by Senator Rock and I hope he's listening. Senator,  
6. you made the representation that this was unanimously  
7. supported by the Illinois Hospital Association. Now, I don't  
8. know what you mean by unanimously and frankly,  
9. I don't think the Hospital Association, and I would tell  
10. that to their chairman and lobbyists have been candid with  
11. their own membership about the contents of this bill. Here  
12. is a letter from Jack Mabley, the Chicago Tribune Columnist  
13. who is also Chairman of the Board of Skokie Valley Community  
14. Hospital in strong, unequivocal opposition to the bill.  
15. I've talked to trustees at Community Memorial Hospital in  
16. my district who were asked to contact me. They haven't read the  
17. bill. They didn't know what's in it. Once I sent them a copy  
18. of the bill, they read it, they called me back and told me to  
19. oppose it. I've talked to trustees of the Hinsdale  
20. San in Senator Bower's district who didn't know what was in the  
21. bill. I've talked to trustees of Westlake Hospital in Senator  
22. Walsh's district who didn't know what's in the bill and they  
23. started to read it and get back to me, to their utter horror  
24. that their own association is sponsoring this kind of regulatory  
25. legislation. Now, Senator Egan, I know the argument is  
26. made that if we don't have socialism at the State level, it's  
27. going to come in at the Federal level and Congressman Rostenkowski  
28. is very concerned on this issue. I can't...I can't answer that.  
29. I...we can only be responsible for what happens here in the State  
30. of Illinois. This is an absolutely horrible bill. And even  
31. if you feel it has merit, for heavens sakes know what you're  
32. voting on and take another look at it next spring.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Davidson.

2. SENATOR DAVIDSON:

3. Yes, Mr. President and members of the Senate. I rise  
4. in support of this concurrence. I don't know how many of you  
5. deal with regulation on health services, but if you think it's  
6. been bad so far, if we don't proceed to do our own house in  
7. order, the new HSA's, better known as the Health Service Area  
8. Agencies which are now going to come down on you, all of the  
9. people in the health care delivery services are going to spend  
10. ninety percent of their time justifying by paperwork to big  
11. father because it's already there, unless you've got your  
12. own house in order where you can cut them off at the pass.  
13. Now, maybe you don't like this and maybe you do. But it's  
14. certainly an emergency situation. You may disagree, but  
15. we played around with rate review for several years. Our time is  
16. running out on when we have to have something implemented.  
17. Okay, you don't like it in some instances. But we've certainly  
18. got to have a starting point. Let's pass this bill. Whatever  
19. the experiences are we can certainly correct the mistakes  
20. when we're back in January if there is any. There won't be that  
21. many mistakes found by then in any normal bureaucratic  
22. implementation or rules and regulations. But certainly in  
23. the next one, two or three years, we'll correct any mistakes  
24. we make here today. But this is a step in the right direction  
25. and I urge you to vote for it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, thank you, Mr. President and members of the Senate.  
30. I, too, rise in support of this legislation and as Senator  
31. Davidson has said, we have to start someplace and we have to  
32. start now. Naturally, there are some corrections...have to be  
33. made in all legislation. But let me remind you, Senator Roe,

1. that two of the most outstanding hospitals in the State of  
2. Illinois, the Alton Memorial Hospital, and St. Anthony's  
3. Hospital in Alton, two of the finest hospitals that you can  
4. see, and if you come down there and see how well managed they  
5. are, are in support of this legislation. So, there are hospitals  
6. that are deeply interested and want to get started and this  
7. is the way to start in the right direction.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Mr. President and members of the Senate. First of all,  
12. to have a new bill put in front of you, everything striking  
13. from the enacting clause on down at this late hour,  
14. is really not what I think we're in Session for today.  
15. And you say that this has been studied for three years  
16. and yet you have to the last final hour, write an entirely  
17. new bill. Well, I...I've gone along with some of those  
18. in the past, but what this is doing...the whole concept,  
19. you're setting up another bureaucracy. As I told you, the  
20. Chairman of United States Steel when he was in Joliet  
21. for United States Steel day, he told about five or six hundred  
22. people, he says, you better wake up. You're being governed  
23. by rules and regulations, not by laws, but by people you don't  
24. even know, you never elected to office. And that's  
25. exactly what you would be creating here, another bureaucracy  
26. that's very typical of the Federal government that tells you  
27. what to do and rules and regulates your life. Have no part  
28. of this. Tear the bill up and tell them to go back and study  
29. it some more. We'll give them some per diem so they can run  
30. around the State and have a few hearings and keep the commission  
31. going and...another thing that amazes me, it's going to be  
32. repealed. You've got a repealer in here, October 1st, 1980. If  
33. it's so good, why...why do you got a repealer? I don't know.

1. There's all sorts of things wrong with this but the biggest  
2. thing is you're creating another bureaucracy. Vote no.  
3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Any Senator seek recognition to speak a first time?  
5. Senator Egan for a second time.

6. SENATOR EGAN:

7. Well, I really hate to say anything further. I just...  
8. Senator Rhoads, what can we say? You are absolutely correct.  
9. This is the best we can do rather than be imposed upon by  
10. the Federal regulations which are completely wild. If you think  
11. this is bad, have you seen the Federal regulations? If we  
12. don't do this, it will be shoved right down our throats.  
13. So, you know, it's...it's better than the worst.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Berman may close.

16. SENATOR BERMAN:

17. Thank you, Mr. President. I appreciate Senator Egan's  
18. endorsement. This is a good bill, Ladies and Gentlemen.  
19. Let me tell you first of all, several of the Senators that  
20. spoke against it, read from an...from an editorial of the  
21. Chicago Tribune. That Chicago Tribune's editorial was based  
22. upon 1965...1975 statistics. The facts are that in the three  
23. states which have budgetary control similar to the bill that's  
24. before you, Maryland, Connecticut, and Massachusetts, there  
25. have been substantial savings to consumers of health care  
26. and to the payers who bear the costs. The projected savings  
27. in these three states alone according to the Health Insurance  
28. Association of America are two hundred and six million, three  
29. hundred and seven million and three hundred and ninety-two  
30. million, respectively, during '76, '77 and '78. Based on  
31. population and this experience in those three states, the  
32. ...the cost saving in Illinois...the cost saving in Illinois  
33. over a similar three year period has the potential of exceeding

1. 1.5 billion dollars with the passage of this bill. Senator  
2. Hall talks about costs. I am reading now from a paragraph  
3. of the fiscal note prepared by the Director of the Department  
4. of Public Health. He states, "in balance it seems likely that  
5. the net effect will be cost saving particularly after  
6. the effect of the one time speed up in payments was  
7. netted out. With this in mind, the State has until Fiscal 1981  
8. before the commission actually sets rates and the period  
9. between now and until 1981 can be used as investment time.  
10. During the period of three to five years the initial costs  
11. would then be offset by savings to the citizens of the State  
12. of Illinois in the cost of health care." I would point out  
13. to you and I've distributed on your desks, a news item from  
14. Monday's Tribune, just three days ago, hospital hikes rate  
15. sixteen percent to three hundred and ten dollars a day.  
16. Now, that's not some small little rinky dink hospital.  
17. It happens to be a very fine hospital, Lutheran General Hospital.  
18. They have increased their rates for their average cost per  
19. day to three hundred and ten dollars a day. I thought that  
20. this morning's Tribune cartoon on the editorial page was  
21. facetious. But Ladies and Gentlemen, it's not. If you look  
22. at the bottom cartoon, it's got a fellow lying in the hospital  
23. bed, he's talking to a guy on the floor and it says "you're  
24. talking about two hundred and eighty-five dollars for this room?  
25. Thank your lucky stars. Do you know how much extra  
26. it would be if you had a bed?" That's what you're faced with.  
27. And these costs are spiraling everyday that we do nothing.  
28. If we wait just six months or a year, the inflation costs of  
29. all these hospitals will be up another thirty percent, another  
30. fifty percent. Pass this bill to put a lid on hospital inflation.  
31. A responsible lid. I would point out that the Governor  
32. of this State, his staff has reviewed this bill in its present  
33. form. The bill passed out of the House committee on May 5th,

1. that's a month and a half ago, it's been in that posture  
2. for a month and a half. The Governor's Office has reviewed this  
3. bill. The Governor endorses the passage of this bill as it's  
4. before you today. I ask for your affirmative vote  
5. to help the consumers of health care in Illinois  
6. to put a stop to the runaway inflation of hospital costs. I  
7. ask for an Aye vote on concurrence on Senate Bill 1060.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Nimrod, he was closing. All right. The question  
10. is shall the Senate concur...state your point, Senator.

11. SENATOR NIMROD:

12. Parliamentary inquiry. How many votes does this take since  
13. this appears to be one that exempts the Illinois Health Finance  
14. Authority from taxation on assessments and affects home rule  
15. units? Does that make a difference on the number of votes it  
16. takes?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. For what purpose does Senator Berman arise?

19. SENATOR BERMAN:

20. Only for a point of information, Mr. President. That question  
21. was raised in the House and the ruling of the Speaker, of course  
22. you are not bound by it, but the ruling of the Speaker was this  
23. requires constitutional majority.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nimrod, under the Constitution, it is the ruling  
26. of the Chair that passage of this bill will require a constitutional  
27. majority of thirty votes. Senator Nimrod.

28. SENATOR NIMROD:

29. That refers to both...Sections 13 and also to 90...9.01?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. That is correct, Senator Nimrod. Further discussion? The  
32. question is shall the Senate concur in House Amendments No. 1,  
33. 2, 3, 4, 5, 11, 16, 17, and 23 to Senate Bill 1060. Those in

1. favor will vote Aye. Those opposed will vote Nay. The voting  
2. is open. Have all voted who wish? Have all voted who wish?  
3. Take the record. On that question the Ayes are 41,  
4. the Nays are 15, 1 Voting Present. The Senate does concur  
5. in House Amendments 1, 2, 3, 4, 5, 11, 16, 17, and 23 to  
6. Senate Bill 1060 and the bill having received the required  
7. constitutional majority is declared passed. Senator Netsch  
8. on the Floor? Senator Netsch. All right. When  
9. you were absent, we got to Senate Bill 771. Criminal  
10. Code and Deceptive Practices. Are you ready to...

11. For what purpose does Senator Berman arise?

12. SENATOR BERMAN:

13. On a point of personal privilege, if I might, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Well, Senator Berman, let me get you some order,  
16. first. May we have some order, please. Will the gentlemen  
17. please take their conferences off the Floor? Senator  
18. Berman is recognized.

19. SENATOR BERMAN:

20. I rise on a point of personal privilege, Mr. President,  
21. and I think it applies...and I think...and I believe I'm  
22. speaking for everyone of the Senators in this Body.  
23. The Chicago Tribune editorialized against the passage of the bill  
24. that we just passed. They...they editorialized during the  
25. ...during a midweek edition...middle of the week edition. I think  
26. it was a Wednesday or a Thursday. Within two days I sent  
27. a response to the Chicago Tribune outlining my rebuttal to their  
28. editorial. That rebuttal sat for over ten days and was  
29. published on a Saturday edition which is the lowest circulation  
30. edition of any newspaper. I would suggest to the press that in the  
31. area of fairness, if you have an editorial that appears on a  
32. Sunday and one of us wishes to rebut it, you give us a Sunday coverage  
33. and if you're in the middle of the week, you give us a middle of the  
34. week coverage. And if you editorialize on a Saturday, we'll settle



1. for a Saturday coverage. But don't try to give us the short end  
2. of the stick when we want a fair chance to rebut editorial  
3. positions.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. For what purpose does Senator Knuppel arise?

6. SENATOR KNUPPEL:

7. Personal privilege. Somebody should tell Senator Berman  
8. you never win a perfuming contest with a skunk. Don't  
9. get concerned about it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Netsch. All right. May we have some order, please.  
12. We're moving along very well. Let's not get off the track.

13. Senator Maragos on 1419. Senate Bill 1455, Senator Shapiro.  
14. 1475,...Senate Bill 1523, Senator Regner. 1535, Senator Weaver.

15. SENATOR WEAVER:

16. Thank you, Mr. President. I would move that the Senate concur  
17. in House Amendment No. 1 to Senate Bill 1535. Basically, this  
18. amendment does three things. It provides increases in each  
19. university's line item for retirement to reflect the cost to each  
20. university of the administration by the university's retirement  
21. system. It also increases the appropriation for the system's  
22. operations expenses from the bill's present total to that  
23. which was introduced which is an amount of about a hundred and  
24. twenty-seven thousand five hundred and seventy-four dollars,  
25. which was cut by the Senate. It deletes all language which  
26. was separated out for administrative expenses. We had thought  
27. in Appropriations that we would line item all of these  
28. administrative expenses, but we have not done it with any other  
29. pension system, so I don't think at this point this year  
30. due to an Attorney General's ruling that we should take one  
31. system then line item. If there's any questions, I'd be happy  
32. to try to answer them.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is shall the Senate concur  
2. in House Amendment No. 1 to Senate Bill 1535. Those in favor  
3. will vote Aye. Those opposed will vote Nay. The voting is open.  
4. Have all voted who wish? Have all voted who wish? Take the  
5. record. On that question the Ayes are 53, the Nays are 1,  
6. none Voting Present. The Senate does concur in House Amendment  
7. No. 1 to Senate Bill 1535 and the bill having received the  
8. required constitutional majority is declared passed. House  
9. Bill 1555, Senator Lane.

10. SENATOR LANE:

11. Thank you, Mr. President. I move that we nonconcur  
12. with the House Amendment No. 1. What this does, it removes  
13. our proviso that the State Scholarship Commission would be under  
14. the jurisdiction of the Board of Higher Education. There are  
15. other areas which we wish to discuss in Conference Committee.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion on the motion to nonconcur?  
18. All in favor say Aye. Opposed Nay. The Ayes have it. The motion  
19. carries and the Secretary shall so inform the House.  
20. 1556, Senator Philip. Senator Philip is recognized.

21. SENATOR PHILIP:

22. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
23. Senate Bill 1556 is a Space Needs appropriation. House Amendment  
24. No. 1 reinstates two thousand dollars for office equipment  
25. plus it removes language that provides that 3.5 million in  
26. bond funds could be used for real...for site improvement.  
27. This is the request of the government's...a request of the Governor's  
28. Office. I move the Senate do concur with House Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The question is shall the Senate concur  
31. in House Amendment No. 1 to Senate Bill 1556. Those in favor  
32. vote Aye. Those opposed vote Nay. Senator Berning, were you  
33. seeking recognition? Senator Berning.

1. SENATOR BERNING:

2. Yes, thank you, Mr. President. I would just like a little  
3. further clarification on this Amendment No. 1 which allows the  
4. commission to use Capital Development funds for land acquisition.  
5. Is this consistent with our policy for capital development and why  
6. does it delete then, site improvement and rehabilitation,  
7. rehabilitation or site or building?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Philip.

10. SENATOR PHILIP:

11. Thank you, Mr. President. We've always used bond funds for  
12. site acquisition. Now, our problem is sometimes we buy property  
13. here in Springfield, has to be torn down or repaired or  
14. resurfaced, et cetera. We had first thought we would  
15. put that in our budget but we do not have the authority  
16. so that...that item will be put in General Services budget.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? The question is shall the Senate  
19. concur in House Amendment No...House Amendment No. 1 to Senate  
20. Bill 1556. Those in favor vote Aye. Those opposed vote Nay.  
21. The voting is open. Have all voted who wish? Have all voted  
22. who wish? Take the record. On that question the Ayes are  
23. 55, the Nays are none, none Voting Present. The Senate does concur  
24. in House Amendment No. 1 to Senate Bill 1556 and the bill having  
25. received the required constitutional majority is declared passed.  
26. Senator Hickey. Senator Hickey is recognized on Senate Bill  
27. 1562.

28. SENATOR HICKEY:

29. Thank you, Mr. President. I move to nonconcur in Senate  
30. Bill 1562 with House Amendment No. 1 and ask that a Conference  
31. Committee be appointed. We want to do some further work on it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? The motion is to nonconcur. Senate...

1. Senator Hickey moves to nonconcur in House Amendment No. 1 to  
2. Senate Bill 1562. Those in favor say Aye. Opposed Nay.  
3. The Ayes have it. The motion carries and the Secretary shall so  
4. inform the House. Senator Grotberg on 1570. House Bill 1575,  
5. Senator Glass. There's been a request, Senator Glass, that that  
6. bill be held. The bill will be held. House Bill 1630, Senators  
7. Merlo...Senator Merlo. I think, Senator Davidson, you should  
8. speak to Senator Rock about 1617.

9. SENATOR MERLO:

10. Thank you, Mr. President. House Amendment 1 to Senate  
11. Bill 1630 was intended to insure that there be no  
12. confusion over whether there was a requirement to record  
13. the notice of intent to convert real estate into a condominium  
14. operated building prior to the effective date of this Act and  
15. I move, Mr. President and members of the Senate, that we concur  
16. to House Amendment No. 1 to Senate Bill 1630.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The motion...the question is shall  
19. the Senate concur in House Amendment No. 1 to Senate Bill 1630.  
20. Those in favor vote Aye. Those opposed vote Nay. The voting  
21. is open. Have all voted who wish? Have all voted who wish?  
22. Take the record. On that question the Ayes are 56, the Nays are  
23. none, none Voting Present. The Senate does concur in House Amendment  
24. No. 1 to Senate Bill 1630 and the bill having received the  
25. required constitutional majority is declared passed. House...  
26. Senate Bill 1667, Senator Glass. Senator Glass is recognized on  
27. Senate Bill 1667.

28. SENATOR GLASS:

29. Thank...thank you, Mr. President and Ladies and Gentlemen  
30. of the Senate. This was up, I think, last week and Senator Rock  
31. asked that it be held. He had a couple of questions, technically,  
32. on whether the amendments were numbered properly or whether it  
33. conflicted with one of Senator Wooten's bills and I think both of

1. those matters have been resolved. The amendments put on in the  
2. House with which I am going to move to concur, one of them  
3. was added by Representative Dan Houlihan of Chicago which  
4. would increase from sixty to eighty acres the size of a parcel  
5. that a park district can annex when it is totally surrounded.  
6. The other amendment was the DuPage County amendment and applies  
7. only to counties of population in excess of four hundred and  
8. fifty thousand and permits park districts to annex property outside...  
9. rather to condemn property within, I think, it is a mile of their  
10. ...of their boundaries. This is the...this is identical to the  
11. bill that was sponsored by Senator Bowers here in the Senate and  
12. passed the Senate but got tied up in Rules Committee in House.  
13. So, I would move to concur with both amendments, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
18. I rise in support of Senator Glass's motion to concur in House  
19. Amendments 1 and 2 to Senate Bill 1667.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? The question is does the Senate  
22. concur in House Amendments No. 1 and 3 to Senate Bill 1667.

23. Those in favor vote Aye. Those opposed vote Nay. The voting is  
24. open. Have all voted who wish? Have all voted who wish?

25. Take the record. On that question the Ayes are 48, the Nays  
26. are 6, none Voting Present. The Senate does concur with House  
27. Amendments No. 1 and 3 and the bill having received  
28. the required constitutional majority is declared passed.

29. Senator Shapiro on 1672. Senator Rock, the motion will be to  
30. nonconcur. Are we...all right. Senator Shapiro is recognized  
31. on Senate Bill 1672.

32. SENATOR SHAPIRO:

33. Well, Mr. President, Senate Bill 1672 amends the Capital

SB 771  
nonconcur  
6-28-'78

1. Development Bond Act. It's come back to the Senate with approximately  
2. fourteen House amendments, House Amendments No. 1, 2, 3, 4, 6, 7,  
3. 8, 9, 10, 11, 12, 13, and 15 and I would now move that the Senate  
4. nonconcur in those aforementioned House amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to nonconcur in Amendments 1, 2, 3, 4, 6, 7, 8, 9,  
7. 10, 11, 12, 13, and 15. Is there discussion? All in favor say  
8. Aye. Opposed Nay. The Ayes have it. And the motion to  
9. nonconcur prevails and the House will be so informed.

10. Senator Netsch. Right. Senator Netsch is recognized on  
11. Senate Bill 771.

12. SENATOR NETSCH:

13. Thank you, Mr. President. I would move to...that the Senate  
14. concur with House Amendments Nos. 1, 2, and 3 to Senate Bill  
15. 771. Basically, the...I should say that Amendments No. 2 and 3  
16. were corrective or modest substantive changes in Amendment No. 1.  
17. So, basically, what I can explain is Amendment No. 1.  
18. This adds to the bill which came to be known as the Child  
19. Pornography Bill, which we revived and passed over here,  
20. as Senate Bill 771, a new offense which is defined as home  
21. invasion. This was an amendment that was presented by Representative  
22. Getty in the House and was adopted by the House. I think it's  
23. probably simpler to read the basic content than it is to try  
24. to explain it. A person commits home invasion when without  
25. authority, he knowingly enters within a dwelling place when he  
26. knows or has reason to know that one or more persons is present  
27. and...and then I emphasize the word and, while armed with a  
28. dangerous weapon, uses force or threatens the eminent  
29. use of force upon any person or persons within such dwelling  
30. place whether or not injury occurs or intentionally causes  
31. any injury to any person or persons within such dwelling  
32. place. And it is listed as a...it is included within the Class  
33. X felony category. Basically, what Representative Getty's

1. purpose was was to define a...an offense which is not totally  
2. covered by any of the existing Criminal Code provisions and  
3. which does, in fact, involve what has come to be known  
4. as home invasion, that is when someone enters a home with the  
5. intent to do harm or actually does harm, that apparently is not  
6. adequately covered by existing law and the purpose of this  
7. amendment is to plug that gap in the Criminal Code Statutes.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Egan.

10. SENATOR EGAN:

11. I would like, if I may, to ask the sponsor a question.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. You may and she indicates that she will answer. Senator Egan.

14. SENATOR EGAN:

15. Will the lady yield?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. She will answer your question, Senator Egan. Senator Egan.

18. SENATOR EGAN:

19. All right. I would like to know if the Committee on the Judiciary  
20. No. 2 has deliberated upon the substance of the amendment  
21. including in the category of Class X felonies the crime of  
22. home invasion.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch.

25. SENATOR NETSCH:

26. I can answer that question and the answer is no.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan.

29. SENATOR EGAN:

30. And has the Commission on the study of the new category  
31. Class X felony to your knowledge, deliberated upon the new  
32. crime of home invasion, deliberated upon the subject?

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

1. SENATOR NETSCH:

2. I am not a member of that commission, although I wish I had  
3. been. You are a member of the commission and I expect that you  
4. could answer the question more accurately than I can.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Egan.

7. SENATOR EGAN:

8. Well, I don't want to play games. I'm the Chairman. Of course,  
9. we have not, neither have you. You haven't deliberated upon the  
10. three time loser, we haven't deliberated upon terrorism and  
11. all of a sudden now, we have the inclusion by Representative  
12. Getty in your bill, Senator Netsch, to include another Class  
13. X felony, such a horrendous thing that it is, into the law of  
14. Illinois. And I'm just wondering how this happens.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Well, it's very easy, Senator Egan. The process of the  
19. Legislature is that a bill passes this Chamber in the form of  
20. a Child Pornography bill which was similar to one that the  
21. Senate and the House had both passed last Session and when it goes  
22. to the other Chamber sometimes a member of the other Chamber  
23. has an interest in using that bill to cover a point that has  
24. not been covered adequately in any other bill and amendments  
25. are thereby attached to bills to accomplish that purpose.  
26. It is a fairly regular occurrence around here.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, just one more question? Are you in favor of that?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Netsch.

33. SENATOR NETSCH:



1. I have moved to concur.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan. Senator Netsch perhaps will add to that.

4. SENATOR NETSCH:

5. I'm sorry. I'm sorry. That is not an adequate answer.

6. You're right, Senator Egan. Yes, I would have preferred  
7. that it not be a Class X, that it be a lower class felony  
8. for a variety of reasons which you have heard me expound on  
9. at length before. I just think the whole Class X idea was and is  
10. a phoney. But as long as there is a category of Class X in  
11. our Criminal Code, then I...there is no reason not to use it.  
12. I do agree with Representative Getty that there is a gap in the  
13. law with respect to what has come to be known as home invasion,  
14. that we do not adequately cover it under our existing  
15. Criminal Code, that it is a very serious problem and that it  
16. ...indeed should be covered and it is a very serious offense.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Egan.

19. SENATOR EGAN:

20. At least it didn't pass, Senator, with a proxy. I...I'll  
21. support the amendment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Guidice.

24. SENATOR GUIDICE:

25. Thank you, Mr. President. Will the sponsor yield?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates that she will answer. Senator Guidice.

28. SENATOR GUIDICE:

29. In House Amendment No. 3, in home invasion offenses  
30. provisions deletes that person commits offense when he...  
31. are you...are you saying that if you are invited in in the first  
32. instance and then you have a problem in the house and you tell  
33. me to leave that...am I going to be guilty of a home invasion

1. and Class X felony? What are we...what are we doing there?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. No, I think if I understood your...your question and it's  
6. a little bit difficult to hear Senator Guidice, the language  
7. to which you have reference was deleted by Amendment No. 3 in  
8. the House so that it is only when a person enters without  
9. authority. The language or without authority remains has been  
10. deleted. I think that's the language to which you have reference.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Guidice.

13. SENATOR GUIDICE:

14. When you're talking about a threat, now a threat of force,  
15. does it have to be under...with some type of arms of some sort  
16. or can it be just the mere threats of physical harm?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Netsch.

19. SENATOR NETSCH:

20. The specific language used is while armed with a  
21. dangerous weapon, uses force or threatens the eminent  
22. use of force. And in the next sentence, actually...or  
23. actually intentionally causes injury so that I think the answer  
24. to your question is that there has to be the presence of a  
25. dangerous weapon.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Guidice. Further discussion? Senator Collins.

28. SENATOR COLLINS:

29. On the same line as Senator Guidice, he did get some  
30. answers, I think, to some of my questions, but Senator Netsch  
31. ...if the question...if the Senator will yield for a question.  
32. Okay. Are you saying that...let me understand this, that if you  
33. enter someone's home uninvited with some type of weapon,  
then it is a Class X felony with the intent of doing harm?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Netsch.

3. SENATOR NETSCH:

4. Not quite because you have to get in all the language  
5. that is involved in the offense. It is the...when without  
6. authority he knowingly enters within a dwelling place when he has  
7. reason...knows or has reason to know that one or more persons is  
8. present and while armed with a dangerous weapon, uses force or  
9. intentionally causes any injury. So, it has to be all of those elements  
10. in order to fall within this language.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Collins.

13. SENATOR COLLINS:

14. That was my concern, you know, because I guess...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Excuse me, Senator Collins. Can we take our conferences off the  
17. Floor. May we clear the center aisles...can we clear the aisles.  
18. Senator Collins.

19. SENATOR COLLINS:

20. My...my concern was whether or not a case would fit within  
21. your Class X criteria there for a felony. The man that decided  
22. to force his way into the lady's home and didn't have a weapon,  
23. but he did have his fists and beat the hell out of her, would that  
24. in fact, fit in within your category?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Netsch.

27. SENATOR NETSCH:

28. The second subparagraph, I think, would...would meet that.  
29. There is a...it's either while armed with a dangerous  
30. weapon uses force or threatens eminent use of force or  
31. intentionally causes any injury to any person within the  
32. dwelling place. So, those are disjunctive and I think the...if  
33. someone has broken into a home knowing that someone is present in  
the home and then physically destroys that person even without

1. a dangerous weapon other than fists, feet, whatever. I think you  
2. have met the definition of home invasion as it is set forth  
3. in this section.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator...Senator Collins.

6. SENATOR COLLINS:

7. Yeah, but as long as that person didn't get hurt who did the  
8. invading...now let's reverse that. Supposing he did invade  
9. the...his sweetheart's home and she injured him with the intent  
10. of force. He came in and you know, with the intention of  
11. beating up her, but it didn't work out that way.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Good for her. I think then that the...the offense that  
16. she has then committed or he, depending on which role is being  
17. played by which, would be a different offense. That is, the  
18. ... the offense of home invasion would not describe what  
19. you have just described. But there still would be a probably  
20. assault maybe heinous battery that Senator Egan gave us  
21. last Session. There would be other offenses that would fit that.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Collins. Senator Rock then...I have the following  
24. Senators have sought recognition: Senators Rock, Knuppel,  
25. Chew, D'Arco, Bowers and Senator Guidice a second time, you'll be on the  
26. list, Senator Bowers, after...Senator Guidice, after everyone  
27. who has sought recognition the first time. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. If the sponsor will yield.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates that she will yield. Senator Rock.

32. SENATOR ROCK:

33. Senator Netsch, what is the...what is the penalty for a Class X

1. felony?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. I will...I think it's six to twenty-five. I'm sorry.

6. Six to thirty.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock.

9. SENATOR ROCK:

10. Thank you and thank you, Mr. President. The...the...  
11. frankly, the question I have when you read the substance  
12. of the bill defining what the offense is, the words without  
13. authority don't seem to me to be clear enough and let me pose  
14. a hypothetical. What if a police officer enters a home with a  
15. dangerous weapon and there is a domestic disturbance and he does,  
16. in fact, threaten or harm one or another of the parties  
17. involved in the domestic disturbance. The question without  
18. authority he receives a complaint and goes in under color of  
19. law, but without authority doesn't seem to me to be specific  
20. enough and I just wonder what your reaction to that is.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Netsch.

23. SENATOR NETSCH:

24. I'm not sure I can totally answer your question, Senator  
25. Rock. I would imagine, I would believe, that if the...even a...a  
26. law enforcement officer broke into a house forceably entered it  
27. and had none of the other legal justifications for entry that are  
28. available to such law enforcement officer and then proceeded  
29. to commit mayhem upon someone in the house, that conceivably  
30. he might be...he might fall within the home invasion Statute.  
31. But I think it is also true and I'm not sure that I'm expert  
32. enough in this to give you all the circumstances, that there are  
33. many circumstances which...which justify a police officer in  
entering a home. Obviously, if he has...the most obvious is if he

1. has a search warrant. But that is not the only one by a long  
2. shot.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock.

5. SENATOR ROCK:

6. Well, the problem, though, with this definition of the offense  
7. is that it does not seem to take into account those situations  
8. and I am talking frankly about the officer who, I assume, is  
9. justified. I'm not suggesting that an officer would invade a  
10. home unjustifiably. I am looking from the standpoint of the officer  
11. on the street and if, in fact, he receives a...a complaint about  
12. a domestic disturbance and enters a home, is he with or without  
13. authority and I don't think this answers that and the problem is,  
14. of course, as we see all too often especially in the City of Chicago  
15. where my brother is a member of the force, that once a  
16. domestic disturbance is patched up, whether on the spot or  
17. a couple of days later, then there are all kinds of reverberations,  
18. both in the complaint department, to the police department and,  
19. in fact, law suits for violation of ones civil rights and  
20. if not...it is not beyond belief that one of these nutsies  
21. would actually file a felony complaint suggesting that this  
22. police officer is now guilty somehow of home invasion.  
23. And unless we make some accommodation for that, frankly,  
24. I would oppose this strongly.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Knuppel.

27. SENATOR KNUPPEL:

28. Well, Senator Netsch, let's suppose a husband and wife  
29. are...are separated for one reason or another and he's staying at  
30. the hotel and they're trying to get things patched up and he  
31. goes hunting and he gets wet and cold and his extra clothes that  
32. he wants are in the house where the...where his wife lives and  
33. he comes to the door and she says I damn well aren't going to let you

1. in and he says to hell with you and he breaks the glass. He's  
2. got his shotgun with him, reaches in, opens the door and goes in and she  
3. says something, throws a skillet at him and he knocks the hell out  
4. of her.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Netsch.

7. SENATOR NETSCH:

8. Senator Knuppel, I would give him fifteen years.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Well, I think this...this bill is subject to the same  
13. ...I don't recall what bill it was, it was here a couple of years  
14. ago and...and it can be used in...as Senator Rock has pointed  
15. out, in instances of domestic strife where it's not really  
16. intended to be used at all and I think that therefore, it's  
17. ...it's a bad amendment and it does require more thought, it does  
18. require more refinement when you're talking about a penalty from...  
19. from six to thirty years and the people that could be involved.  
20. He might have entered there even in...with good intentions and then  
21. after he got in there, she had burned the meat and he had  
22. come home with his shotgun and you know, and he busts her one when  
23. she throws the skillet at him. I...I just really...I think it's a  
24. bad...I think it's a bad amendment. I think it's subject to abuse.  
25. I think it needs more than what it's got to be a Class X penalty.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Chew.

28. SENATOR CHEW:

29. Thank you, Mr. President. Senator Netsch, I am going to  
30. support your amendment because I think if there's anything  
31. wrong with it, it just doesn't go far enough. Would you answer  
32. this for me please. If a wife and a husband are gone to church  
33. on Sunday and this culprit knows very well no one is within the

1. confines of that home and he breaks down a door and enters,  
2. we know the idea of entering into a home, there has to be a  
3. purpose. Either he's coming into steal merchandise or to steal  
4. merchandise and to protect himself in the event of a return of the  
5. occupants. How does this cover the man who comes in and takes  
6. three thousand dollars worth of merchandise out of your home  
7. while you are not present and when he comes in to get that last  
8. item, he encounters you walking through the front door and  
9. then a fight ensues and be that what it may, whatever the  
10. consequences are after this fight as to who was injured,  
11. and the other portion of it, what if he runs at the time that  
12. he experienced these people coming into the home. How is...  
13. how does this amendment cover it?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Netsch.

16. SENATOR NETSCH:

17. The...the factual situation that you gave might not be  
18. covered by a..the original one that you gave might not be  
19. covered by the bill as it is written. Those things get to be  
20. refinements of exactly what circumstances that the prosecutor  
21. then has to examine in order to determine whether he has the  
22. basic elements of the crime. But I...as I understood  
23. the...what you described, at the time that the home invasion took  
24. place, the person did not either know or have reason to know  
25. that someone was present in the house. That is an  
26. essential element of this as it is written. Now, assuming that  
27. at the time of that last entry that you described, he would not  
28. then have...have transgressed this statutory language and...  
29. and it's a possibility that he may have at that point.  
30. Assuming that he has not, then you have another offense, but not  
31. the offense of home invasion.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Chew.



1. SENATOR CHEW:

2. Senator Netsch, in other words, if he comes in, no one is  
3. home and he takes out merchandise and he leaves that home  
4. with just merchandise, he has not caused an injury, this bill  
5. doesn't cover him at all, does it?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Netsch.

8. SENATOR NETSCH:

9. That is correct. That is not a gap in the existing Criminal  
10. Code, Senator Chew. There are existing statutory provisions  
11. which provide fairly stiff penalties for the offense that you have  
12. just described. You've described burglary.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Chew and your time has nearly expired, Senator.

15. SENATOR CHEW:

16. Yes, I know that was burglary, Senator Netsch, but what  
17. I'm trying to determine insomuch as we're dealing with home  
18. invasion, why doesn't this come under a different class when he  
19. encounters the...the occupants of that home after he has come in  
20. for his last item?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Netsch.

23. SENATOR NETSCH:

24. As I indicated, it is possible, and this would require a fairly  
25. careful analysis of the...the facts and circumstances. It is  
26. possible that at that moment, the requirements of home invasion  
27. might have been satisfied and there might be a second charge  
28. involving home invasion. If that is not the case, then there...  
29. and assuming he does subsequently commit mayhem on someone,  
30. either in the house or right outside as they are coming back  
31. home or whatever, there would be additional charges available to meet  
32. that also.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco. You're next, Senator Bowers.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. I think I am rising in support  
3. of this bill, but I...I want to ask Dawn one question. Dawn, what  
4. is the definition of dangerous weapon?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Netsch.

7. SENATOR NETSCH:

8. The definition would be, I...I believe, Senator D'Arco,  
9. the definition that exists in the Criminal Code elsewhere  
10. and it includes a whole variety of things as you know. I can look  
11. for that statutory language.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. Well, my...you know, I believe that if someone comes in my  
16. home unauthorized and has a gun in his hand, and threatens someone  
17. in my house, then I think he should be penalized very severely  
18. and...but the problem with the definition of dangerous weapon is  
19. it may include instruments of harm that aren't as dangerous  
20. as a gun and that's why I wanted to know from you what all those  
21. instruments of harm might be.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator...Senator Netsch.

24. SENATOR NETSCH:

25. Thank you. Senator Sangmeister is helping me by looking  
26. them up right now. We're...we're checking that Section. You're  
27. right, there are...there are instruments in the definition of  
28. dangerous weapons that are not just guns or even just knives.  
29. That is quite correct. If you can hold on a minute, we'll find  
30. the definition.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Perhaps...Senator D'Arco, with your leave, perhaps  
33. Senator Bowers is going to ask...would that be appropriate,  
Senator Netsch? Perhaps you can get that answer. We'll go onto

1. Senator Bowers and...

2. SENATOR NETSCH:

3. Surely, if Senator...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. ...when we find that, Senator D'Arco, with your...

6. SENATOR NETSCH:

7. ...Senator D'Arco is agreeable.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. ...with your leave, we'll come back to Senator D'Arco.

10. Senator Bowers.

11. SENATOR BOWERS:

12. I would ask if the sponsor would yield.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates that she will yield. Senator Bowers.

15. SENATOR BOWERS:

16. In looking at the Digest, I can't really see, but it looks to

17. me like this gem never had a hearing of any kind. Can you tell

18. us whether or not this was actually heard in House Judiciary II?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Netsch.

21. SENATOR NETSCH:

22. No, I really cannot, Senator Bowers. I just don't know.

23. The bill went to...well, now wait a minute. I beg your pardon.

24. I guess I do know that because the copy that I have in front

25. of me says offered in committee on something...offered in committee

26. on Judiciary by Representative Getty. So, I assume it was

27. offered in committee and I assume that it was discussed in committee.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Bowers.

30. SENATOR BOWERS:

31. Well, it just seems to me and Senator Netsch, as you well

32. know, I have a little bit of a hangup here because when we introduced

33. some bills in Judiciary II, having to do with the Mirage scandal,

they were...they were corruption bills, the...the question was asked

1. what's the hurry, what's the hurry? Let's sent it to the...to the  
2. Criminal Sentencing Commission and it was voted down on that  
3. basis. The idea being we would make no amendments to the Class  
4. X felony or to any of the felony provisions until such time  
5. as we had had hearings and had it before that committee...  
6. commission. Now, obviously, this bill cannot go to that commission  
7. and be acted upon, but it seems to me the least it ought to have  
8. and I think that's been shown in debate here, is some hearings  
9. and some...some time spent on it and I can make this suggestion  
10. to you without killing it. If we could put it in the Conference  
11. Committee, let the Conference Committee hold some hearings.  
12. At least let's get some input because it's a bad bill as it  
13. stands right now and I would hope we would not support it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Any other Senator seek recognition to speak on this matter a  
16. first time? Senator Guidice.

17. SENATOR GUIDICE:

18. Thank you, Mr. President. I...I didn't get a chance to finish  
19. my thoughts but I've heard the rest of the debate on this matter.  
20. I am opposed to this...this type of legislation because I think  
21. as Senator Bowers has pointed out, you know, we spent a lot of  
22. time on that Class X matter last year and I think it was fully  
23. debated. We determined what crimes we were going to put into that  
24. particular provision. Now, out of the blue we come up with this  
25. one here and I think it's very vague. We're talking about a whole  
26. new area that we're going to put into this particular offense.  
27. I think it's pretty well covered in...in the Criminal Code.  
28. We have aggravated battery, we've got the different and the  
29. various things that are involved with Class X felonies and I think  
30. we're just getting into something and this is the problem with  
31. passing that kind of a bill because now it's home invasion and  
32. pretty soon it will be something else and something else and lesser  
33. and lesser offenses that are going to be falling within this Statute.

1. So, I would be opposed to it in its present form.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator D'Arco, did you wish  
4. to pursue? You're the last member who wishes to speak.

5. SENATOR D'ARCO:

6. I think it's specified in Section 24-1 what they are,  
7. a blackjack, bludgeon, slung, sling shot, sand club, sand  
8. bag, metal knuckles, or any knife. That...that's where I have  
9. a problem and I...going to support the bill anyway because I think  
10. it's a good bill, but it...it might need some modification.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Netsch may close.

13. SENATOR NETSCH:

14. I will just very quickly address three points. Senator Bowers,  
15. I never took the position that no substantive Criminal Code  
16. provision should be passed this Session because of the  
17. Sentencing Commission. The...the one bill I voted against  
18. of yours in committee, I voted against on the merits and not because  
19. it was an amendment to the...to the Criminal Code. So, I...  
20. I refuse to be drawn into that bargain. That was Senator Egan's  
21. bargain. Secondly, I think Senator Rock, although I understand  
22. the points you're raising, that the question of when a law enforcement  
23. officer is with or without authority is something that is  
24. developed by a body of law exclusive of this Statute and it would  
25. not be affected that...that is that body of law would be read  
26. into here in determining whether that police officer had lawfully  
27. or unlawfully entered. And I would say that while I recognize,  
28. Senator Knuppel, that there are situations of domestic strife  
29. to which perhaps this bill should not be applied, I think, in fact,  
30. they would not be then. It seems to me that if you have  
31. a, if I may use the expression, just an ordinary good old household  
32. domestic battle in which a couple of people beat one another up  
33. and break a few arms and that...that normal kind of activity that  
the State's Attorney is not likely to press charges under a home

1. invasion Statute even if the language specifically covered  
2. the set of circumstances. I think it is more likely to be  
3. a regular battery case or something of that sort. With that,  
4. I would solicit your acceptance of a concurrence in Representative  
5. Getty's Amendment No. 1, 2, and 3 to Senate Bill 771 and  
6. would remind you that the...the basic bill is one that the  
7. Senate has now indicated on several occasions it would like to have  
8. passed and that is the bill that redefines indecent liberties to  
9. cover those who are engaged in the worst aspects of child  
10. pornography and at the same time, accedes to the recommendation of  
11. Commander Thomas of the Chicago Police Department that  
12. we eliminate the prostitution defense so that they are better  
13. able to investigate and ultimately charge those who are engaged in that  
14. business.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall the Senate concur in House Amendments  
17. No. 1...1, 2, and 3 to Senate Bill 771. Those in favor vote  
18. Aye. Those opposed vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Take the  
20. records. On that question the Ayes are 18, the Nays are 33.  
21. The Senate does not concur in House Amendments 1, 2, and 3 to  
22. Senate Bill 771 and the House will be so informed. For what  
23. purpose does Senator Vadalabene arise?

24. SENATOR VADALABENE:

25. Yes, thank you, Mr. President. I would like to have some  
26. quiet because this is a very important announcement. The  
27. committee...hold it a minute.

28. PRESIDING OFFICER:(SENATOR BRUCE)

29. All right. Is Senator Philip on the Floor? For what purpose  
30. does Senator Vadalabene arise?

31. SENATOR VADALABENE:

32. Yes, I am ready with that very important announcement...I have  
33. just discussed something with President Hynes. To all the members  
of the Executive Appointments and Administration Committee, to all

1. you members, there will be a meeting in Room 212 tomorrow  
2. morning at 10:30 for some conformations of Governor Thompson  
3. on the public administrators and possibly there may be something  
4. else, I don't know at this time. But these public administators  
5. cannot serve...the Circuit Clerk will not recognize them unless  
6. they are confirmed by the Senate. So, if you please, it will be  
7. a very short meeting, 10:30 tomorrow morning in Room 212.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Thank you Senator Vadalabene. On the Order of Concurrences,  
10. Senate Bill 1725, Senator Philip.

11. SENATOR PHILIP:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. I move the Senate do not concur with House Amendments  
14. 1, 2, and 3 to Senate Bill 1725.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Heard the motion to nonconcur in House Amendments Nos. 1,  
17. 2, and 3 to Senate Bill 1725. Is there discussion? All in  
18. favor say Aye. Opposed Nay. The Ayes have it. The Senate  
19. nonconcur and the House will be so informed. Is there leave  
20. to go to the Order of Resolutions? Leave is granted. Resolutions.

21. SECRETARY:

22. ...Resolution 464 offered by Senator Ozinga. It's  
23. congratulatory.

24. Resolution 465, offered by Senator Lemke. It's  
25. congratulatory. And...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Resolutions Consent Calendar.

28. SECRETARY:

29. Resolution 466, offered by Senators Mitchler, Bowers and  
30. Philip.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Executive. For what purpose does Senator Hynes arise?

33. SENATOR HYNES:

DB 255  
nonconcur  
6/28/78

1. Mr. President and members of the Senate. We are rapidly  
2. winding down and...and shortly there will be a motion  
3. to recess and I want to announce the recess will be for the purpose  
4. of a Rules Committee meeting in the President's Office immediately  
5. upon the recess and then the Session will remain open to  
6. receive the report of the Rules Committee and any other committee  
7. reports and any messages from the House just for a few minutes  
8. so that as far as the members are concerned, this will terminate  
9. the day's activities.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right. Senator...Gentlemen, we have a couple of matters  
12. to resolve before we leave. Senator Netsch on the Order of...  
13. is there leave to return to the Order of Concurrences?  
14. Leave is granted. Senator Netsch on Senate Bill 250. I understand  
15. from the Secretary, we'll have to make four separate motions.  
16. Will you make the motions, Senator Netsch.

17. SENATOR NETSCH:

18. Yes, the motions will be to nonconcur. If I might have the  
19. attention for just a moment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Well,...

22. SENATOR NETSCH:

23. The four bills that are part of the mental health package  
24. all have...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. May we have some order, please? Will the...Gentlemen, will you  
27. clear the center aisle. Will you take your conferences off the  
28. Floor. The Senate is still in Session. Senator Netsch.

29. SENATOR NETSCH:

30. Thank you. What I...what I propose to do is to nonconcur in all  
31. of the amendments on Senate Bills 250, 252, 253 and 255. The reason  
32. for this and I've discussed this with Senator Schaffer, he's  
33. agreeable to this course of action, is that we still need a clean



1. up amendment on each of the bills and the only way to do that now  
2. is to get all four of the bills into a Conference Committee.  
3. Now, do I need a separate motion on each of them, Mr. President?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Netsch moves to nonconcur with the House Amendments  
6. to Senate Bill 250. Is there discussion? All in favor say  
7. Aye. Opposed Nay. The Ayes have it. The Senate...the House will  
8. be so informed. Senator Netsch moves to nonconcur with House  
9. Amendments to Senate Bill 252. Discussion? All in favor  
10. say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur  
11. and the House will be so informed. Senator Netsch moves that the  
12. Senate nonconcur in House amendments to Senate Bill 253.  
13. Is there discussion? All in favor say Aye. Opposed Nay. The  
14. Ayes have it. The Senate nonconcur and the House will  
15. be so informed. Senator Netsch moves to nonconcur in House amendments  
16. to Senate Bill 255. Is there discussion? All in favor say  
17. Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with  
18. House amendments and the House will be so informed.

19. All right. Senator Donnewald moves that the Senate stand in recess  
20. subject to the call of the Chair. Is there discussion? All in  
21. favor say Aye. We will come in when we eventually adjourn today,  
22. we will return at 11:00 o'clock tomorrow. 11:00 o'clock tomorrow  
23. when we eventually adjourn. We are going to recess for a Rules  
24. Committee meeting. There will be a 10:30 meeting of the Senate  
25. Executive Appointments Committee. Senator Donnewald moves that we  
26. stand at ease...or we recess subject to the call of the Chair.  
27. For what purpose does Senator Bowers arise?

28. SENATOR BOWERS:

29. Well, may we assume, Mr. President, that...that there are just  
30. formalities just going on from this point on and there will be no  
31. formal business?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Hynes announced it's just to read in two committee  
reports and receive Messages from the House so that the Secretary...

1. we can keep the flow of business going. There's no reason for the  
2. membership to be here yet today. It's only for the convenience  
3. of the Secretary of the Senate. Is there...is there discussion  
4. on the motion to recess subject to the call of the Chair?  
5. All in favor say Aye. Opposed Nay. The Senate stands in recess  
6. subject to the call of the Chair.

7. RECESS

8. AFTER RECESS

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1. PRESIDENT:

2. The Senate will please come to order. Committee Reports.

3. ACTING SECRETARY: (MR. FERNANDES)

4. Pursuant to amended Temporary Rule 5 the Rules Committee  
5. met at 4:30 p.m. Wednesday, June 28, 1978 and makes the  
6. following report:

7. By unanimous vote the committee ruled the following  
8. ...that the following bills could be considered during the  
9. Spring Session of the Senate: House Bill 1357, 2706.  
10. The foregoing bills were ordered to be read a first time,  
11. printed and referred to the Committee on the Assignment of  
12. Bills. Signed, Senator Thomas Hynes, Chairman.

13. PRESIDENT:

14. House Bills, 1st reading.

15. SECRETARY:

16. House Bill 2706.

17. (Secretary reads title of bill)

18. 1st reading of the bill.

19. House Bill 1357.

20. (Secretary reads title of bill)

21. 1st reading of the bill.

22. PRESIDENT:

23. Committee Reports.

24. SECRETARY:

25. Senator Donnewald, Chairman of the Assignment of Bills  
26. Committee assigns the following bills to committee: House  
27. Bill 1357, to Agriculture; House Bill 2706 to Executive.

28. PRESIDENT:

29. Is there any further business to come before the Senate?  
30. If not Senator Shapiro moves that the Senate stand adjourned  
31. until 11:00 a.m. morning. All those in favor signify by saying  
32. Aye. Opposed. The Ayes have it. The Senate stands adjourned.

33.