

80th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1977

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of ten having arrived, the Senate will come to  
3. order. Will our guests in the galleries please rise. Prayer  
4. by Reverend Anthony G. Tzortzis, St. Anthony's Hellenic  
5. Orthodox Church, Springfield.

6. REVEREND TZORTZIS:

7. (Prayer by Reverend Tzortzis)

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Reading of the Journal. Senator Kosinski.

10. SENATOR KOSINSKI:

11. Mr. President and members of the Senate, I move that the  
12. reading and the approval of the Journals of Wednesday, June  
13. 22nd, Thursday, June 23rd, Friday, June 24th, Saturday, June  
14. 25th, Sunday, June 26th, Monday, June 27th, Tuesday, June 28th  
15. and Wednesday, June 29th in the year 1977, be postponed pending  
16. arrival of the printed Journals.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Heard the motion. Those in favor indicate by saying Aye.  
19. Those opposed. The Ayes have it. Motion carries. Message  
20. from the House.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate  
24. that the House of Representatives has passed the bill with  
25. the following title, in the passage of which I am instructed  
26. to ask concurrence of the Senate, to-wit: House Bill 2413.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Message from the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate  
32. that the House of Representatives has refused to concur with  
33. the Senate in the adoption of their amendments to the following

1. bill: House Bill 526 with Senate Amendment No. 1. A like  
2. message on House Bill 741 with Senate Amendment No. 2. A  
3. like message on House Bill 840 with Senate Amendment No. 1.  
4. A like message on House Bill 841 with Senate Amendment No. 1.  
5. A like message on House Bill 845 with Senate Amendment No. 1.  
6. A like message on House Bill 908 with Senate Amendment No. 2.  
7. A like message on House Bill 910 with Senate Amendment No. 1.  
8. A like message on House Bill 1109 with Senate Amendment No.  
9. 1. A like message on House Bill 1216 with Senate Amendment  
10. No. 1. A like message on House Bill 1217 with Senate Amend-  
11. ment No. 2. A like message on House Bill 1399 with Senate  
12. Amendment No. 1. A like message on House Bill 1428 with Senate  
13. Amendment No. 1. A like message on House Bill 1762 with Senate  
14. Amendment No. 1. A like message on House Bill 2306 with Senate  
15. Amendment No. 1.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Secretary's Desk. House Bills 2nd reading. Senator  
18. Weaver. House Bill 2414. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 20...House Bill 2414.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Are there amendments from the Floor? 3rd reading. May  
25. I have your attention, please? On page 9 under the...on the  
26. Secretary's Desk under the title of Nonconcurrency, any Senator  
27. that wishes to nonconcur and not recede from any House amend-  
28. ments please notify the Secretary and we'll process it and  
29. ask for a Conference Committee. There are several bills on the  
30. Calendar. We're going to have a supplemental Calendar in a  
31. few moments. The Secretary advises me that no...no member of  
32. the Senate has indicated that they wish to call anything under  
33. the nonconcurrency item on the Secretary's...Desk on page 9

1. and 10. We'll go to the Order of Concurrences on the Secretary's  
2. Desk, page 3. We'll start with Senate Bill 29 and proceed  
3. through the Calendar. Is there leave? Leave is granted. Senate  
4. Bill 29, Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. I move we do not concur with  
7. House Amendment No. 51 and No. 5.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. A motion...Senator Berning moves to nonconcur in House  
10. Amendment No. 5 to Senate Bill 29. Those in favor indicate  
11. by saying Aye. Those opposed. The Ayes have it. The Senate  
12. will nonconcur. The motion carries and the Secretary shall  
13. so inform the House. Senate Bill 110, Senator Knuppel. Senator  
14. Knuppel, would you use your microphone, please?

15. SENATOR KNUPPEL:

16. I move that we concur in the House amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The question is, shall the Senate concur in House Amend-  
19. ment...House Amendment No. 1 to Senate Bill 110. Those in  
20. favor vote Aye. Those opposed vote Nay. The voting is open.  
21. This requires 30 votes, gentlemen. This is the passage of  
22. the bill. Just a moment. We're on roll call, Senator Walsh.  
23. Senator Walsh.

24. SENATOR WALSH:

25. A point of information, Mr. President. This is Senate  
26. Bill 110. This is Senator...Senator Knuppel's bill. I...I  
27. just didn't get any explanation of the...of the House Amend-  
28. ment. I wonder if we might go out of order to get just a  
29. brief explanation?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. It is being out...it is out of order. Senator Knuppel,  
32. would you respond briefly?

33. SENATOR KNUPPEL:

1. Well, all the amendment does is it...it has references  
2. to delegates and alternate delegates to the National Con-  
3. ventions other than National Nominating Conventions shall  
4. be chosen according to procedures established by the appro-  
5. priate State Central Committee of a political party established  
6. pursuant to this article, which may include the procedure  
7. prescribed by Section 1-141 of this Act. The bill, itself,  
8. amends with respect to the sixth delineation in the Act and  
9. this was added on as an amendment, which I think does no harm  
10. or...to the article itself or to the amendment that I was  
11. offering.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? We're taking the record.  
14. Take the record. On that question the Ayes are 30, the Nays  
15. are 7, 7 Voting Present. Senate Bill 110...just a moment...  
16. the Senate does concur in House Amendment No. 1 to Senate Bill  
17. 110 and the bill having received the required constitutional  
18. majority is declared passed. Senator Bruce, for...

19. SENATOR BRUCE:

20. Yes, I'd...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. ...what purpose do you arise?

23. SENATOR BRUCE:

24. ...like to...I'd like to have a verification of the roll  
25. call. There's some question about the bill and I think that  
26. it would be more appropriate that we discuss it in some detail  
27. so early.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. There is a request for a verification of the roll. Will  
30. the members please be in their seats? Senator Hynes.

31. SENATOR HYNES:

32. With...with leave of the Body I...I would suggest with...  
33. with the concurrence of the sponsor that we take this out of

1. the record and go back to it. It appears it is controversial  
2. and it's a bad thing to open up in the morning, the first  
3. bill a controversial item.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there leave? Leave is granted. Take it from the  
6. record. House Bill 116, Senator Knuppel. Senator...Senator  
7. Hynes. Senator Hynes, for what...Senator Walsh.

8. SENATOR WALSH:

9. Well, I'm just afraid maybe all the membership isn't  
10. here. If we'd ring...ring the bell a number of times. Maybe  
11. some of the members haven't...aren't alerted to the fact we're  
12. on concurrences.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. If we...if we started the Session at nine o'clock, they  
15. would be here at ten. If we started at ten, they'll be here  
16. at eleven and so on. All right, Senate Bill 116, Senator  
17. Knuppel.

18. SENATOR KNUPPEL:

19. Pass it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. House Bill 152, Senator Carroll. Senator Carroll.  
22. House Bill 152. House Bill 203, Senator Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. There is a request that that be held, Senator. Just...

27. SENATOR PHILIP:

28. By who?

29. PRESIDING OFFICER: --(SENATOR DONNEWALD) --

30. By Senator Rock, by Senator Hynes, by...

31. SENATOR PHILIP:

32. Is...is that all? Well, I want to call the bill, then.

33. I thought there was some opposition to it. If that's all there is...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. And... et all. House Bill 216, Senator Bowers. Senator  
3. Knuppel, for what purpose do you arise?  
4. SENATOR KNUPPEL:  
5. You passed 126. I want to move to concur.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. You're correct. I did skip it inadvertently, Senator.  
8. House Bill 126...or Senate Bill 126. Senator Knuppel.  
9. SENATOR KNUPPEL:  
10. On that...on that bill, it's another one of the sex  
11. bills, and I...the amendment provides and notwithstanding  
12. the foregoing, where financial aid or social services are  
13. granted to certain classes of person under a program for which  
14. Federal funds are available, nothing in this Section shall  
15. require granting of financial aid or social services to other  
16. persons where Federal funds would not be available for those  
17. persons. I have no objection to the amendment and move that  
18. we concur in the amendment offered by the...Amendment No. 1  
19. offered by the House.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Knuppel...the question is...is there further  
22. discussion? Senator Moore.  
23. SENATOR MOORE:  
24. Yes, will the sponsor yield, Mr. President?  
25. PRESIDING OFFICER: (SENATOR DONNEWALD)  
26. Indicates he will.  
27. SENATOR MOORE:  
28. Senator Knuppel, the discrimination cannot occur where  
29. there are Federal funds or whether there are Federal funds or  
30. not...or Federal programs or just solely State programs or  
31. both. I wasn't quite clear on your explanation.  
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Well, I didn't understand the question.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Moore.

5. SENATOR MOORE:

6. What...would you read the amendment again, then, please?

7. SENATOR KNUPPEL:

8. Yes, the amendment provides notwithstanding the foregoing  
9. where financial aid or social services are granted to certain  
10. classes of persons under a program for which Federal funds  
11. are available...available, nothing in this Section shall require  
12. granting of financial aid or social services to other persons  
13. where Federal funds would not be available for those persons.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Moore. Is there further discussion? The question  
16. is, shall the Senate concur in House Amendment No. 1 to Senate  
17. Bill 126. Those in favor vote Aye. Those opposed Nay. The  
18. voting is open. Have all those voted who wish? Take the record.  
19. On that question the Ayes are 39, the Nays are 3, 2 Voting  
20. Present. The Senate does concur in House Amendment No. 1 to  
21. Senate Bill 126 and the bill having received the required con-  
22. stitutional majority is declared passed. House Bill 216,  
23. Senator Bowers. Senate Bill, I'm sorry. Bad habit here lately.  
24. Senate Bill 293, Senator Berman. Senate Bill 321, Senator Sommer.  
25. Senate Bill 322, Senator Harber Hall. Senate Bill 323, Senator  
26. Bowers. Senate Bill 327, Senator Grotberg. Senate Bill 329,  
27. Senator Walsh. Senate Bill 330, Senator Mitchler. Senator  
28. Mitchler.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate, I move to concur  
31. in House Amendments No. 1 and 2 to Senate Bill 330. In ex-  
32. plaining what the amendments do, Amendment No. 1 adds a Capital  
33. section reappropriation of a total of forty-five thousand one

1. hundred to dollars to replace...replacement of glass doors  
2. and bathroom equipment. This is in the appropriation for the  
3. Department of Veterans Affairs. And Amendment No. 2 adds a  
4. section appropriating a hundred thousand dollars from the CDB  
5. fund to CDB for Veterans Affairs for planning through schematic  
6. design for a new veterans nursing home facility. The Department  
7. of Veterans Affairs supports both of these amendments. I move  
8. to concur.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Carroll.

11. SENATOR CARROLL:

12. We agree with Senator Mitchler's observation and would  
13. recommend a concurrence.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? The question is, shall  
16. the Senate concur in House Amendments 1 and 2 to Senate Bill  
17. 330. Those in favor vote Aye. Those opposed Nay. The voting  
18. is open. Have all those voted who wish? Take the record.  
19. On that question the Ayes are 48, the Nays are none. The Senate  
20. does concur in House Amendments 1 and 2 to Senate Bill 330  
21. and the bill having received the required constitutional  
22. majority is declared passed. House Bill 331, Senator Schaffer.  
23. House Amendments 1 and 5. Senate Bill...Senate Bill 331.

24. SENATOR SCHAFFER:

25. Mr. President, I move that we concur in House Amendments  
26. 1 and 5.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Senator Buzbee, who is  
31. Chairman of Approp II, has informed me that he would recommend  
32. we concur.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)



1. All right, the question is, shall the Senate concur  
2. in House Amendments 1 and 5 to Senate Bill 331. All those  
3. in favor vote Aye. Those opposed Nay. The voting is open.  
4. Have all those voted who wish? Take the record. On that  
5. question the Ayes are 50, the Nays are none. The Senator...  
6. the Senate does concur in House Amendments 1 and 5 to Senate  
7. Bill 331 and the bill having received the required constitu-  
8. tional majority is declared passed. Senate Bill 345, Senator  
9. Buzbee. Senate Bill 364, Senator Berning. Senator Berning.  
10. SENATOR BERNING:

11. Thank you, Mr. President. I move to concur with House  
12. Amendment No. 1 which is a reduction of twenty-eight thousand  
13. two hundred dollars in personal services retirement of Social  
14. Security.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. There...the Calendar indicates 1 and 2, Senator.

17. SENATOR BERNING:

18. I understand.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. All right. The question is, shall the Senate concur  
21. in House Amendment No. 1 to Senate Bill 364. Those in favor  
22. vote Aye. Those opposed Nay. The voting is open. The Senate  
23. does concur in House Amendment No. 1. Take the record. The  
24. Senate does concur in House Amendment No. 1. Senator Berning.

25. SENATOR BERNING:

26. Now, then, Mr. President, I move the Senate do not concur  
27. in House Amendment No. 2.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Regner.

30. SENATOR REGNER:

31. Yes, just a question for Carl Bern...Senator Berning.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Indicates he'll yield.

1. SENATOR REGNER:

2. Senator Berning, I know this is cutting a, House Amend-  
3. ment No. 2, cut our program out, but I don't see what's  
4. all that wrong about it because the Department still has  
5. additional money in there that they won't need for the next  
6. couple of years since there has been a two year deal made  
7. with the State employees. They have a lot of money in there  
8. for arbitrators and negotiators, and I don't think these  
9. people will be necessary in the next two years and I think  
10. that possibly if this would get to a Conference Committee, the  
11. Conference Committee may be interested in taking some of that  
12. money out.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berning.

15. SENATOR BERNING:

16. Are you indicating there may be further retaliation if  
17. this goes to a Conference Committee, Senator?

18. SENATOR REGNER:

19. I don't think the word...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Regner.

22. SENATOR REGNER:

23. I don't think the word is retaliation. I think it's a  
24. further look into what this agency really needs.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Berning.

27. SENATOR BERNING:

28. Well, that's the way the cookie crumbles or the straws  
29. fly. The cookie here is the model employer program with an  
30. appropriation of two hundred and sixty-six thousand dollars  
31. which the Department of Personnel feels is important and it  
32. is the wish of the...of the Department and Director Boys,  
33. that the Senate do not concur in House Amendment No. 1. No.

1. 2, I'm sorry.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Washington.

4. SENATOR WASHINGTON:

5. Mr. President, I support Senator Berning's motion to non-  
6. concur. This question was brought up the other evening. No  
7. rationale has been given for dismantling this entire depart-  
8. ment. It is a useful department, it's been doing good work.  
9. It should go to a Conference Committee and to have further  
10. study, because to take it out willy-nilly without discussion,  
11. I think is unfair to this Body.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Regner, I'm sorry I cut you off. Proceed.

14. SENATOR REGNER:

15. Okay, I just wanted to say to Senator Berning that that's  
16. okay with me, but I think he's gambling.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? All right. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President. We did, last time this was  
21. called, have some confusion as to concurrence or nonconcurrence  
22. and we had asked, if I recall, the Senator to take it from the  
23. record. I would move that we...I would suggest...I support  
24. Senator Regner that we do concur. I don't think they have  
25. justified the activities of this program. I have been given  
26. a report from the House that indicated that all, and I repeat  
27. all, of the services that this section was to have been per-  
28. forming were currently being performed by other sections  
29. within the department, and if that is the case I don't think  
30. we should be duplicating their efforts to the tune of some...  
31. in excess of a quarter of a million dollars. It was indicated  
32. item by item, and I can go through them if you wish, that each  
33. of these are being done by either the Bureau of Employment

1. Security, the Illinois State Employment Service or the Civil  
2. Service...or I'm sorry, one of those two and in addition,  
3. apparently, there was a hearing before the Civil Service  
4. Commission where much of this was gone into and it was quickly  
5. reviewing that, that apparently this department is serving  
6. no additional functions or useful purposes and I would concur  
7. with Senator Regner's remarks and suggest we concur.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator...Senator Demuzio.  
10. SENATOR DEMUZIO:

11. Well, I'd like to ask a question. Senator Berning, as...  
12. or...or Senator Carroll, somebody that can answer this question  
13. on this Amendment No. 2, the equal employment opportunity, are  
14. these people...are these under a Federal grant or are they  
15. being paid for out of State funds?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Carroll.

18. SENATOR CARROLL:

19. Two hundred and thirty-five thousand three hundred General  
20. Revenue funds, thirty thousand seven hundred from the Road  
21. Fund.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Nimrod, did you wish recognition?

24. SENATOR NIMROD:

25. Yeah, Mr. President and ladies and gentlemen of the  
26. Senate, I...I think if the sponsor wants to attempt to go back  
27. and remove this, we ought to give him an opportunity to do it,  
28. and...and I understand the director of the department would  
29. like us to attempt this, so we have passed it out, let's see  
30. if they can't reach some compromise on it. I...I would like  
31. to support Senator Berning.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Chew.

1. SENATOR CHEW:

2.           Yeah, Mr. President. I talked to the chairman of  
3. Appropriations and the information he's just released I  
4. did not have. It was because, I suppose he did not have  
5. it at hand. However, I...we...we're dealing with people  
6. that are currently employed in this program. The question  
7. the other day from Senator Washington was why. My question  
8. today is why are we making these reductions? I happened  
9. to have gotten some telephone calls from some people that I  
10. know are employed and I certainly consider those people com-  
11. petent in their positions. I don't want to see them unemployed  
12. simply because we're taking the monies away. So, I would  
13. support Senator Berning and let it get into a Conference Com-  
14. mittee and work out some admirable compromise where everybody  
15. will be satisfied. We're not taking things out of our pockets,  
16. per se, in this instance. We are just trying to keep the budget  
17. where, maybe, it should be but there are exceptions to the  
18. rules and I will not support Senator Carroll's suggestion. I'll  
19. support Senator...Berning's suggestion to have it worked out  
20. in a Conference Committee.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22.           Is there further discussion? Senator Berning moves to  
23. nonconcur in House Amendment No. 2 to Senate Bill 364. Those  
24. in favor indicate by saying Aye. Those opposed. I think the  
25. Noes have it and the...there is a request for a roll call.  
26. A roll call will be had. All right, the question is, shall  
27. the Senate nonconcur in House Amendment No. 2 to Senate Bill  
28. 364. Those in favor of nonconcurrency vote Aye, those opposed  
29. Nay. The voting is open. Have all those voted who wish?  
30. Take the record. On that question the Ayes are 31, the Nays  
31. are 24 and the Senate moves to nonconcur in Senate Amendment  
32. No. 2...or House Amendment No. 2 to Senate Bill 364 and the  
33. Secretary shall so inform the House. Senate Bill 466, Senator

1. Davidson.

2. SENATOR DAVIDSON:

3. Yes, Mr. President and members of the Senate, I move to  
4. concur with House Amendments No. 1 and 3. 1 is by the  
5. request that was put on by the request of the Democrat and  
6. Republican legal staff which takes care of the problems on  
7. the Reserve Stabilization Board funding and the depth funding,  
8. and No. 3 puts the extension of the Joint Underwriting to  
9. two years like the other bills. I move to concur.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? The question is, shall  
12. the Senate concur...just a minute. Senator Rock.

13. SENATOR ROCK:

14. I'm sorry, I was momentarily distracted. If the sponsor  
15. will yield?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Indicates he will.

18. SENATOR ROCK:

19. Senator, does this amendment now put the bill in the  
20. identical shape as the one you passed out of here? Is  
21. that what we're doing?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. Yes.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? The question is, shall  
28. the Senate concur in House Amendments 1 and 3 to Senate Bill  
29. 466. Those in favor vote Aye. Those opposed Nay. The voting  
30. is open. Have all those voted who wish? Take the record. On  
31. that question the Ayes are 46, the Nays are none. The Senate  
32. does concur in...in House Amendments 1 and 3 to Senate Bill  
33. 466, and the bill having received the required constitutional

1. majority is declared passed. ; Senate Bill 478, Senator ;  
2. Harber Hall.

3. SENATOR HALL:

4. Mr. President, about a year ago in an audit commission  
5. meeting I brought up about the situation of out-of-state  
6. income earned by residents out of state, with the Director  
7. of the Department of Revenue. He said he would look into  
8. it. I suggested that he didn't have any idea how much money  
9. we were losing by not collecting revenue in large amounts  
10. from out-of-state residents, although, the income through  
11. the Income Tax, the State Income Tax, was due the State.  
12. So, in the ensuing year the department checked with other  
13. states and found out that the probable loss of revenue to  
14. the State was in the millions of dollars, and during the  
15. year I worked with the department and introduced a piece  
16. of legislation in this General Assembly to go after this money.  
17. In my opinion this probably, in years to come, will amount  
18. on the order of fifty million dollars, at least. With Senate  
19. Bill 478 the legislation will be sent to the Governor for his  
20. signature. He has told me personally that as Governor and  
21. through his executive Department of Revenue, the State of  
22. Illinois will now begin to check on all the revenue that is  
23. earned by out-of-state...residents to see that the income tax  
24. of Illinois, the two and a half percent in case of individuals,  
25. will be paid. It will be a lengthy process to develop the  
26. administration procedures to collect this money, but Director  
27. Whitler is prepared to do this and enthusiastically supports  
28. Senate Bill 478 as amended. So, therefore, I think, although  
29. we won't be able to spend the money in Fiscal year '78 that  
30. we're worried about now, in '79 and '80 and '81 the revenue  
31. to the State should be considerable. If you just think of the  
32. entertainers that come in to Illinois for two or three nights  
33. and make a hundred thousand dollars, they will be having to

1. pay twenty-five hundred dollars for that amount of money  
2. before, actually, before they leave or it will be withheld  
3. from their...their income in...in any case. That's only  
4. one example. There are many, many farmers who retire and  
5. move to Arizona, California and Florida and they know longer  
6. pay income tax here from the income from those farms. I  
7. move adoption of...I move concurrence in House Amendment No.  
8. 1.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Rock

11. SENATOR ROCK:

12. Yes, thank you, Mr. President and Ladies and Gentlemen  
13. of the Senate, I rise in support of Senator Hall's motion  
14. to concur with House Amendment No. 1 to Senate Bill 478.  
15. As I read that amendment it adds the provisions of Senate  
16. Bill 1156 which we passed out of this Body and the House  
17. Revenue Committee saw fit not to take action on. It is a  
18. program that I think we should pursue, it will result in  
19. additional revenue to our, already, embattled General Revenue  
20. fund and I would urge an Aye vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? The question is, shall  
23. the Senate concur in House Amendment No. 1 to Senate Bill  
24. 478. Those in favor vote Aye. Those opposed Nay. The  
25. voting is open. Have all those voted who wish? Take the  
26. record. On that question the Ayes are 50, the Nays are  
27. none. The Senate does concur in House Amendment No. 1 to  
28. Senate Bill 478 and the bill having received the required  
29. constitutional majority is declared passed. Senator Sommer,  
30. Senate Bill 321.

31. SENATOR SOMMER:

32. Mr. President, I would move to concur in House Amend-  
33. ment No. 1 to this bill.



1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President. We agree with Senator  
5. Sommer's motion and would recommend that we concur in  
6. House Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is, shall  
9. the Senate concur in House Amendment No. 1 to Senate Bill  
10. 321. Those in favor vote Aye. Those opposed Nay.  
11. The voting is open. Have all those voted who wish? Take  
12. the record. On that question, the Ayes are 50, the Nays  
13. are none. The Senate does concur in House Amendment No.  
14. 1 to Senate Bill 321 and the bill having received the re-  
15. quired constitutional majority is declared passed. Senate  
16. Bill 495, Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President, I would move to concur in House Amend-  
19. ments 2, 3, 4 and 5 and nonconcur in House Amendment 1.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Carroll.

22. SENATOR CARROLL:

23. Thank you...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just a moment. Senator, if you could remove the caucus  
26. surrounding you. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President and members of the Senate, we  
29. again agree with Senator Sommer to nonconcur in Amendment No.  
30. 1. I understand the House has recognized the error in their  
31. ways and will take appropriate action when it goes back there.  
32. And to concur in House Amendments 2, 3, 4 and 5.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Carróll.

2. SENATOR CARROLL:

3. There's been some question, maybe...let me just very  
4. quickly explain it. Amendment No. 2 the House deleted three  
5. hundred thousand for these particular voc-tech school in East  
6. St. Louis that they have now put into the new appropriation  
7. rather than the reappropriations, so this would have been  
8. a double appropriation and we are agreeing with the deletion,  
9. since those funds are now in the new appropriation. No. 3  
10. restores three projects that we had cut here in the Senate.  
11. Because they had not been ready to go for quite some period  
12. of time we decided that if they weren't going to build them  
13. why should we fund them. They, now, say that they will be  
14. ready to go and contracts will be let in the very near  
15. future. Amendment No. 4 is a technical language change  
16. which we agree in, and Amendment No. 5 is a reappropriation  
17. of twenty-four thousand dollars for cold storage boxes at  
18. Joliet Correctional Center. They delivered the wrong size  
19. boxes, didn't pay for them and now the right size boxes have  
20. come and they are asking for the money to pay for them.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Just a question. Something has gotten by me here. Is  
25. this an explanation of the vote we just took?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. No...

28. SENATOR WOOTEN:

29. All right.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. ...It is not.

32. SENATOR WOOTEN:

33. This is on 495 and we are proposing to concur in 1, 2,

1. 3, 4 and 5.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. No, we are...

4. SENATOR WOOTEN:

5. All right, that's...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. ...proposing to concur in 2, 3, 4 and 5.

8. SENATOR WOOTEN:

9. That's fine.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Kenneth Hall.

12. SENATOR KENNETH HALL:

13. I'm sorry, Senator, just...would he yield?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Carroll...

16. SENATOR KENNETH HALL:

17. Yeah.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. ...would...indicates he will. Senator Carroll.

20. SENATOR CARROLL:

21. I'll answer the question before it's asked. I'm sure

22. you're discussing the Voc-tech School in East St. Louis.

23. Yes. As I said we are recommending concurring in the House's

24. deletion of the reappropriation of that money, because this

25. money is in the Capital Development Board's new appropriation

26. bill. So, it's already covered.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall the

29. Senate concur in House Amendments 2, 3, 4 and 5 to Senate Bill

30. 495. Those in favor vote Aye. Those opposed Nay. The voting

31. is open. Take the record. On that question the Ayes are 49,

32. the Nays are none. The Senate does concur in Amendments 2, 3,

33. 4 and 5 to...House Amendments 2, 3, 4 and 5 to Senate Bill 495.

SB 573  
6/29  
Cone

1. We shall inform the House of that. Now, the next motion by  
2. Senator Sommer is to nonconcur in House Amendment No. 1 to  
3. Senate Bill 495. Those in favor indicate by saying Aye.  
4. Those opposed. The Ayes have it. The motion carries and  
5. the Secretary shall so inform the House. Senate Bill 569,  
6. Senator Roe. Senate Bill 573, Senator Roe. Senate Bill  
7. 574. Senator Roe, do you wish to consider Senate Bill 569?

8. Senator Roe.  
9. SENATOR ROE:

10. Mr. President, I would move that we concur in House  
11. Amendment No. 1. The only change that this makes from the  
12. bill that we passed in the Senate was...is that it changes  
13. the...the penalty for a violation of conviction of reckless  
14. driving from a Class C to a Class B misdemeanor, so it  
15. raises the penalty and I would move that we concur.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is, shall  
18. the Senate concur in House Amendment No. 1 to Senate Bill  
19. 569. Those in favor vote Aye. Those opposed Nay. The  
20. voting is open. Have all those voted who wish? Take the  
21. record. On that question the Ayes are 40, the Nays are none.  
22. The Senate does concur in House Amendment No. 1 to Senate  
23. Bill 569, and Senate Bill...and the bill having received the  
24. required constitutional majority is declared passed. Senator  
25. Roe as to 573.

26. SENATOR ROE:

27. Mr. President, I would move that we concur in House  
28. Amendment No. 1 to Senate Bill 573. This is a constructive  
29. amendment. It does not substantively change the bill, and  
30. puts in procedures that probably would most...that should  
31. have been put in the bill when it was in the Senate, so  
32. that was an agreed amendment as far as the sponsor was con-  
33. cerned.

SB 574  
Concurrence  
6-27-77

- 1. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 2. Is there further discussion? The question is, shall
- 3. the Senate concur in House Amendment No. 1 to Senate Bill
- 4. 573. Those in favor vote Aye. Those opposed Nay. The
- 5. voting is open. Have all voted who wish? Take the record.
- 6. On that question the Ayes are 50, the Nays are none. The
- 7. Senate does concur in House Amendment No. 1 to Senate Bill
- 8. 573, and the bill having received the required constitutional
- 9. majority is declared passed. Senate Bill 574, Senator Roe.
- 10. SENATOR ROE:
- 11. Mr. President, I would move that the Senate concur in
- 12. House Amendments 1 and 2 to Senate Bill 574. House Amend-
- 13. ment No. 1 put the bill back in the shape that it was when
- 14. it was originally introduced in the Senate. House Amendment
- 15. No. 2 added the provision that municipalities also be notified
- 16. when a land...a landfill permit is sought within three miles
- 17. of municipality. The bill, itself, requires the EPA to send
- 18. a notice of permit applications within the county when they
- 19. are filed and an individual or a corporation or a business
- 20. entity is seeking permission from the EPA to establish a
- 21. landfill.
- 22. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 23. Is there further discussion? Senator Demuzio.
- 24. SENATOR DEMUZIO:
- 25. Senator Roe, on Amendment No. 2, the House Amendment,
- 26. says that notification to the clerk of each municipality
- 27. which is within three miles of the facility, does that
- 28. also...is that...does that include the municipality, itself?
- 29. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 30. Senator Roe.
- 31. SENATOR ROE:
- 32. Yes, it does, Senator Demuzio.
- 33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. And Amendment No. 1 restored the bill originally and  
4. struck that amendment that we put on here in the Senate?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Roe.

7. SENATOR ROE:

8. That's...that's correct.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Rock.

11. SENATOR ROCK:

12. A question of the sponsor. What...what is the motion  
13. he's making?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Roe.

16. SENATOR ROE:

17. Motion is to concur on Amendments 1 and 2, Senator Rock.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is, shall  
20. the Senate concur in House Amendments 1 and 2 to Senate Bill  
21. 574. Those in favor vote Aye. Those opposed Nay. The voting  
22. is open. Have all those voted who wish? Take the record.

23. On that question the Ayes are 49, the Nays are 1. The Senate  
24. does concur in House Amendments 1 and 2 to Senate Bill 574,  
25. and the bill having received the constitutional majority is  
26. declared passed. Senate Bill 589, Senator Davidson.

27. SENATOR DAVIDSON:

28. Mr. President and members of the Senate, I move to  
29. concur with House Amendments to 589. It added additional  
30. words which I...I and Senator Rock felt was needed, was the  
31. use as determined by the Space Needs Commission. This is  
32. land which we buy and transfer. I move that it concur.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? The question is, shall  
2. the Senate concur in House Amendment No. 1 to Senate Bill  
3. 589. Those in favor vote Aye. Those opposed Nay. The  
4. voting is open. Have all those voted who wish? Take the  
5. record. On that question the Ayes are 44, the Nays are none,  
6. 4 Voting Present. Senate Bill...the Senate does concur in  
7. Amendment No. 1 to Senate Bill 589 and the bill having  
8. received the required constitutional majority is declared  
9. passed. Senate Bill 594, Senator Rock. You are recognized.  
10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen  
12. of the Senate. Senate Bill 594 was that bill to raise the  
13. interest on judgements from it's current six percent to eight  
14. percent. The House put on Amendment No. 1 which provided an  
15. exception to that increase to eight percent. The exception is,  
16. that those judgements that are recovered against governmental  
17. entitiesshall continue to draw interest at six percent. I  
18. am going to move to concur in House Amendment No. 1 to Senate  
19. Bill 594.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. President. I guess I would rise to  
24. speak in opposition to concurring with the amendment or, at  
25. least, I am opposed to the amendment. It seems to me that  
26. if it is fair for those who have a judgment against them,  
27. to pay a certain rate of interest if they are private companies  
28. or private persons, that it is somewhat more than fair that  
29. governmental units do the same thing. And it is quite clear  
30. that among the greatest offenders for receiving judgments  
31. against them and then either prolonging the appellate process  
32. or simply prolonging the pay process are governmental units.  
33. It's a nice way...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Proceed.

3. SENATOR NETSCH:

4. ...it's a nice way to hang on to your money for awhile,

5. and some of these, the most serious offenders in that respect

6. around this State, are, in fact, local governmental units.

7. I don't see any reason whatsoever why they should be ex-

8. cluded from having to pay the higher interest rate.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? The question is, shall...

11. just a moment. Senator Bowers.

12. SENATOR BOWERS:

13. Thank you, Mr. President. This is debate, isn't it?

14. The last...the last...we're not on, like, concurrence. I

15. just wanted to make sure of that. The last week...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Well, we are on concurrence, but we're on...

18. SENATOR BOWERS:

19. ...I'm sorry. I meant...I meant...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. ...debate.

22. SENATOR BOWERS:

23. ...3rd Calendar. The last speaker made the point

24. that she could see no reason for the difference. There is

25. a reason for the difference, the interest from municipalities

26. is nontaxable, and as far as the real dollars that come to

27. the...to the judgment creditor, they get more dollars because

28. the interest on a...on a municipal judgment is nontaxable

29. and that's the reason for the difference. I think it makes

30. sense.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? The...the question is,

33. shall the Senate concur in House Amendment No. 1 to Senate



1. Bill 594. Those in favor vote Aye. Those opposed Nay. The  
2. voting is open. Have all those voted who wish? Take the  
3. record. On that question the Ayes are 42, the Nays are 9.  
4. The Senate does concur in House Amendment No. 1 to Senate  
5. Bill 594, and the bill having received the required con-  
6. stitutional majority is declared passed. Senate Bill 596,  
7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President. Senate Bill 596, as you  
10. will recall, was an amendment to the Revenue Act and it  
11. provided for, or it provided with respect to the use of  
12. what are called certificates of error in the County of  
13. Cook, that they would be admissible into...into evidence  
14. with the concurrence of the origination and concurrence of  
15. the Assessor of Cook County, the State's Attorney of Cook  
16. County and ultimately the Judge. We were, by virtue of  
17. this, taking out the necessity for concurrence by the  
18. Board of Appeals. The House added an amendment which said,  
19. that procedure is fine but only with respect to Certificates  
20. of Error concerning a change of more than up to fifty  
21. thousand dollars. I do not agree with the amendment and  
22. I am, therefore, moving to nonconcur in House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is...Senator Maragos.

25. SENATOR MARAGOS:

26. Senator Rock, you say the amendment says that the Certifi-  
27. cates of Error are all right by...to be done by the assessor  
28. up to fifty thousand, beyond it it would have to do with the  
29. present system, is that what the amendment says? Okay.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rock. Senator Glass.

32. SENATOR GLASS:

33. I...I'm trying to recall this bill, Senator Rock and...

1. so, I can see what the issue is. The...I think you described  
2. the bill as an elimination of one step in the process and  
3. that is the Board of...Board of Appeals. What...what was the,  
4. if you know, what was the rationale in the House for...for  
5. making that fifty thousand dollar distinction? I mean...  
6. what...was there any reason given to you?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Rock.

9. SENATOR ROCK:

10. Yes, the rationale was that...as a matter of fact I  
11. was present in the House Committee when it was offered  
12. by Representative Ryan who had himself appointed to the  
13. Committee to serve that meeting and that meeting only. His  
14. rationale was, frankly, to harass me. And I know Senator  
15. Philip agrees with those kinds of techniques. The amend-  
16. ment, however, is a bad one and I'm moving to nonconcur.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Glass.

19. SENATOR GLASS:

20. Well, of course, the last thing any of us want to do  
21. is to harass Senator Rock, so I...I think we ought to join  
22. with him.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator D'Arco.

25. SENATOR D'ARCO:

26. Will the sponsor yield for a question?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. He indicates he will.

29. SENATOR D'ARCO:

30. Phil, did the...I'm sorry, Senator Rock, did the Board  
31. of Tax Appeals approve this amendment or did they disapprove  
32. the amendment or where do they stand on this amendment?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rock.

2. SENATOR ROCK:

3. The...the Board of Tax Appeals in the person of Mr.  
4. Semmeral was, in fact, present at the committee hearing  
5. seated at my left at that hearing. They did, in fact,  
6. approve of this amendment over my objection.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator D'Arco.

9. SENATOR D'ARCO:

10. So, this is really a fight between the Board of Tax  
11. Appeals and the Cook County Assessor's Office in the presence  
12. of the Mr. Tom Tulley. Harry Semmeral and Tom Tulley are in  
13. a battle as to who is going to certify these errors. Is  
14. that correct? And Semmeral wants it the way it's been done  
15. in the past years. He has jurisdiction over that now and  
16. Tulley wants to take the jurisdiction away from him. Isn't  
17. that the fact?

18. SENATOR ROCK:

19. There...there were, I understand, some discussions about  
20. that. The fact of the matter is, as you well know, the  
21. procedure, the Certificates of Error are originated at the...  
22. at the request and bequest of the assessor only. The con-  
23. currence step is one that the assessor feels is totally un-  
24. necessary, and what, in fact, has happened is, that they are  
25. backlogged now to the point of about twelve thousand of these  
26. because the...the Board, frankly, is not moving as rapidly  
27. as some of us feel they should. There...there have, in fact,  
28. been personalities involved. Now, Representative Ryan and I  
29. are involved, so it's...it'll be a good one.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator...Senator D'Arco.

32. SENATOR D'ARCO:

33. Well, that's...according to Harry Semmeral that's the

1. reason for the amendment, because if you eliminate the  
2. fifty thousand dollar Certificates of Error up to that  
3. amount then that will eliminate most of the backlog, because  
4. most of the backlog is in that general area, fifty thousand  
5. or less. The really big, big tax assessment, you know  
6. when it's millions of dollars and hundreds of thousands of  
7. dollars, there's no backlog with that stuff. You know, the  
8. juicy stuff, there's no backlog with that. It's just a  
9. question of who's going to have the jurisdiction, and we  
10. know what this fight's about. Fortunately, I don't do any  
11. tax business so I can talk my mind.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Guidice.

14. SENATOR GUIDICE:

15. Thank you, Mr. President. I rise to concur with this  
16. amendment. This is going to put a section, the fifty thousand  
17. dollar level, will take in the...the bulk of the problem  
18. area that they have in this particular area. Now, over and  
19. above that, as Senator D'Arco put it, the...the juicy stuff,  
20. well, this is things that should be taken up in the Board of  
21. Tax Appeals and this is where it belongs and the jurisdiction  
22. should stay in that particular area. The fifty thousand and  
23. under will take care of the backlog, therefore, I support  
24. this amendment.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Soper.

27. SENATOR SOPER:

28. Thank you, Mr. President. Just...would...so I can get  
29. a view of Senator Rock.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. It's pretty hard. There's people standing all over the  
32. place...

33. SENATOR SOPER:

1. I can see...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. ...Senator. Would the...would the members please be  
4. in their seats and clear the aisles.

5. SENATOR SOPER:

6. Senator...Senator Rock.

7. SENATOR ROCK:-

8. Yes.

9. SENATOR SOPER:

10. Now, does Ryan support Tully or does he support Semmeral?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. Frankly, I don't know. Representative Ryan, in my  
15. judgment, was having a little fun at my expense. The issue  
16. applies only to the County of Cook and I don't think Representa-  
17. tive Ryan, frankly, one way or the other gives a damn.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Soper.

20. SENATOR SOPER:

21. I just wondered if the Irish were joining the Irish or...  
22. or...or there was a transformation of...of...of loyalties  
23. now and...and maybe Ryan joined Semmeral. I...I thought  
24. maybe we're getting all integrated.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. That'd be quite a marriage. Is there further dis-  
27. cussion? Senator Rock moves to nonconcur in House Amend-  
28. ment No. 1 to Senate Bill 596. Those in favor indicate by  
29. saying Aye. Those opposed. The Ayes have it. The Secretary  
30. shall so inform the House. Senate Bill 607, Senator Maragos.  
31. Proceed.

32. SENATOR MARAGOS:

33. Mr. President and members of the Senate, I move to concur

AB 653  
Concurrence  
6-29-77

1. with House Amendment No. 1 to Senate Bill 607. Originally  
2. when it came over we thought we'd have to nonconcur because  
3. it puts on an amendment...dealing with the Illinois Health  
4. Authority. However, after talking with Daniel Houlihan in  
5. the House who is the In-House counsel, if I may use the  
6. term, for the majority side in the House. He advised me  
7. they were putting this amendment on many other areas of the  
8. Capital Development Board to make sure that the Illinois  
9. Health Authority is not in any way included in these pro-  
10. jects and, therefore, I move for its adoption and to concur.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is, shall  
13. the Senate concur in House Amendment No. 1 to Senate Bill  
14. 607. Those in favor vote Aye. Those opposed Nay. The  
15. voting is open. Have all those voted who wish? Take the  
16. record. On that question the Ayes are 47, the Nays are none.  
17. The Senate does concur in House Amendment No. 1 to Senate  
18. Bill 607, and the bill having received the required constitutional  
19. majority is declared passed. Senator Knuppel as to Senate  
20. Bill 622. Senate Bill 624, Senator Knuppel. Senate Bill  
21. 653, Senator Washington.  
22. SENATOR WASHINGTON:

23. Mr. President and members of the Senate, I move to concur  
24. with House Amendment 1 to Senate Bill 653. It simply makes  
25. the impoundment of court files pursuant to a motion permissive  
26. rather than mandatory on the part of the judge.  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall  
29. the Senate concur in House Amendment No. 1 to Senate Bill  
30. 653. Those in favor vote Aye. Those opposed Nay. The voting  
31. is open. Have all those voted who wish? Take the record.  
32. On that question the Ayes are 54, the Nays are none. The  
33. Senate does concur in House Amendment No. 1 to Senate Bill

1. 653, and the bill having received the required constitutional  
2. majority is declared passed. Senator Daley, for what purpose  
3. do you arise?

4. SENATOR DALEY:

5. Mr. President, a point of personal privilege. I...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. State your point.

8. SENATOR DALEY:

9. ...I would like to introduce one of the Senator's...  
10. Senator D'Arco's wife Michelle who is up in the President's  
11. Gallery and their...his family as well as good friends of  
12. his, Pete and Judy Foskell.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Please rise and be recognized. Senate Bill 673,  
15. Senator Mitchler. Proceed.

16. SENATOR MITCHLER:

17. Mr. President and members of the Senate, I move to concur  
18. with House Amendment No. 1 to Senate Bill 673. It is the  
19. opinion of the members of the House Agriculture Committee  
20. that there was no reason or justification to include buyers  
21. of equine for slaughter purposes under the Slaughter Livestock  
22. Buyers Act and that equine represents a very small percentage  
23. of animals purchased for slaughter. Further it is estimated  
24. that presently only fifty persons fall under this category,  
25. and the department concurs in this amendment. I move concurrence  
26. of House Amendment No. 1 to Senate Bill 673.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall the  
29. Senate concur in House Amendment No. 1 to Senate Bill 673.  
30. Those in favor vote Aye. Those opposed Nay. The voting is  
31. open. Have all those voted who wish? Take the record. On  
32. that question the Ayes are 52, the Nays are none. The Senate  
33. does concur in House Amendment No. 1 to Senate Bill 673, and

1. the bill having received the required constitutional majority  
2. is declared passed. Senate Bill 686, Senator Grotberg. Proceed.  
3. SENATOR GROTBORG:

4. Thank you, Mr. President. This is that bill where you've  
5. co-mingled and the thief has to deposit his money...no, it  
6. is not. Soper is pulling my leg. Gentlemen of the Senate,  
7. 686 was the Revenue Act Revisionary Bill by the administration  
8. and it was drafted by Dale Young of the LGA, and he went  
9. through the Act to make the Statute conform with existing  
10. case law, and in doing so he left out something that he found  
11. and asked the House to put on it. There was a problem as to  
12. whether the amended language in the...new Constitution when  
13. it exempts the personal property taxes, personal property  
14. from taxation as to whether the original revisionary bill,  
15. here, completely excluded trusts and estates from property  
16. tax, and this makes it clear that personal property within  
17. trusts and estates are included in the exemption from personal  
18. property, and I move for concurrence.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Wooten.

21. SENATOR WOOTEN:

22. Just a question. I'm not secure in this area at all.  
23. All personal property in the State except personal property  
24. as to which personal property tax is abolished on or before  
25. the effective date of the 1970 Illinois Constitution. Have  
26. we made any exceptions or exemptions since then?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. Not to my knowledge. And, Senator Wooten, you and I are  
31. in about the same knowledge level on this expert field, but  
32. if...if...do you have...do you have a synopsis of the amend-  
33. ment before you? If you do it probably reads the same as mine,



1. that a problem developed as to whether the amended language  
2. in the original bill included trusts and estates. Rather  
3. than try to identify all of the personal property which is  
4. now exempt because of various court rulings, Amendment No.  
5. 2 merely provides that any personal property on which the  
6. tax was abolished under the 1970 Constitution is now and  
7. forever exempt, any and all.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is, shall the  
10. Senate concur in House Amendment No. 2 to Senate Bill 686.  
11. Those in favor vote Aye. Those opposed Nay. The voting is  
12. open. Have all those voted who wish? Take the record. On  
13. that question the Ayes are 50, the Nays are none. The Senate  
14. does concur in House Amendment No. 1 to Senate Bill 686, and  
15. the bill having received the required constitutional majority  
16. is declared passed. Senate Bill 687, Senator Grotberg. Proceed.  
17. SENATOR GROTBORG:

18. Yes, Senate...Senate Bill 687 is the bill that sets up  
19. procedures for the Department of Health to inspect our prisons,  
20. and the change by Amendment No. 1, of Representative Ewing's,  
21. simply states that those...the report is to go to the Director  
22. of Corrections as to the sanitary conditions and the needs  
23. of the institutions and the medical facilities available, and  
24. I would move for a concurrence.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? The...the question is, shall  
27. the Senate concur in House Amendment No. 1 to Senate Bill  
28. 687. Those in favor vote Aye. Those opposed Nay. The voting  
29. is open. Have all those voted who wish? Take the record.  
30. On that question the Ayes are 49, the Nays are none. The Senate  
31. does concur in House Amendment No. 1 to Senate Bill 687,  
32. and the bill having received the required constitutional  
33. majority is declared passed. Senate Bill 689, Senator Schaffer.

1. Senate Bill 693, Senator Soper. Proceed.

2. SENATOR SOPER:

3. Thank you, Mr. President. This is the Act that permitted  
4. issuance of revenue debt bonds by units of local government  
5. which are not home rule units. If you'll remember in this...  
6. in...in this instance, a home rule units can issue revenue  
7. bonds guaranteed by the full faith and credit of the...of the  
8. home rule unit. Now, in doing that and having a reserve their...  
9. their interest rate was lowered by about twenty percent, so  
10. in other words, on a twenty year bond you saved...you saved  
11. five years interest. This...there are two amendments to this  
12. offered by the House. The first amendment changed unit...home  
13. rule...nonhome rule units to municipalities which...and the  
14. ...that I would concur in, but the second...second amendment  
15. violates this whole...violates this whole...whole bill. It  
16. would require a double...a double referendum. In...in other  
17. words when you...when you create a utility you have a referendum  
18. to create the utility and after you create the utility then  
19. you go by backdoor referendum and you create the revenue bonds.  
20. This would require that you had a front door referendum on  
21. the utility, which we do now, and then another front door  
22. referendum on the...on the bonds. In other words you would  
23. spend as much money on the second referendum as you would  
24. save on the, in most instances, on...on the amount of interest  
25. that you save on the bonds, so it would defeat the purpose  
26. of this whole thing, so I nonconcur in Amendment No. 2 and  
27. concur in Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. Would the sponsor yield to a question?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Indicates he will. He's going to Hallize you.

1. SENATOR KENNETH HALL:

2. I wanted to know, was this Soperized?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. That's Hallized.

5. SENATOR SOPER:

6. This is Hallerized and youngized and allized then

7. Soperized. Nobody can...no relative can get in on this

8. action unless he has his own trump. You've got to have

9. your own money.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Do you wish to concur in

12. Amendment No. 1? All right. The question is, shall the

13. Senate concur in House Amendment No. 1 to Senate Bill 693.

14. Those in favor vote Aye. Those opposed Nay. The voting is

15. open. Have all those voted who wish? Take the record. On

16. that question the Ayes are 43, the Nays are none. The Senate

17. does concur in House Amendment No. 1 to Senate Bill 693.

18. Senator Soper now moves to nonconcur in House Amendment No.

19. 2 to Senate Bill 693. Those in favor say Aye. Those opposed.

20. The Ayes have it. The motion carries and the Secretary shall

21. so inform the House. Senate Bill 728. Senator Rock, who

22. is handling 728? Is Senator Egan on the Floor? Senate Bill

23. 735. Senate Bill 743, Senator Philip.

24. SENATOR PHILIP:

25. Thank you, Mr. President. Senate Bill 743 amends the Real

26. Estate Broker and Salesman License Act. House Amendment No. 1

27. would provide the Department of Registration and Education

28. could hold hearings to determine whether to issue a cease and

29. desist order against a person violating the Act. Right now

30. they have to go to the Attorney General or the State's

31. Attorney and go through the court procedure. This would make

32. it simpler for them. The second amendment adds sex discrimination

33. ...prohibiting against discrimination. So, I have no objections

1. to either one of the House Amendments and I move that we  
2. do concur on House Amendment 1 and 2 to Senate Bill 743.  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? The question is, shall  
5. the Senate concur in House Amendments 1 and 2 to Senate Bill  
6. 743. Those in favor vote Aye. Those opposed Nay. The  
7. voting is open. Have all those voted who wish? Take the  
8. record. On that question the Ayes are 51, the Nays are  
9. none, 1 Voting Present. Senate...the Senate does concur  
10. in House Amendments 1 and 2 to Senate Bill 743, and the bill  
11. having received the required constitutional majority is  
12. declared passed. Senate Bill 762, Senator Ozinga. Proceed.  
13. Senator Ozinga:

14. SENATOR OZINGA:

15. Yes.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Proceed.

18. SENATOR OZINGA:

19. Senate Bill 762 amends the Optometric Act. This amend-  
20. ment provided by the House, No. 1, I'm going to move...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Number...Number 2, I believe.

23. SENATOR OZINGA:

24. No. 2, I'm sorry. No. 1 was Tabled. No. 2 is...I'm  
25. going to move to concur in. This amendment deletes the  
26. provisions which would have provided that the Director of  
27. Registration, Education could only remove a member of the  
28. Optimetric Examining Committee for cause and replace it  
29. with a provision that the director must only give the removable  
30. to remove member...written explanation of the removal. It  
31. also deletes the new section of the bill which would have setup  
32. a new discipline committee with...with a fulltime optometrist  
33. as an employee and coordinator. The amendment provides greater

1. oversight and investigation and permits the department to  
2. hire an optometrist, if needed, to deal with the investigations.  
3. This bill...this amendment has been worked out with Representa-  
4. tive Ebbesen who is an optometrist per se, the optometrist...  
5. optometric profession, is in accordance with it and I would  
6. move that we do concur.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? Senator Wooten.

9. SENATOR WOOTEN:

10. I seem to be asking all the dumb questions this morning,  
11. but I've noticed in House Amendment No. 2, at the very be-  
12. ginning, provides that the none of the functions, powers or  
13. duties enumerated in the bill should be exercised by the  
14. department except upon the action and report in writing of  
15. the Examining and Disciplinary Committee which shall be  
16. composed of five persons. Is...is that in the substance of  
17. the bill that...was that your intent in the original bill?  
18. Should not the department exercise those functions on their  
19. own or what is the normal procedure, Senator?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Ozinga.

22. SENATOR OZINGA:

23. The normal procedure would have been at this committee.  
24. Now, it rests in the department.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. But it says that the department shall not exercise  
29. the functions, powers or duties except upon the action and  
30. report in writing of the Examining and Disciplinary Committee.  
31. Is that made up of people in the department or is it the  
32. profession or what?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Ozinga.

2. SENATOR OZINGA:

3. Within the department.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is, shall  
6. Amendment No. 1...or No. 2, excuse me, No. 2 to Senate  
7. Bill 6...762 be adopted. Just a moment, let me rephrase  
8. That. The question is, shall the Senate concur in House  
9. Amendment No. 2 to Senate Bill 762. Those in favor vote  
10. Aye. Those opposed Nay. The voting is open. Have all those  
11. voted who wish? Take the record. On that question the Ayes  
12. are 48, the Nays are 2. The Senate does concur in House  
13. Amendment No. 2 to Senate Bill 762, and the bill having re-  
14. ceived the required constitutional majority is declared passed.  
15. Senate Bill 791, Senator Grotberg. Proceed.

16. SENATOR GROTEBERG:

17. Yes, Mr. President, I move concurrence on the House  
18. Amendment No. 1 to Senate Bill 791. It's an innocuous  
19. amendment. It isn't worth having a conference committee  
20. about...and it simply states that the Department of Public  
21. Aid shall encourage financial institutions regarding those  
22. checking accounts that the bill deals with sending Public Aid  
23. checks to banks and making is possible. I move for concurrence.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? The question is, shall the  
26. Senate concur in House Amendment No. 1 to Senate Bill 791.  
27. Those in favor vote Aye. Those opposed Nay. The voting is  
28. open. Have all those voted who wish? Take the record. On  
29. that question the Ayes are 47, the Nays are 2. The Senate  
30. does concur in Amendment No. 1 to Senate Bill 791 and the  
31. bill having received the required constitutional majority is  
32. declared passed. Senate Bill 779, Senator Vadalabene. Proceed.  
33. Proceed. We're ready for you, Senator.

1. SENATOR VADALABENE:

2. Yes, thank you, Mr. President and members of the Senate.  
3. House Amendment No. 1 to Senate Bill 779 improves the original  
4. bill because the original bill did not provide any procedure  
5. whereby a notice in list...in list form could be used to in-  
6. form realtors. that property owners do not want to list or  
7. sell their property. This amendment makes such a provision.  
8. It has the approval of the Illinois Realtors Association, and  
9. I move to concur with House Amendment No. 1 to Senate Bill 779.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? Question is, shall the Senate  
12. concur in House Amendment No. 1 to Senate Bill 779. Those  
13. in favor vote Aye. Those opposed Nay. The voting is open.  
14. Have all those voted who wish? Take the record. On that  
15. question the Ayes are 46, the Nays are 1, 1 Voting Present.  
16. The Senate does concur in House Amendment No. 1 to Senate  
17. Bill 779, and the bill having received the required con-  
18. stitutional majority is declared passed. On page 6 the  
19. Secretary's Desk under concurrences is Senate Bill 797,  
20. Senator Newhouse. Proceed.

21. SENATOR NEWHOUSE:

22. The House Amendment simply increases the category and  
23. it's innocuous and I would move to concur in the amendment.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? The question is, shall  
26. the Senate concur in House Amendment No. 1 to Senate Bill  
27. 797. Those in favor vote Aye. Those opposed Nay. The voting  
28. is open. Have all those voted who wish? Take the record.  
29. On that question the Ayes are 43, the Nays are none. The Senate  
30. does concur in House Amendment No. 1 to Senate Bill 797, and  
31. the bill having received the required constitutional majority  
32. is declared passed. Senate Bill 801, Senator Guidice. Proceed.

33. SENATOR GUIDICE:

1. Thank you, Mr. President. I would move to concur with  
2. Amendments 1 through 8 respectively. The...most of these  
3. amendments are technical amendments. Amendment No. 1  
4. deletes certain language and substitutes therein a marriage  
5. license may be issued if a licensed physician certifies that  
6. no danger of transmitting syphilis to either party under  
7. which a marriage exists. Amendment No. 2 provides that  
8. the license becomes effective in the county where it's been  
9. applied for. The other amendment indicates that the petitioner  
10. must plead that he or she is without fault at the time of  
11. the institution of the proceedings. And Amendment No. 7  
12. deletes the separate maintenance provision which would have  
13. provided that at the end of six months either party could  
14. have to move to make the...to change the separate maintenance  
15. decree to a divorce decree. So, that's now deleted and I  
16. would move its...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Now, just a moment. Senator...Senator Guidice, the  
19. motion that you made included 1 through 8 and it did not  
20. include 9. Is that correct?

21. SENATOR GUIDICE:

22. There is no 9, Mr. President. I think the Calendar is  
23. mistaken.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Stand at ease for a moment. The Calendar is incorrect.  
26. There is no 9...number 9 amendment. Is there discussion?  
27. Senator Glass.

28. SENATOR GLASS:

29. Well, thank you, Mr. President and Ladies and Gentlemen  
30. of the Senate. I think the membership will recall that this  
31. is one of several Divorce Act Bills that...that we passed.  
32. This one does not have any no-fault provisions in it. The  
33. two bills that did have no-fault provisions were killed by



1. the House. Now, this one is a comprehensive overhaul of...  
2. of the Divorce Act. I, personally, think it was the poorest  
3. one of all of them. It is now coming back to us with 8  
4. amendments and I certainly haven't had a chance to digest  
5. them, but...but the whole Act is long and complex and makes  
6. major changes, and I think it's not a good idea, at this  
7. late hour, to making a major change of this kind in..with  
8. as little opportunity, we have to understand what we're  
9. doing, and I would urge that the body oppose this motion  
10. with the object of defeating the entire bill. So, I...I  
11. would urge opposition to the motion to concur.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Philip.

14. SENATOR PHILIP:

15. Will the sponsor yield for a question?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Indicates he will.

18. SENATOR PHILIP:

19. Senator Guidice, would this provide after a father's  
20. death that the child support would continue?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Guidice.

23. SENATOR GUIDICE:

24. None of these amendments address themselves to that  
25. particular area.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Philip.

28. SENATOR PHILIP:

29. Well, let me ask you...there's a total of 8...8 House  
30. Amendments and...and they total about what, fifty pages?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Guidice.

33. SENATOR GUIDICE:

1. I haven't seen the amendments in their entirety, but  
2. the amendments, when I say that now I mean in the sense  
3. that they've come down to just technical changes here,  
4. Senator Philip. Five of the...five of the eight amendments  
5. that were offered are technical amendments.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Philip.

8. SENATOR PHILIP:

9. Well, I'm...I'm...I'm not a lawyer but there's 8 amend-  
10. ments. I understand there's some fifty pages and at this  
11. last hour to us to sit here and...and consider them and put  
12. them on, I really think there's a lot of questions, that  
13. we really don't know what we're doing or what this bill really  
14. does and I suggest that the membership take a good close long,  
15. hard look at this bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Guidice.

18. SENATOR GUIDICE:

19. Let me suggest that we'll take it out of the record  
20. to give them an opportunity to look at it, then.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Take it out of the record. Senate Bill 803, Senator  
23. Harber Hall. Proceed.

24. SENATOR HARBER HALL:

25. 803 was amended in the House to try and give a better  
26. definition of confidential records and I think it is probably  
27. a good definition of confidential records for the State.  
28. Senator Terry Bruce who had been very interested in this,  
29. in the committee hearings suggested that we concur with  
30. House Amendment 1, and I agree with that and I so move now.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there discussion? Senator Bruce.

33. SENATOR BRUCE:

1. Thank you, Mr. President. Some of the information or  
2. additional definition of confidential information was  
3. added in committee at my suggestion. The House has seen  
4. fit that the material already in the Statute is sufficient  
5. and I happen to agree with them. We may have just added  
6. confidential information twice in the Statute, and I would  
7. move that we concur.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is, shall  
10. the Senate concur in House Amendment No. 1 to Senate Bill  
11. 803. Those in favor vote Aye. Those opposed Nay. The  
12. voting is open. Have all those voted who wish? Take the  
13. record. On that question the Ayes are 45, the Nays are none.  
14. The Senate does concur in Amendment No. 1 to Senate Bill  
15. 803, and the bill having received the required constitutional  
16. majority is declared passed. Senate Bill 826, Senator Bruce.  
17. Proceed.

18. SENATOR BRUCE:

19. Thank you, Mr. President. This is an amendment to the  
20. Pension Code relating to officers of the armed services who  
21. are employed for the purpose of teaching in ROTC. Presently,  
22. they are not covered by any pension system and the Representative  
23. Simms came to me and asked...he has...there are twenty-six  
24. of these gentlemen, I'm told, in the State of Illinois. They  
25. wanted to be in some system. This would put them in the  
26. Municipal Retirement Fund. It has no objection by Mr. Jack  
27. Edmond. It's legislative liaison. The amendment has been  
28. approved by the Pension Laws Commission according to its  
29. actuary A. A. Wienberg. I told Representative Simms if he  
30. wanted to tack it on my bill, he couldn't find anyplace else,  
31. it would be fine as long as Pension Laws Commission approved  
32. it, and they have.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Senator Sommer.

2. SENATOR SOMMER:

3. Just wanted to ask Senator Bruce about the fact that

4. in...from Washington we hear all the time about double and

5. triple dipping on Federal pensions and this is probably

6. a quadruple dip that you're creating. This could possibly.

7. be the fourth pension opportunity for these people.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Bruce.

10. SENATOR SOMMER:

11. Is that not correct and why are we doing it?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bruce.

14. SENATOR BRUCE:

15. Well, as I understand it, these gentlemen are teaching

16. in the State of Illinois and they have no other place as an

17. Illinois teacher that they can seek a pension benefit from.

18. And all this would allow them is to be included in the IMRF.

19. Like I say, they would make the contributions as every other

20. employee. Both the IMRF Fund Liaison says it's okay

21. and the Pension Laws Commission says okay. And I would point

22. out that the fact they've retired from another pension or...

23. should make no difference. They are, in fact, employees

24. working and are entitled to pension benefits.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Sommer.

27. SENATOR SOMMER:

28. Well, this is not a matter of what the Pension Laws

29. Commission thinks, Senator Bruce, this is a matter of public

30. policy in this State. The question as to whether that there's

31. a technical problem with the pension and whether...how you

32. would structure it is...is justifiably the purview of the...

33. the commission. But these people already have at least two

1. pensions and you're giving them another one, and that's  
2. part of the problem that we hear from Washington all the  
3. time that those people are...are able to do this and...and  
4. it's probably not proper in my mind.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Buzbee. . . . .

7. SENATOR BUZBEE: . . . . .

8. Well, I...I'm not quite sure when you say ROTC officers.  
9. Are these members of the...most...well, in fact, all that  
10. I'm aware of, college teachers who teach in an ROTC program  
11. in college at the University of Illinois, at SIU and at  
12. Northwestern. They are regular officers of the U.S. Military,  
13. and as such they are included under the U.S. Military's  
14. Pension System and there's no reason for us to be giving them  
15. a pension. They're...they're Federal employees. Now, if  
16. you're talking about...if you're talking about retired officers  
17. who may be hired somewhere to teach in...in a high school  
18. ROTC program, that might be a different thing except to the  
19. best of my knowledge there are no public high schools that  
20. have ROTC programs in Illinois. If they are private high  
21. schools that have an ROTC program we have no obligation to  
22. provide a pension for them anyhow. So, what I'm really  
23. getting around to is, I guess, that I'd like to know who  
24. these folks are and where they work and I don't see any  
25. reason to include them in our system at all.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Bruce may close.

28. SENATOR BRUCE:

29. Well, just for clarification and I leave it...as I  
30. mentioned Representative Simms came over and said he'd like  
31. to tack this on and I said fine, get Pension Laws approval.  
32. It appears to me that these are...it says, any member of  
33. the Armed Forces, which I would imagine to me Federal employees,

1. employed for the purpose of teaching subjects in a Reserve  
2. Officers Training Corp of any school and who is not a  
3. certified teacher under law shall be included as an employee.  
4. In short, if the air pilot teaches for the Armed Forces  
5. Reserve and is not a certified teacher under State law, he  
6. may be included as an eligible participant in the Pension  
7. Fund of the IMRF.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Well, I would point out...I would point out then  
12. Senator Sommer is absolutely one hundred percent correct.  
13. These people are eligible for a fifty percent retirement,  
14. fifty percent of their highest base pay after twenty  
15. years in the military and it goes up to as high as seventy-  
16. five percent after thirty years. There is no reason to in-  
17. clude them in any of our State pension systems. They are  
18. Federal employees, they are assigned by the Federal Military  
19. to...to teach those courses there. They're there about  
20. 3 or 4 years then they're assigned somewhere else. They may  
21. be in Guam or...or...or anyplace else in this world as soon  
22. as they finish that 3 or 4 year tour. They're not employees  
23. of Illinois. We have no obligation to them...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just...just a minute...

26. SENATOR BUZBEE:

27. ....and we ought to defeat this.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...Senator Buzbee, Senator Bruce indicates that  
30. he wishes to take it from the record. Take it from the  
31. record. Senate Bill 830, Senator Bruce. Proceed.

32. SENATOR BRUCE:

33. Thank you. I think I know more about this one. I

1. didn't...I didn't tack this one on in the House. Thank you,  
2. Mr. President and members of the Senate, this is the...the  
3. Community College Bill that sets the rates for the different  
4. areas of subject matter that...for which the State reimburses  
5. the community colleges throughout the State. I have had  
6. passed to your desks a pink sheet which states the 4 amend-  
7. ments before you, Amendments 1, 5, 6 and 10. On that sheet  
8. it says that we will urge concurrence of all four. We will  
9. not, in fact, do that. We will not urge a concurrence of  
10. No. 6 because No. 6 is in error and so, my motion, Mr. President,  
11. will be to concur in Amendments No. 1, 5 and 10 and then I  
12. would like to nonconcur in No. 6 since it seems to be in-  
13. correctly drafted. All Amendment No. 1 would do, was amend  
14. the credit hour grants to the Governor's level. As you re-  
15. member, we left the Senate at the Board of Higher Education  
16. rates, the House saw fit to reduce it to the Governor's level  
17. of appropriation. There's a separate rate of a dollar seventy-  
18. nine for a special grant line item that Senators Buzbee and  
19. Regner have had an undying interest in to line item out at  
20. nine million one hundred thousand dollars. Amendment No. 5  
21. requires that the State funds for disadvantaged students  
22. projects must be spent on remedial and developmental programs  
23. for disadvantaged students which is being done, I'm told, in  
24. most colleges in any event. Amendment No. 10 adjusts the  
25. rate by six cents. There was an agreement that we would re-  
26. duce our appropriation and take out the extra energy cost  
27. money that the other senior institutions included. The  
28. Governor indicated that he was not going to look favorably  
29. on those, and it was our...our thought that we would just  
30. deduct that and save him the trouble. And so that adjusts  
31. the rate by six cents to conform by...to the appropriation  
32. bill which we passed out of here yesterday which, in fact,  
33. did not have the additional energy money. I know of no opposition

1. to the concurrence so I, now, would move that we concur  
2. in Amendments 1, 5 and 10 to Senate Bill 830.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Regner.

5. SENATOR REGNER:

6. Mr. President and members of the Senate, I'm in total  
7. agreement with Senator Buzbee. For the information of our  
8. side for the concurrences on 1, 5, 10 and the nonconcurrence  
9. on 6. The reason for the nonconcurrence on 6, or one of the  
10. reasons is, that it does provide for a nonreferendum tax  
11. increase. I support Senator Bruce on the concurrence on  
12. 1, 5 and 10.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? All right, the question...  
15. the question is, shall the Senate concur in Amendments...  
16. Amendments 1, 5 and 10 to House Bill 830. Those in favor  
17. vote Aye. Those opposed Nay. The voting is open. (Machine  
18. cutoff)...wish. Have all those voted who wish? Take the  
19. record. On that question the Ayes are 55, the Nays are 1.  
20. The Senate does concur in House Amendments No. 1, 5 and 10,  
21. and shall advise the House. Now, Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President. The language in No. 6 seems  
24. to indicate that we...allow all the community colleges in  
25. the State to bump their rates by two and give them an additional  
26. twenty-five cents, and I wouldn't even want my Republican  
27. colleagues to go back home and have to run, having increased  
28. taxes by twenty-five cents per one hundred, so I think we  
29. ought to nonconcur and get the language straight.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. All right. Senator Bruce moves to nonconcur in House  
32. Amendment No. 6 to Senate Bill 830. Those in favor indicate  
33. by saying Aye. Those opposed. The Ayes have it. Motion



1. carries and the Secretary shall so inform the House. Senate  
2. Bill 868, Senator Harber Hall. Proceed.

3. SENATOR HARBER HALL:

4. 868 is the Air Carrier's Act. There were two amendments.  
5. Both of the amendments address the problem of public meetings  
6. and exceptions for public meetings of the Board of Aeronautics.  
7. They...they're comprehensive in the detail of when public  
8. meetings can be exempted for the Board, such as consideration  
9. of a pending court proceeding such as consideration of any  
10. matter which is required by Federal law to be considered at  
11. a closed meeting and such activities which the chairman of  
12. the commission can take individually in his new...his or her  
13. capacity as chief executive officer of the commission. I  
14. see nothing wrong with the amendments. I think they're all  
15. right and I move adoption of House Amendments 2 and 4.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, I rise in opposition to House  
20. Amendments 2 and 4. They, as I read them, reinstitute those  
21. legislative proposals proposed by Representative Levin which  
22. this Body summarily threw out, and to reinstitute them by  
23. virtue of House Amendment is...is simply a mistake. I would  
24. suggest to the Senator that we do not concur and ask the  
25. House in their good judgment to recede from these ill-considered  
26. amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Harber Hall.

29. SENATOR HARBER HALL:

30. I'm pleased to have this input at this time from Senator  
31. Rock and I certainly will abide by his desires. I hadn't  
32. discussed these, or he hadn't discussed his opposition of  
33. these amendments with me, and I would withdraw my motion to

1. concur in the amendments and move that the Senate do not  
2. concur in...in House Amendments 2 and 4.  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Motion to concur is withdrawn and Senator Harber Hall  
5. now moves to nonconcur in House Amendments 2 and 4 to Senate  
6. Bill 868. Those in favor indicate by saying Aye. Those  
7. opposed. The Ayes have it. The motion carries and the  
8. Secretary shall so inform the House. Senate Bill 878,  
9. Senator Regner. Proceed. Senator Regner.

10. SENATOR REGNER:

11. Yes, Mr. President and members of the Senate, I'm  
12. going to move to concur in House Amendment No. 2 to Senate  
13. Bill 878. What it does...we passed this bill out and it  
14. took...that we took the restriction off totally on how much  
15. of a person's salary in Local Governments could be used for  
16. insurance and various other benefits. The same amendment  
17. limits it to thirty percent of the salary and I would move  
18. to concur.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is, shall the  
21. Senate concur in House Amendment No. 2 to Senate Bill 878.  
22. Those in favor vote Aye. Those opposed vote Nay. The voting  
23. is open. Have all those voted who wish? Have all those voted  
24. who wish? Take the record. On that question the Ayes are 46,  
25. the Nays are none, 4 Voting Present. The Senate does concur  
26. in House Amendment No. 2 to Senate Bill 878, and the bill  
27. having received the required constitutional majority is declared  
28. passed. Senate Bill 880, Senator "Ergner." That's what it says.  
29. Senator Regner. Proceed.

30. SENATOR REGNER:

31. Yes, Mr. President and members of the Senate, I'm going  
32. to move to concur in House Amendments No. 2 and 4. House  
33. Amendment No. 2 breaks out two and a half million dollars into

1. specific earmarked juvenile justice fund. There is no  
2. dollar change. Amendment No. 4 provides technical changes  
3. in the specific projects and there's also no dollar change,  
4. and I would move to concur in Amendments 2 and 4.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, and I join Senator Regner in  
9. that motion of concurrence in Amendments 2 and 4. There was  
10. a mistake in one and I assume he will make a nonconcurrence  
11. motion at that time, but I would move we concur in Senate  
12. Amendments...or House Amendments 2 and 4.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is, shall the  
15. Senate concur in House Amendments 2 and 4 to Senate Bill 880.  
16. Those in favor vote Aye. Those opposed Nay. The voting is  
17. open. Have all those voted who wish? Take the record. On  
18. that question the Ayes are 53, the Nays are none. The Senate  
19. does concur in House Amendments 2 and 4 to Senate Bill 880.  
20. Now, Senator Regner moves to nonconcur in House Amendment No.  
21. 1 to Senate Bill 880. Those in favor indicate by saying Aye.  
22. Those opposed. The Ayes have it. The motion carries and  
23. the Secretary shall so inform the House. Senate Bill 881,  
24. Senator Schaffer. You wish to proceed?

25. SENATOR SCHAFFER:

26. Yes, Mr. President, I'd like to move to...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Proceed.

29. SENATOR SCHAFFER:

30. ...I'd like to move to nonconcur in House Amendment No.  
31. 1. Representative Catania and Skinner have run amuck on  
32. this and we're going to have to go to conference committee  
33. to clean it up.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Just...I understand that.  
3. There are members in the aisle, there are unauthorized personnel  
4. in the aisle. Will the members please be in their seats.  
5. Would you repeat, Senator Schaffer, for the sake of Senator  
6. Rock.

7. SENATOR SCHAFFER:

8. I just...we're going to have to nonconcur. My...  
9. Representative Catania and Skinner have run amuck on this  
10. and we're going to have to put it in a conference committee  
11. and clean it up.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is...Senator  
14. Rock...Senator Schaffer moves to nonconcur in House Amendment  
15. No. 1. Those in favor indicate by saying Aye. Those opposed  
16. Nay. The Ayes have it. The motion carries. The Secretary  
17. shall so inform the House. Senate Bill 892, Senator Nimrod.  
18. Proceed.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Yes, Mr. President and Ladies and Gentlemen of the  
21. Senate. The amendment that was put on in the House, House  
22. Amendment 1, what it did is remove the lines from paragraph  
23. 2, two lines there, and place them down below in another  
24. paragraph where they belong and also it...the other change  
25. that's involved is amendment, is to remove some unnecessary  
26. quote marks, and I would move, then, Mr. President, that we  
27. do concur in House Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The question is, shall the  
30. House...shall the...the question is, shall the Senate concur  
31. in House Amendment No. 1 to Senate Bill 892. Those in favor  
32. vote Aye. Those opposed Nay. The voting is open. Have all  
33. those voted who wish? Take the record. On that question the

1. Ayes are 51, the Nays are none. The Senate does concur in  
2. House Amendment No. 1 to Senate Bill 892, and the bill  
3. having received the required constitutional majority is  
4. declared passed.

5. PRESIDENT:

6. Senate Bill 919, Senator Berman. Senate...Senate Bill  
7. 926, Senator Grotberg.

8. SENATOR GROTBORG:

9. Yes, Mr. President. House Amendment No. 1, I believe,  
10. to Senate Bill 926 was added in the House to clarify the...  
11. and legalize the temporary custody of children in that  
12. thirty-six hour period for abused and abandoned children  
13. when the Department of Children and Family Services called  
14. in to clarify that they do have legal custody until they get  
15. to court thirty-six hours later, and that's what this amend-  
16. ment does. And I'd move for concurrence.

17. PRESIDENT:

18. Is there any discussion? Senator Rock.

19. SENATOR ROCK:

20. I...I think the amendment has some real significance and  
21. I, frankly, just didn't understand Senator Grotberg's...  
22. We...we are talking about a child, who under the Abused and  
23. Neglected Child Reporting Act, is taken into temporary custody.  
24. Is that the idea?

25. PRESIDENT:

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. Go...I think Mr. Rock...Senator Rock understands this  
29. process almost better than Grotberg. If you'd just go ahead,  
30. Senator.

31. SENATOR ROCK:

32. All right.

33. SENATOR GROTBORG:

1. If you have questions, answer them and I'll listen.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. My question is, what is the relation if any of House

6. Amendment No. 1 with Senate Bill 79 which we passed out of

7. here, and I under...is 79 got...gotten out of the House?

8. I have not heard from my House sponsor.

9. PRESIDENT:

10. Senator Grotberg.

11. SENATOR GROTBERG:

12. The staff says yes.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Next question. Is that, in fact, the reason for House

17. Amendment No. 1?

18. PRESIDENT:

19. Senator Grotberg.

20. SENATOR GROTBERG:

21. No.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Well...well...well, wait...wait just a minute. What I

26. don't understand, then, in that event, is that we are saying,

27. during the period of temporary custody and before a child

28. is brought before a judicial officer, this department shall

29. have the authority responsibility and duty that a legal

30. custodian of the child would have under Section 112. What

31. does that mean?

32. PRESIDENT:

33. Senator Grotberg.

1. SENATOR GROTEBERG:

2. To me that would mean that they are, then, legal  
3. custodians and locus parentus et cetera and have...they  
4. can authorize medical checks. For instance an abused or  
5. battered child may need medical attention and that was the  
6. thrust of the department's request for this bill. Otherwise,  
7. they'd have to wait thirty-six, and if the other amendment  
8. goes on for forty-eight hours, I think that has passed, it  
9. would be forty-eight hours under the new Act, they would  
10. have the authority, then, to authorize a medical check for  
11. a child in their custody.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. The current practice is, is it not, that if, in fact,  
16. some medical emergency or...or something of that nature  
17. arises that they are, then, compelled to go before a  
18. judicial officer?

19. PRESIDENT:

20. Senator Grotberg.

21. SENATOR GROTEBERG:

22. In that case it's the doctor who assumes the temporary  
23. custody under the Child-Abuse Act in the other section.

24. PRESIDENT:

25. Senator Rock.

26. SENATOR ROCK:

27. The doctor is allowed to assume temporary custody and  
28. he immediately notifies everybody in the world as I under-  
29. stood that Act, so then the department, in fact, has custody  
30. prior to the...prior to the petition before the judicial  
31. officer. What I'm saying is...I'm not sure what this does  
32. or what it means, or what it is intended to do.

33. PRESIDENT:

1. Take it out of the record. Senate Bill 935 with  
2. House Amendment No. 1, Senator Bruce.

3. SENATOR BRUCE:

4. Thank you, Mr. President. I know what this amendment  
5. adds. It adds an effective date of July 1st of 1978. This...  
6. the bill, as amended, has nothing to do with what it says  
7. on the Calendar. It changes the dependent optional group  
8. life coverage in the State program and since we're going to  
9. rebid it next July 1st, and I thought this amendment went  
10. on in the Senate, it did not, and so it makes effective  
11. July 1st of next year. I would ask...I would move that  
12. we concur with House Amendment No. 1 to Senate Bill 935.

13. PRESIDENT:

14. Is there any discussion? The question is, shall the  
15. Senate concur in House Amendment No. 1 to Senate Bill 935.  
16. Those in favor will vote Aye. Those opposed will vote Nay.  
17. The voting is open. (Machine cutoff)...who wish. Have all  
18. voted who wish? Take the record. On that question the Ayes  
19. are 55, the Nays are none, none Voting Present. The Senate  
20. does concur in House Amendment No. 1 to Senate Bill 935, and  
21. the bill having received the required constitutional majority  
22. is declared passed. (Machine cutoff)...Bill 944 with House  
23. Amendment No. 2, Senator Nimrod.

24. SENATOR NIMROD:

25. Yes, thank you, Mr. President, Ladies and Gentlemen of  
26. the Senate, this amendment that is...was placed on it adds  
27. the words "division of energy and Department of Business and  
28. Economic Development" or its successor agency and the words  
29. "successor agency and BED was added in case the division of  
30. Energy is changed under its reorganization, it would eliminate  
31. any problem in the future, and I would move, then, Mr. President,  
32. for...the Senate do concur in House Amendment No. 2.

33. PRESIDENT:



SB 952  
6/29  
Cone.

1. Is there any discussion? If not Senator Nimrod has  
2. moved the Senate concur in House Amendment No. 2 to Senate  
3. Bill 944. The question is, shall the Senate concur in  
4. House Amendment No. 2 to Senate Bill 944. Those in favor  
5. will vote Aye. Those opposed will vote...Senator Buzbee,  
6. for what purpose do you arise?

7. SENATOR BUZBEE:

8. Well, I'm sorry, Mr. President, I was distracted tem-  
9. porarily. House Amendment No. 2, I'm just trying to find  
10. out what this actually does. So, what...what you're putting  
11. in there, Senator Nimrod, is the language saying "or its successor"  
12. that's the only thing that...BED or its successor.

13. SENATOR NIMROD:

14. Right. That's all.

15. SENATOR BUZBEE:

16. All right, fine, thank you.

17. PRESIDENT:

18. The question is, shall the Senate concur in House  
19. Amendment No. 2 to Senate Bill 944. Those in favor will  
20. vote Aye. Those opposed will vote Nay. The voting is open.  
21. Have all voted who wish? Have all voted who wish? Take  
22. the record. On that question the Ayes are 52, the Nays  
23. are none, none Voting Present. The Senate does concur in  
24. House Amendment No. 2 to Senate Bill 944, and the bill  
25. having received the required constitutional majority is  
26. declared passed. (Machine cutoff)...Bill 952 with House  
27. Amendment No. 1, Senator Bloom.

28. SENATOR BLOOM:

29. Thank you, Mr. President. The...the amendment, apparently  
30. over in the House, they preferred the use of the two words  
31. persistent tendency instead of course of conduct. I checked  
32. with the committee chairman and I urge concurrence.

33. PRESIDENT:

1. Is there any discussion? Is there any...Senator Netsch.

2. SENATOR NETSCH:

3. We couldn't hear a word Senator Bloom said. I think  
4. he is mumbling this one through.

5. PRESIDENT:

6. Senator Bloom.

7. SENATOR BLOOM:

8. I'll do it again, Dawn, just for you. Over in the  
9. House they changed two words...or they changed the phrase  
10. course of conduct to persistent tendency in subsection 2.  
11. There had been some discussion in Insurance Committee about  
12. the use of those two phrases. The preferred persistent  
13. tendency. I took...I took that over and I...I checked with  
14. Senator Lane, the Chairman of the Insurance Committee. Maybe  
15. Senator Rock has some response. No. Oh. And I...I have  
16. no objection to that change in phraseology and I don't...  
17. I understand that the Chairman of the Insurance Company...  
18. Committee does not. Okay. Okay.

19. PRESIDENT:

20. Senator Bloom moves that the Senate concur in House  
21. Amendment No. 1 to Senate Bill 952. The question is, shall  
22. the Senate concur in House Amendment No. 1 to Senate Bill 952.  
23. Those in favor will vote Aye. Those opposed will vote Nay.  
24. The voting is open. Have all voted who wish? Have all voted  
25. who wish? Take the record. On that question the Ayes are  
26. 53, the Nays are none, none Voting Present. The Senate does  
27. concur in House Amendment No. 1 to Senate Bill 952, and the  
28. bill having received the required constitutional majority is  
29. declared passed. The Chair would remind the membership that  
30. there is a printout on your desk, or it was distributed and  
31. was on your desk last evening which contains a description  
32. of all of the amendments involved. So, that if you would  
33. make use of that you will be able to determine in advance what

1. the nature of the amendment being voted on is. Senate Bill  
2. 961, Senator Guidice with House Amendment No. 1. Senator  
3. Rock.

4. SENATOR ROCK:

5. I'm sorry. The Senator was here before...a moment ago  
6. on a bill and I meant to ask him. Can I...can I...we just  
7. come right back to this one.

8. PRESIDENT:

9. We have leave to skip this and come back to it after the  
10. next bill? Leave is granted. Senate Bill 964, Senator Kosinski  
11. with House Amendments 1, 2 and 3.

12. SENATOR KOSINSKI:

13. Mr. President and members of the Senate. When we were in  
14. committee and passed this particular bill, 964, Senator Collins  
15. and Senator Rhoads were gracious enough to vote for the bill  
16. and asked me to put an amendment...see to it that an amendment  
17. was to be put on in the House. Through an oversight of the  
18. staff at the House they just excluded this particular amend-  
19. ment. I have talked to the members of the House and they have  
20. guaranteed me that they would put this amendment back in, so  
21. now I am asking not to concur with Amendment No. 1, 2 and 3  
22. at this time and move it back into the House, Mr. President.

23. PRESIDENT:

24. Senator Kosinski moves to nonconcur in House Amendments  
25. Nos. 1, 2 and 3 to Senate Bill 964. Is there any discussion?  
26. Senator Rhoads.

27. SENATOR RHOADS:

28. Thank you, Mr. President and members of the Senate.  
29. Senator Kosinski is absolutely correct and I appreciate his  
30. doing this because we do feel there's an important amendment  
31. that should go on in conference committee, so I support him  
32. in this motion to nonconcur.

33. PRESIDENT:

SB 961  
concur  
6-29-77

1. Is there further discussion? The motion is to noncon-  
2. cur in House Amendments 1, 2 and 3 to Senate Bill 964. Those  
3. in favor will signify by saying Aye. Opposed. The Ayes  
4. have it. The motion carries and the Secretary shall so  
5. inform the House. Are you ready on 961? Senate Bill 961  
6. with House Amendment No. 1. Senator Guidice.

7. SENATOR GUIDICE:

8. Thank you, Mr. President. I would move to concur with  
9. House Amendment No. 1 which reduces the proposed increase  
10. from four thousand dollars to one thousand dollars.

11. PRESIDENT:

12. Senator Guidice.

13. SENATOR GUIDICE:

14. Do you want me to...

15. PRESIDENT:

16. Could we take this out of the record for the moment.  
17. The...there's someone else who has a question. (Machine cutoff)...  
18. 965. Senator Grotberg.

19. SENATOR GROTBORG:

20. At the appropriate time I'd like to ask leave of the  
21. Body to go back to 926 and nonconcur.

22. PRESIDENT:

23. All right. With leave of the Body this is the appropriate  
24. time. Senator Grotberg moves to nonconcur in House Amendment  
25. No. 1 to Senate Bill 926. Is there any discussion? If not,  
26. all those in favor signify by saying Aye. Opposed. The Ayes  
27. have it. The motion carries and the Secretary shall so inform  
28. the House. One more time on Senate Bill 961. Senator Guidice,  
29. House Amendment No. 1.

30. SENATOR GUIDICE:

31. Thank you, Mr. President, I would move to concur with  
32. House Bill...Amendment No. 1 which reduces the proposed in-  
33. crease of salary of the probation office from four thousand dollars

1. to one thousand dollars.

2. PRESIDENT:

3. Is there any discussion? Senator Sommer.

4. SENATOR SOMMER:

5. Senator Guidice, that's not what this says. I'm not  
6. sure what this says now in relation to your explanation.  
7. Would you be more specific?

8. SENATOR GUIDICE:

9. Senator Sommer, with this...with...with the bill...  
10. what the bill originally provided, was to raise the ceiling  
11. on the...the sellers of probation officers throughout the  
12. State, and it was increased in this Body to four thousand  
13. dollars. It did not change the floor. The floor level of  
14. that money. When it went over to the House the House put an  
15. amendment on to raise the ceiling only to a thousand dollars  
16. rather than to four thousand dollars.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Sommer.

19. SENATOR SOMMER:

20. Well, did you do anything to the floor?

21. SENATOR GUIDICE:

22. No, the floor stayed at the same place.

23. SENATOR SOMMER:

24. Why does the printout that we have say something entirely  
25. different?

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Guidice.

28. SENATOR GUIDICE:

29. Those figures have to be read...those figures have to  
30. be read in conjunction with the entire Statute and it will  
31. indicate, therein, that it's only a thousand dollars that this  
32. has been increased to rather than the four thousand dollars  
33. which was proposed by this Body.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Sommer through. Senator Netsch is recognized.

3. SENATOR NETSCH:

4. Now, Senator Guidice, as I understand it, there is  
5. no change in the minimum level, the floor. Question No. 1  
6. okay. Question No. 2, there is now a one thousand dollar  
7. increase in the maximum level rather than the four thousand  
8. dollars that the Senate passed. Question No...that is  
9. correct, right? He...he nods his head in assent. Question  
10. No. 3, does this apply to probation officers everywhere in  
11. the State?

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Senator Guidice.

14. SENATOR GUIDICE:

15. Yes, it does, and I might also point out this does not  
16. mandate that they will get an increase. It will have to be  
17. done by the county officials at that particular time. It  
18. just allows them to go up that high. It's permissive.  
19. It's permissive, it's not mandatory that they can go up that  
20. high.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Any further questions? Any further debate? The  
23. question is, shall the Senate concur in House Amendment No.  
24. 1 to House Bill...Senate Bill 961. All those in favor vote  
25. ...to 965. Was I right? Okay, for a change I was right,  
26. all right. All those in favor vote Aye. All those opposed  
27. vote Nay. The voting is open. Senator Hall, would you  
28. look after me please? Senator Hall, Senator Kenneth Hall,  
29. would you look after me back there please. Thank you.  
30. On that question the Ayes are 49, the Nays are none. On  
31. that...Mr. Secretary, take the record. Thank you, Senator  
32. Netsch. It's early for me this morning. Thank you. On  
33. that question the Ayes are 49, the Nays are none. The motion

1. carries and the Secretary shall so inform the House. The  
2. Senate does concur in Amendment No. 1 to House Bill...to  
3. Senate Bill 961. Having received the...required constitutional  
4. majority is declared passed. Senate Bill 965, Senator  
5. Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, I move that we do concur with  
8. House Amendment No. 1 to Senate Bill 965. This had been  
9. requested in the House side as a technical amendment on  
10. fee requirements do not apply to units of Local Government  
11. and school districts and I would, thereby, move that we  
12. do concur with House Amendment No. 1 to Senate Bill 965.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. You've heard the motion. The question is, shall...shall  
15. the Senate concur in House...House Amendment No. 1 to Senate  
16. Bill 965. Mr...have all...Mr. Secretary, take the record.  
17. No, wait a minute. Those in favor vote Aye. Those opposed  
18. vote Nay. The...whose got some discussion? He didn't rise.  
19. Okay. Any discussion? Senator Rhoads.

20. SENATOR RHOADS:

21. I apologize to Senator Carroll. I didn't hear either  
22. the explanation or the motion.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Senator Carroll would you regress back and discuss...

25. SENATOR CARROLL:

26. I'll do both. Renew the motion, explain the explanation  
27. and refer him to page 53 of our printout of bills on concurrence  
28. which is what I'm reading from. This is a technical correction  
29. and adds that the fee requirements do not apply to units of  
30. Local Government or school districts, and I, thereby, move  
31. we concur with House Amendment No. 1 to Senate Bill 965.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Rhoads.

1. SENATOR RHOADS:

2. This applies only to Cook?

3. SENATOR CARROLL:

4. Yes. Probably.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Carroll.

7. SENATOR CARROLL: I would, again, move we concur with House Amendment No.

8. I would, again, move we concur with House Amendment No.

9. 1 to Senate Bill 965.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. You've heard the motion. The question is, shall the

12. Senate concur in House Amendment No. 1 to Senate Bill 965.

13. Those in favor vote Aye. Those opposed vote Nay. The voting

14. is open. Have all voted who wish? Have all voted who wish?

15. Take the record. On that question the Ayes are 46, the Nays

16. are none. The Senate does concur in House Amendment No. 1

17. to Senate Bill 965. Having received the required constitutional

18. majority it is declared passed. Mr. Secretary, Senate Bill

19. 997, Senator Egan.

20. SENATOR EGAN:

21. Senate Bill 997. I would move, Mr. President and members

22. of the Senate, to concur in the amendment, House Amendment

23. No. 1, which takes from the bill the mandatory nature of the

24. original bill and makes it predicatory. It's that simple and

25. I...I...I...there's been a request to take it out of the

26. record, Mr. President. Would you take it from the record.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. What's your wish, Senator. Take it from the record.

29. SENATOR EGAN:

30. If I could have leave to come back to it.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. You've heard the request by Senator Egan. He wishes to

33. take it from the record with leave to bring it back later on.



1. Does he have leave? Leave is granted. The next bill will  
2. be Senate Bill 1023, Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President and members of the Senate.  
5. House Amendment No. 3 takes from the original bill the pro-  
6. visions requiring the President of the Senate and the Speaker  
7. of the House to appoint certain designated general area  
8. members to the commission. Locks in the former chairman  
9. and...and adds two public members to the commission and I  
10. think this amendment makes the bill much better. It does re-  
11. quire, however, that at least one of the public member's  
12. appointed by each of the legislative leaders be actively en-  
13. gaged in the area of banking and financial institutions. I  
14. move that the Senate concur in House Amendment No. 3 to  
15. Senate Bill 1023.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. I've heard the motion but I wish to recognize Senator  
18. Hickey then Senator Bloom.

19. SENATOR HICKEY:

20. Thank you, Mr. President. I'd like to ask Senator Egan  
21. if with House Amendment No. 3 there's a provision for anything  
22. other than bankers or people from financial institutions, be-  
23. cause as I understand this also concerns retailers, merchandisers  
24. and consumers. And I'm wondering what provision there is for  
25. any one of those three categories in the bill as it now stands  
26. with House Amendment No. 3?

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, thank you, Mr. President. Senator Hickey, the bill  
31. now allows the President of the Senate to appoint any member  
32. he desires as it does with the Speaker. It adds two public  
33. members, so let me say that if the merchants want to get on

1. the commission, I think they're way ahead on the line to get  
2. in.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator Hickey.

5. SENATOR HICKEY:

6. That is by applying, but...but the...there is no pro-  
7. vision in the Act for this as I understand. Also, is there  
8. any mention of consumers in this board?

9. SENATOR EGAN:

10. No.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Egan.

13. SENATOR EGAN:

14. No, but that's up to the President of the Senate. Now,  
15. we all have faith in the President of the Senate and we have  
16. faith in the Speaker of the House. I'm sure, having appointed  
17. the members of all of the other commissions, that they are  
18. well able to listen to your plea to get whomever you wish on  
19. the commission.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Hickey.

22. SENATOR HICKEY:

23. Senator Egan, I would encourage you to...to withdraw your  
24. motion and move to nonconcur so that this could go to conference  
25. committee and could be worked out so that the Statute provides  
26. for what we should have in the bill.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, I think I know what you mean. Not what we should  
31. have in the bill but what you wish to be in the bill, and I...  
32. I think that you can ask the President for...to accomplish  
33. your wish, and as...as everyone else can do.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Hickey, have you concluded? She has. Senator  
3. Bloom is next.

4. SENATOR BLOOM:

5. Thank you, Mr. President. I...I stand in opposition  
6. to the motion to concur for the following reasons and I'll  
7. try and keep it brief. In the Spring of '75 I created this  
8. commission because I felt that it was the answer, at least  
9. it would solve some of the problems in branch banking. At  
10. our first meeting we had...our public members were all bankers,  
11. it became very apparent that this was not just a structure  
12. issue, although, elements in the banking industry maintain  
13. that. In the legislation recreating or extending the life of  
14. this commission two years, to the end of this year which  
15. came through this Body last year, I specifically drew language  
16. that said, "add two people not engaged in banking." Now,  
17. my faith is somewhat shaken in the Speaker of the House be-  
18. cause one of the consumer or public members allegedly not  
19. engaged in the field of banking or other financial institutions  
20. happened to be the chief officer of the Gladstone Norwood  
21. Trust Company. Now, this committee...this commission has been...  
22. was taken over and dominated by bankers and elements in the  
23. banking community. The legislation was put in to freeze in...  
24. I guess it was a sock to me, I don't care, freeze in the  
25. officers and freeze the membership so there would not be  
26. full input from all aspects of commercial life. I amended  
27. that in the Senate and specifically mandated leadership to  
28. a point of people from the area of retail merchants, manufactur-  
29. ing, credit unions, savings and loans...we talked about this  
30. in the EFT legislation which resides in committee. This...  
31. could I have a little attention, please? This is important.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Thank you, Senator Bloom. Now, Gentlemen, what...what

1. each of you fail to realize is, that everytime you raise  
2. your voice the next guy has to talk over you. So, let's  
3. just settle down, please, and give this man a chance to...  
4. to discuss the issue.

5. SENATOR BLOOM:

6. Thank you. It also said specifically that there should  
7. be, in addition to the four industries or areas represented,  
8. at least two people not connected with any one of them,  
9. i.e. consumers. The point is, that in Illinois, at any rate,  
10. the discussion on this important issue has been dominated  
11. by elements in the banking industry. That is wrong. The...  
12. Senate amendment tried to take it and model it after the  
13. national commission which had input from all aspects of both  
14. commercial and consuming life. Over in the House a rug  
15. tug was pulled and, now, the way it is presently structured  
16. it will still be dominated by certain selfish elements in  
17. the banking industry and there will not be a full open dis-  
18. cussion and full input into this very important area. I  
19. would urge that you vote No on concurrence and that you get  
20. this bill into a conference committee and, perhaps, if this  
21. commission has to continue, quite frankly I...I...I don't  
22. really care nor do I care about chairing it, if the commission  
23. does continue, have it be open. Don't have it be wired because  
24. Ladies and Gentlemen of this Senate, the way this commission  
25. is presently constituted it is wired, absolutely. Absolutely  
26. wired to be dominated by certain selfish elements in the  
27. banking industry. Thank you.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Thank you, Senator. Now, Senator Collins was standing.  
30. Did she wish to be recognized? Senator Collins, did you  
31. wish to be recognized on this issue? No. Okay. You were - - - -  
32. standing behind Senator Hickey and I thought you wished to be  
33. recognized. Okay, now, the next one is Senator Bowers. Do

1. you wish to be recognized on this issue?

2. SENATOR BOWERS:

3. No.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. You signaled and then you...

6. SENATOR BOWERS:

7. I beg your pardon.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. All right, okay. Senator Washington, did you wish to  
10. be recognized? No. Has everybody discussed the issue that  
11. wishes to discuss it with Senator Egan? What's your wishes,  
12. Senator Egan?

13. SENATOR EGAN:

14. Mr. President, I'm going to speak low because the noise  
15. level is rising and I'm going to be very quiet. When every-  
16. thing is very nice and quiet I would...I would ask for your  
17. support in concurring in House Amendment No. 3 to Senate Bill  
18. 1023.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. All right, the question is, shall the Senate concur in  
21. House Amendment No. 1...no, House Amendment No. 3 to Senate  
22. Bill 1023. Those in favor vote Aye. Those opposed vote Nay.  
23. The voting is open. Have all voted who wish? Have all voted  
24. who wish? Take the record. On that question the Yeas are  
25. 27, the Nays are 24...Present. The Senate does concur...no,  
26. it does not concur in House Amendment No. 3 to Senate Bill  
27. 1023, and it will be so reported. The motion having failed  
28. the Senate does not concur. And the Secretary shall so be  
29. informed. Senator Egan, Senate Bill 1025.

30. SENATOR EGAN:

31. Yes, Mr. President, maybe on this vote you'll give me  
32. a little time on the roll call.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. All right, Senator...

2. SENATOR EGAN:

3. My motion is to nonconcur in the House Amendment No. 1  
4. to Senate Bill 1025.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. All right.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The motion is to noncon-  
9. cur in Amendments No. 1 and 3 to Senate Bill 1025. Those  
10. in favor indicate by saying Aye. Those opposed. The  
11. Ayes have it. Motion carries and the Secretary shall so in-  
12. form the House. Senate Bill 1028, Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President and members of the Senate.  
15. House Amendment No. 2 would allow the...the...the pension  
16. recipient in this bill to maintain the...the right to have  
17. the retirement system contribute the employer's share of  
18. his pension during the first three years of his leave of  
19. absence. It...it restores the intention of the bill back  
20. to what the law presently was before the bill was introduced  
21. and I...I move for the concurrence of the amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question is, shall  
24. the Senate concur in Amendment No. 2 to House...Senate Bill  
25. 1028. Those in favor vote Aye. Those opposed Nay. The voting  
26. is open. Have all those voted who wish? Take the record.  
27. On that question the Ayes are 36, the Nays are 13, 3 Voting  
28. Present. The Senate does concur in House Amendment No. 2 to  
29. Senate Bill 1028, and the bill having received the required  
30. constitutional majority is declared passed. Senate Bill  
31. 1035, Senator Hickey. Proceed.

32. SENATOR HICKEY:

33. Thank you, Mr. President. This is an amendment to...or a

1. bill affecting the Educational Facilities Authority Act  
2. which allows private institutions to use bonding which is  
3. set up by...by the State. It's a minor...very minor change  
4. which was added in the House and is agreed to by all people,  
5. absolutely nobody objects to it, and I would ask that you  
6. concur.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The...question is, shall  
9. the Senate concur with House Amendment No. 1 to Senate Bill  
10. 1035. Those in favor vote Aye. Those opposed Nay. The  
11. voting is open. Have all those voted who wish? Take the  
12. record. On that question the Ayes are 49, the Nays are  
13. none. The Senate does concur in House Amendment No. 1 to  
14. Senate Bill 1035, and the bill having received the required  
15. constitutional majority is declared passed. Senator Hickey,  
16. 1036.

17. SENATOR HICKEY:

18. Thank you...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Proceed.

21. SENATOR HICKEY:

22. ...thank you, Mr. President. This is an amendment which  
23. I asked to be put on in the House after we passed the bill  
24. here, which assures...insures that there will be a referendum  
25. for any increase in this street light tax district rate.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? The question is, shall  
28. the Senate concur in House Amendment No. 1 to Senate Bill  
29. 1036. Those in favor vote Aye. Those opposed Nay. The voting  
30. is open. Have all those voted who wish? Take the record.  
31. On that question the Ayes are 52, the Nays are none. The Senate  
32. does concur in House Amendment No. 1 to Senate Bill 1036, and  
33. the bill having received the constitutional majority is declared

1. passed. Senate Bill 1039, Senator Chew. Proceed.

2. SENATOR CHEW:

3. Thank you...thank you, Mr. President. I would move  
4. that the Senate concur in House Amendment on Senate Bill  
5. 1039?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. House Amendment No. 2. Is there further discussion?  
8. Senator Glass.

9. SENATOR GLASS:

10. I wonder if the sponsor would describe what the amend-  
11. ment does?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Chew.

14. SENATOR CHEW:

15. Yes, it puts some restrictions on the bill that did not...  
16. were not included when it left the Senate, and it deals with  
17. the electricity that will operate these tricycles, so to speak.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Glass. Senator Rock. Is there further discussion?  
20. Senator Rhoads.

21. SENATOR RHOADS:

22. I'd just like a little bit fuller explanation of the  
23. amendment. You...you say it deals with electricity?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Chew.

26. SENATOR CHEW:

27. Yes, it does, Sir. I can get you a copy of the amend-  
28. ment if you want it, but you can refer this question to  
29. Senator Don Moore who has additional information on it.  
30. It's okay. DOT has no opposition. Secretary of State has

31. no opposition and there's no registered opposition anywhere.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Just a moment, just a moment. Senator Ozinga, I was



1. going to recognize Senator Coffey. Are you speaking to the  
2. bill? Senator Coffey.

3. SENATOR COFFEY:

4. Yes, Mr. President and members of the Senate, there's  
5. two things I want to point out as Senator Chew has already  
6. pointed out. IDOT has withdrawn their opposition. I under-  
7. stand the Secretary of State has...is not in opposition as  
8. the bill now stands. There's only one thing, I think, that  
9. ought to be a matter of record, that this bill does deal with  
10. a free plate on these vehicles for senior citizens and handicapped  
11. persons. Now, I'm not in objection to that, I just hope we  
12. don't set a precedent to...that we come back in...in a year  
13. or two and...and all license plates are free to those people,  
14. because it would be quite a revenue loss and I just want to  
15. be on record to say, that I think this is about as far as we  
16. ought to go.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Ozinga.

19. SENATOR OZINGA:

20. I think that the thing that's creating all the con-  
21. fusion is, that the Calendar is actually far afield. The  
22. amendment, actually, is a whole new bill. It's not what it  
23. says on the Calendar at all. The amendment deletes the  
24. title, statute and everything after the enacting clause and  
25. replaces it with an amendment to add an additional vehicle  
26. to the Vehicle Code, so if you just check your book, why,  
27. I think that'll relieve Charley of an awful lot of explanation.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Mitchler.

30. SENATOR MITCHLER:

31. Well, Mr. President and members of the Senate...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. May we have order. Proceed.

1. SENATOR MITCHLER:

2. As I am able to digest from the legislative information  
3. system's synopsis of the bill, House Amendment deletes the  
4. title, the statute and everything after the enacting clause.  
5. In other words, this is an entirely new bill that we have  
6. in House Amendment No. 2. Now, I really have no objection  
7. to it, but I wish it had been explained because, really, I  
8. believe I brought this to the attention of the Transportation  
9. Study Commission, and what this involves is electric motorized  
10. tricycles and...and limitations to daylight operation.  
11. And what this does is, it establishes licensing procedure  
12. in the Secretary of State's office for these tricycles that  
13. operate and...operate in daytime hours only and it, also,  
14. provides that no fee be required for such a tricycle when  
15. normally operated by a licensed handicapped person or licenced  
16. person sixty-five years of age and over. And there's a lot  
17. of things. This is an entirely new bill, an Act, in which  
18. you're licensing an entirely new type of vehicle that has  
19. never been licensed before and I think it's...I don't see any  
20. objection to it, but I think the Senator that was sponsoring  
21. the amendment should have given an explanation in its entirety  
22. so that you knew that you were voting on an entirely new  
23. bill that had never been before this Body before. Now, if  
24. you want to read it, it's on page 58 of your legislative  
25. information system synopsis of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Yes, question of the sponsor or proponents of this.  
30. Who...whose...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator...

33. SENATOR ROCK:

34. All right.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. ...Senator Chew will...Senator Chew indicates he will  
3. respond.  
4. SENATOR ROCK:  
5. What...what is an electric motorized tricycle?  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. Senator Chew.  
8. SENATOR CHEW:  
9. Senator Rock, that motorcycle...that tricycle is a  
10. battery operated and the little battery propels the motor.  
11. It gives it its juice.  
12. PRESIDING OFFICER: (SENATOR DONNEWALD)  
13. Senator Rock.  
14. SENATOR ROCK:  
15. Yes, thank you, Senator, I...it also...contained in the  
16. definition it says, "having a maximum attainable motor speed  
17. of not more than ten miles per hour." Is that correct?  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. Senator Chew.  
20. SENATOR CHEW:  
21. Yes, Sir.  
22. PRESIDING OFFICER: (SENATOR DONNEWALD)  
23. Senator Rock.  
24. SENATOR ROCK:  
25. And yet it appears that we are...we will, by virtue of  
26. this amendment, be allowing the operation of these on the  
27. streets and highways of this State. Is that correct?  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Senator Chew.  
30. SENATOR CHEW:  
31. Senator, I...I don't know any other place you could  
32. operate them unless you put them in a category of a snow-  
33. mobile and those persons that's living in southern Illinois

1. would never have the use of it, because it doesn't snow  
2. too much down there. So, they'd be on the streets. Yes,  
3. Sir.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Rock.

6. SENATOR ROCK:

7. They would be on the streets with a maximum attainable  
8. speed of ten miles an hour?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Chew.

11. SENATOR CHEW:

12. I...I would rather think that they would be on...on  
13. the sidewalk, maybe, or in the bike path, Senator.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rock.

16. SENATOR ROCK:

17. All right. And then we are saying that there is a  
18. twenty-eight dollar registration plate fee unless these  
19. vehicles are operated by, apparently it doesn't make any  
20. difference who owns them, as long as they're operated  
21. by a handicapped person or a licensed person sixty-five  
22. years of age or older. I suggest to Senator Coffey and  
23. others that this is, in fact, a very dangerous precedent.  
24. There'll be bills in here to exempt operators for every  
25. type of vehicle in this category next semester. Senator  
26. Chew, I think this demands a little study of the Committee  
27. on Transportation, very frankly.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Mr. President and members of the Senate, I'd rise in  
32. support of this bill. I don't have real support about the  
33. no license fee or no charge, but the most important thing is,

1. if any of you have dealt with any individuals who are victims  
2. of cerebral palsy or particularly multiple sclerosis who have  
3. not had the opportunity to get around by theirselves. With  
4. the advent of this new motorized tricycle ramped about or  
5. powered on a platform which is something they can do if they  
6. have the use of their hands, any number of them you see on  
7. the sidewalks today, they're not going to be out in the  
8. middle of the street. They're just as concerned about not  
9. getting run over as we are. Most of them operate on the  
10. sidewalk. I think this is a good procedure. The part that  
11. there's no license, I don't agree with, but we can resolve  
12. that next time around. These people need some help and pro-  
13. tection and I urge an Aye vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Chew may close.

16. SENATOR CHEW:

17. Mr. President, I...I respectfully disagree with Senator  
18. Rock in his statements about required study that's necessary.  
19. I...I talked to all the departments that's involved. The  
20. State Police, the Secretary of State, representatives from  
21. the Department of Transportation, they have absolutely no  
22. objection. The Secretary of State was just at my desk, said  
23. he the Governor and DOT. will meet to see whether there  
24. were anything necessary to attempt to add to or take from  
25. in this bill after we concurred with the House Amendment No.  
26. 2. I know it is a good bill. I...think Senator Davidson  
27. gave us a good outline on what it really is going to do and  
28. the senior citizens will have just another milestone attached  
29. to them for the good. There's another portion of it that  
30. we didn't deal with in that we talk about the twenty-eight  
31. dollars. If we're going to include that we have to talk  
32. about the Federal services for older Americans which has  
33. funds attached to it, so I just haven't found any objection

1. to it and I would ask that we do concur with House Amend-  
2. ment No. 2 on Senate Bill 1039.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. All right. The question is, shall the Senate concur  
5. with House Amendment No. 2 to Senate Bill 1039. Those in  
6. favor vote Aye. Those opposed Nay. The voting is open.  
7. Have all those voted who wish? Have all those voted who  
8. wish? Take the record. On that question the Ayes are 31,  
9. the Nays are 16, 2 Voting Present. Senate...just a minute.  
10. The Senate does concur with Amendment No. 2 to Senate Bill  
11. 1039, and the bill having received the required constitutional  
12. majority is declared passed. Senator Buzbee, for what pur-  
13. pose do you arise?

14. SENATOR BUZBEE:

15. To request a verification of the affirmative votes.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. There is a request for a verification of the affirmative  
18. vote. Will the members please be in their seats. The Sec-  
19. retary will call the affirmative vote.

20. SECRETARY:

21. The following voted in the affirmative: Berman, Bloom,  
22. Chew, Clewis, Coffey, D'Arco, Daley, Davidson, Glass...No,  
23. Grotberg, Guidice, Kenneth Hall, Johns, Lemke, McMillan,  
24. Maragos, Merlo, Mitchler, Moore, Newhouse, Nimrod, Ozinga,  
25. Philip, Roe, Rupp, Schaffer, Smith, Sommer, Soper, Vadalabene,  
26. Washington and Wooten.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Is Senator Daley on the Floor?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is Senator Daley on the Floor? He is directly behind  
33. you.

SB 1041  
concurrent  
6-29-77

1. SENATOR BUZBEE:  
2. Is Senator Nimrod on the Floor?  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4. Is Senator Nimrod on the Floor? He is on the Floor.  
5. SENATOR BUZBEE:  
6. Is Senator Merlo on the Floor?  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Senator Merlo on the...he's in his seat.  
9. SENATOR BUZBEE:  
10. Senator Newhouse on the Floor?  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Senator Newhouse on the Floor? Senator Newhouse on  
13. the Floor? Take him from the roll.  
14. SENATOR BUZBEE:  
15. Is Senator Philip on the Floor?  
16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17. Senator Philip is on the Floor.  
18. SENATOR BUZBEE:  
19. Is Senator Mitchler on the Floor?  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Is Senator Mitchler on the Floor? Senator Mitchler on  
22. the Floor? Remove him from the roll.  
23. SENATOR BUZBEE:  
24. I believe that's enough, Mr. President.  
25. PRESIDING OFFICER: (SENATOR DONNEWALD)  
26. On that question the Ayes are 29, the Nays are 16, 2  
27. Voting Present. The motion fails and the Secretary shall  
28. so advise the House. Senate Bill 1041, Senator Rock. Proceed.  
29. SENATOR ROCK:  
30. Thank you, Mr. President and Ladies and Gentlemen of the  
31. Senate. Senate Bill 1041 was an amendment to the Insurance  
32. Code which provided that with respect to claims for uninsured  
33. motorist coverage, that the...any contested claim would be handled

1. or would be submitted to the American Arbitration Association.  
2. What, in fact, as I explained before when this bill passed  
3. overwhelmingly, what, in fact, has happened is, that a small  
4. percentage of the companies who are writing this kind of  
5. coverage are delaying the payment of these claims because their  
6. policies provide for the appointment of three arbitrators.  
7. One to be appointed at the request of the policyholder, one  
8. at the request of the carrier and then the two arbitrators  
9. select a third. The carrier, frankly, has just been delaying  
10. the appointment of his arbitrator. So, what I suggested was,  
11. that the American...arbitration be submitted to the American  
12. Arbitration Association which, as I'm sure you're all  
13. know is a one arbitrator situation. The major industry in  
14. our State doesn't have any serious objection to this except  
15. that they have asked, 1. for a delayed effective date. I  
16. had an effective date of December 31, 1977. They requested  
17. a year or eighteen month extension and we finally agreed on  
18. six months. That is necessary in order that they can reprint  
19. their policies in conformance with this law. And secondly,  
20. it further provides, House Amendment No. 1, that coverage  
21. shall be submitted for...to Arbitration in the following  
22. manner: Upon the insured requesting arbitration each party  
23. to the dispute shall select an arbitrator and two arbi-  
24. trators so named shall select a third. Now, what...what it  
25. says is, that if this isn't done within forty-five days  
26. from the point of the request, either party may request  
27. submission to the American Arbitration Association. I think  
28. this will greatly alleviate the problem that...that is currently  
29. extent in our State and I think the six month delay of the  
30. effective date is a reasonable request on the part of the re-  
31. sponsible members of that industry, and so I am moving to con-  
32. cur with House Amendment No. 1 to Senate Bill 1041.  
33. PRESIDING OFFICER: (SENATOR DONNEWALD)



1. Is there discussion? The question is, shall Amendment  
2. No. 1 to Senate Bill 1041...shall the Senate concur in  
3. House Amendment No. 1 to Senate Bill 1041. Those in favor  
4. vote Aye. Those opposed Nay. The voting is open. Have all  
5. those voted who wish? Take the record. On that question  
6. the Ayes are 55, the Nays are none. The Senate does con-  
7. cur in House Amendment No. 1 to Senate Bill 1041, and the  
8. bill having received the required constitutional majority  
9. is declared passed. Senate Bill 1046, Senator Buzbee.  
10. Proceed. Senator Buzbee.  
11. SENATOR BUZBEE:  
12. Mr. President, I...I want to move to nonconcur with  
13. House Amendment No. 1.  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)  
15. All right. Is there a discussion? Senator Schaffer.  
16. SENATOR SCHAFFER:  
17. Would you explain House Amendment No. 1. The synopsis  
18. sounds rather intriguing.  
19. PRESIDING OFFICER: (SENATOR DONNEWALD)  
20. Senator Buzbee.  
21. SENATOR BUZBEE:  
22. Well, in the first place the House Amendment No. 1 is  
23. unconstitutional but other than that the Comptroller's  
24. office says that it gives them way more authority than they  
25. care to have, and we've already...we just would rather not  
26. have the amendment on there.  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator Schaffer.  
29. SENATOR SCHAFFER:  
30. I say, again, would you mind explaining House Amendment  
31. No. 1.  
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, I'm sorry, I thought I had explained it. But,  
3. what it...what House Amendment No. 1 does is, that it puts  
4. the repayment plan for this loan money to John A. Logan  
5. College for the repair of their roof, puts a repayment  
6. plan in there. In the first place, that's unconstitutional  
7. because it's substantive language in an appropriation bill.  
8. But, secondly, as the Comptroller's office explained it to  
9. me, we asked them if they would go ahead and pay out on  
10. this basis, the basis of that bill as it's passed and they  
11. said they had rather not have that language in there and  
12. we already have a written agreement from the John A. Logan  
13. Board of Trustees that they've done by formal resolution  
14. that they will repay and nobody feels that this language  
15. is necessary except some House members, and I might point  
16. out to you that we passed out the...the twin sister bill to  
17. this yesterday without this language and I just want to get  
18. this one in the same shape and take it back to the House  
19. and see if they'll recede from their amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. As I understand the amendment it simply says that if  
24. the department...if the school through litigation recovers  
25. any of the money for this apparently shoddy roof, that the  
26. State will have their share of...of the appropriation re-  
27. imbursed. I...I kind of like the ring of that, to be honest  
28. with you. I can't argue the constitutional points and I  
29. suspect I have less influence with the Comptroller than you  
30. do, but it seems to me that we want to help them out, but  
31. if they get the money back I'd sure like to have every safe-  
32. guard in the world that the State fish will get some of the  
33. coin back.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, I don't know how else to say it. John A. Logan  
5. has promised. They will sign it in blood if you would like,  
6. that that is exactly their intent. As soon as they get  
7. the litigation through to recover from this shoddy con-  
8. tractor then they are going to pay back. They have been  
9. trying to get him to come in and repair the roof. He won't  
10. do it. As you know very well, Senator Schaffer, we've gone  
11. over this bill in the committee that you're a member of  
12. several times. The President of John A. Logan has been there  
13. to testify. They have no intention of touching the State  
14. fisk, is the word, for one penny. If they get recovery  
15. they're going to repay every bit of it back to the State of  
16. Illinois. And this language is...is unnecessary, but even  
17. if you thought it were necessary, it's unconstitutional.  
18. And I want to move to not...nonconcur.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Question...Senator Buzbee moves to nonconcur in House  
21. Amendment No. 1 to Senate Bill 1046. Those in favor indicate  
22. by saying Aye. Those opposed. The Ayes have it. The motion  
23. carries and the Secretary shall so inform the House. Senate  
24. Bill 1063, Senator Knuppel. Proceed.

25. SENATOR KNUPPEL:

26. Mr. President, this is probably the most momentous con-  
27. currence in the history of the Senate. They underlined the  
28. amendment that was put on in the House...in the...in the  
29. Senate. So, I would move that we concur in the Amendment  
30. put on by the House.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Question is, shall the  
33. Senate concur in House Amendment No. 1 to Senate Bill 1063.

1. Those in favor vote Aye. Those opposed Nay. The voting  
2. is open. Have all those voted who wish? Take the record.  
3. On that question the Ayes are 48, the Nays are 1, 1 Voting  
4. Present. The Senate does concur in House Amendment No. 1  
5. to Senate Bill 1063, and the bill having received the re-  
6. quired constitutional majority is declared passed. Senate  
7. Bill 1068, Senator Rhoads. Proceed.

8. SENATOR RHOADS:

9. Thank you, Mr. President and members of the Senate.  
10. This was a bill requested by the County Recorders and Clerks  
11. concerning conveyance forms and it simply laid out the...the  
12. size of the form. The lawyers over in the House wanted a  
13. little escape clause in here saying that if they did not  
14. live up to these exact requirements that it wouldn't affect  
15. the...validity of the document. I think they were being  
16. unnecessarily or overly cautious but it's not worth having  
17. a conference committee over, so I would move to concur with  
18. House Amendment No. 3.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall the  
21. Senate concur in House Amendment No. 3 to Senate Bill 1068.  
22. Those in favor vote Aye. Those opposed Nay. The voting is  
23. open. Have all those voted who wish? Take the record. On  
24. that question the Ayes are 48, the Nays are none. The Senate  
25. does concur in House Amendment No. 3 to Senate Bill 1068, and  
26. the bill having received the required constitutional majority  
27. is declared passed. Senate Bill 1092, Senator Mitchler.  
28. Proceed.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate, I move to con-  
31. cur in House Amendment No. 1 to Senate Bill 1092...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. No...House Amendment No. 2, Senator...

1. SENATOR MITCHLER:

2. Excuse me...House Amendment NO. 2. Correction. I move  
3. to concur in House Amendment No. 2 to Senate Bill 1092.  
4. What House Amendment No. 2 does, it deletes the Home Rule  
5. Amendment. I move to concur in House Amendment No. 2 to  
6. Senate Bill 1092.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? Question is, shall the Senate  
9. concur in House Amendment No. 2 to Senate Bill 1092. Those  
10. in favor vote Aye. Those opposed Nay. The voting is open.  
11. Have all voted who wish? Take the record. On that question  
12. the Ayes are 42, the Nays are 2, 1 Voting Present. The Senate  
13. does concur in House Amendment No. 2 to Senate Bill 1092,  
14. and the bill having received the required constitutional  
15. majority is declared passed. Senate Bill 1098, Senator Schaffer.  
16. Proceed.

17. SENATOR SCHAFFER:

18. Mr. President. Senator Buzbee, I'm not sure where you  
19. land on this one. I'm prepared to move to concur in the  
20. House Amendments. It involves transferring around some funds  
21. in the...this supplemental for the Department of Children and Family  
22. Services. It's no dollar addition. I'm...have been convinced after some  
23. discussion with the department, that the transfers are in  
24. order.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. We concur with this, Mr. President.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Question is, shall the  
31. Senate concur in Amendments No. 1 and 2 to Senate Bill 1098.  
32. Those in favor vote Aye. Those opposed Nay. The voting is  
33. open. Have all those voted who wish? Take the record. On

1. that question the Ayes are 50, the Nays are 1. The Senate;  
2. does concur in House Amendments No. 1 and 2 to Senate Bill  
3. 1098, and the bill having received the required constitutional  
4. majority is declared passed. Senate Bill 1102, Senator Merlo.  
5. Proceed.

6. SENATOR MERLO:

7. Thank you, Mr. President. Senate Bill 1102, if enacted  
8. into law, would serve to curtail the discriminatory underwriting  
9. of homeowners insurance if the denial of such insurance was  
10. based solely on the geographic location of the property sought  
11. to be insured. The House made a minor change, but a worthwhile  
12. change, in the provision of the bill. The bill, as amended,  
13. would provide that an individual must have first made proper  
14. application for homeowners insurance before that individual  
15. can charge an insurance company with improperly refusing to  
16. provide such coverage, and I would now move, Mr. President,  
17. that the Senate concur with House Amendment No. 1 to Senate  
18. Bill 1102.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there discussion? Question is, shall the Senate  
21. concur in House Amendment No. 1 to Senate Bill 1102. Those  
22. in favor vote Aye. Those opposed Nay. The voting is open.  
23. Have all those voted who wish? Take the record. On that  
24. question the Ayes are 48, the Nays are 2, 1 Voting Present.  
25. The Senate does concur in Amendment No....House Amendment  
26. No. 1 to Senate Bill 1102, and the bill having received the  
27. required constitutional majority is declared passed. Senate  
28. Bill 1121, Senator Merlo.

29. SENATOR MERLO:

30. Thank you, Mr. President, and...1121 amends the Cook  
31. County Employees and Officers Retirement Fund. It increases  
32. the amount of the county contribution to the fund. The  
33. House Amendment would simply extend the increase in the amount

4-11-1979  
M. J. ...  
6/2/79

1. of the contribution by one year until 1982, and I move  
2. that the Senate concur with House Amendment No. 1 to Senate  
3. Bill 1121.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. .. Is there discussion? Senator...the question is, shall  
6. the Senate...shall the Senate concur in Amendment No. 1 to  
7. Senate Bill 1121. Those in favor vote Aye. Those opposed  
8. Nay. The voting is open. Have all voted who wish? Take  
9. the record. On that question the Ayes are 51, the Nays  
10. are none, 1 Voting Present. The Senate does concur in House  
11. Amendment No. 1 to Senate Bill 1121 and the bill having re-  
12. ceived the required constitutional majority is declared  
13. passed. Senate Bill 1142, Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, thank you, Mr. President and Ladies and Gentlemen  
16. of the Senate. There are 3 amendments...House Amendments  
17. 1, 5 and 7 which were put on and I would move to concur,  
18. have the Senate concur in House Amendment No. 1, and I  
19. will, then, move to nonconcur in 5 and 7 in order to straighten  
20. out some changes that were necessary for the Municipal League.  
21. So, I'd like to put Amendment No. 1 on if we might, Mr.  
22. Chairman. What this did was to take this Division of Energy  
23. Bill which was statutorily and they have put this particular  
24. provision and combined the Division of Energy. And I move  
25. that with...and combine it with the Division of Mines to  
26. have two groups together under the Division of Mines and  
27. Energy. And I would move for concurrence in No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President.. I rise in opposition to the  
32. motion to...to concur in House Amendment No. 1. I would ask,  
33. only, that the membership take a look at House Amendment No. 1

1. and I think you can readily see, at least one of the reasons  
2. for my concern. In the first place it's a fifty-four page  
3. amendment and it does a number of things, some of which,  
4. in fact, the Senate in addressing itself to individual  
5. pieces of legislation, saw fit to defeat, and to adopt or  
6. concur in an amendment of this size and magnitude without  
7. any opportunity for public hearing and notice that we all  
8. talk about at great length, seems to me to be ill-advised.  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Buzbee.

11. SENATOR BUZBEE:

12. Question...question of the sponsor, Mr. President.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Nimrod.

15. SENATOR BUZBEE:

16. Well, let me ask the question first.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. He indicates he will respond.

19. SENATOR BUZBEE:

20. Thank you. Amendment No. 1, Senator Nimrod, is that  
21. the amendment that...that creates the new Department of  
22. Mines and Energy which we have seen floated around here and  
23. reorganization plans for the last few days?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Yes, that's the one that puts it on the bill. I am  
28. not concurring in the details so I am going in the  
29. conference committee so we can make some changes in that  
30. area. That's the...that's the bill. Now, the first of  
31. that fifty-four page amendment, the first thirty pages,  
32. are totally irrelevant. There are just one word changes  
33. and they're technical, but the meat of the bill is what



1. you have described it to be, Senator Buzbee, and that is,  
2. where they are taking the existing Division of Energy and  
3. moving it into the Bureau of Mines...the Department of...  
4. Division of Mines and...and making two divisions with one  
5. department and one secretary of that division.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, in response then, if...if Amendment No. 1 is  
10. only the creation, and I see that in Amendment No. 5 that  
11. you do go on down and some of the...now, I...I know...I  
12. know you're not going to concur in 5, but...but 5 is where  
13. you get into some of the details and so therefore you've  
14. got to get it into the conference committee to work out the  
15. details. But I would say in response to Senator Rock that  
16. the reorganization proposal came out of the Energy Resources  
17. Commission headed by, a subcommittee, headed by Representative  
18. Lucco and they spent about a year working up several reorganiza-  
19. tion proposals. They came down to...to one that...that appealed  
20. to the commission more than the others. We asked them to re-  
21. fine that one in particular. They did spend considerable  
22. amount of more time. They had input from every branch and  
23. agency. Anybody that has anything to say about energy, they  
24. had input from them. In fact, they were a part of their  
25. task force. Then, after we came down with the...with the  
26. proposal we took it to the Governor, in fact, the Governor's  
27. Office and went over it with all the people in his area that  
28. are his energy advisors and we proposed this reorganization  
29. to him. They were interested. At that time indicated they---  
30. had rather wait until the month of August to start doing any-  
31. thing about this. Now, as it turns out, they have changed  
32. their minds somewhat. This is a little bit of a modification  
33. of our proposal. Actually, I think it's better than what our

1. proposal was in that it doesn't go quite as far. So, it...  
2. it is a situation where there has been a lot of input from  
3. a lot of people for an awful long time. I'm glad to see  
4. that...that Senator Nimrod is wanting to get it to...to  
5. conference committee, because quite frankly in Amendments  
6. 5 and...and 7 or whatever the other number is, I think that  
7. there were some...some pretty bad, some pretty slipshod  
8. sort of things put in there, but Amendment No. 1, I believe,  
9. will get us the opportunity to...to start this major re-  
10. organization which needs to be done and which apparently,  
11. now, the Chief Executive of this State is in concurrence  
12. with and I would urge that we support the concurrence of  
13. Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Knuppel.

16. SENATOR KNUPPEL:

17. Mr. President and members of the Body, as Senator Buzbee  
18. has so well said, a great deal of time was spent by both  
19. the staff and members of the Illinois Energy Resources Com-  
20. mission on a plan for reorganization of the disbursed energy  
21. responsibility in this State. Amendment No. 1, I think, will  
22. make a foundation on which to build it. As I understand it  
23. Senator Nimrod is going to move to not concur as to the  
24. other amendments and we will have an opportunity to work with  
25. this. It's not as if it...as if it were a bright idea some-  
26. place. As I say the commission has worked on this for the  
27. better part of two years. We had a law student and an intern  
28. work on it all summer. It was first presented in October of  
29. 1976. As long as this is going to a conference committee,  
30. as to the other two amendments I would...I would suggest that  
31. we concur in Amendment No. 1. Now, I'm advised if we don't  
32. do something about getting this into a conference committee  
33. and so forth that the Governor by executive fiat can dictate

1. a reorganization. I feel that the Legislature should have  
2. some input into this. If we just want to vacate the area,  
3. leave a vacuum and then let the Governor by, and I think he  
4. can do it...do this under the new Constitution, come out  
5. with a mandate for reorganization in this area where he has  
6. far less experience than many of the members of the Illinois  
7. Energy Resources Commission who have worked on it so long,  
8. that I think that is wise that we concur as to 1.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Rock.

11. SENATOR ROCK:

12. Well, the...the only...I...I think procedurally we're  
13. under some kind of misapprehension. The...the way to get  
14. to a conference committee is to nonconcur, send it back to  
15. the House and ask them to recede, I assume, based on the  
16. ...on...on the remarks of both Senators Knuppel and Buzbee  
17. that...and...and I don't disagree that the House apparently  
18. and the Energy Resources Commission has done an inordinate  
19. amount of work on this, but I don't see any necessity for  
20. adopting Amendment No. 1 or concurring in it. The way to a  
21. conference committee is when the House refuses to recede  
22. from Amendments 1, 5 and 7 and ask for a conference committee  
23. and then you're there.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Mr. President, in order to expedite this and to avoid  
28. any further discussion I will accept Senator Rock's recommenda-  
29. tions and I will move that the Senate not concur in Amendments, in  
30. the House Amendments 1, 5 and 7 and...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Do you...do you withdraw your motion as to concurring...

33. SENATOR NIMROD:

1. I withdraw the...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. ...as to Amendment No. 1?

4. SENATOR NIMROD:

5. ...withdraw that previous motion...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. All right.

8. SENATOR NIMROD:

9. ...on House Amendment 1.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Nimrod moves to nonconcur in House...House

12. Amendments No. 1, 5 and 7. Those in favor indicate by

13. saying Aye. That is to Senate Bill 1142. Those in favor

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

15. The motion carries and the Secretary shall so inform the

16. House. Senator Hynes, we...we are about to recess and we

17. are going into Executive Appointments Committee meeting.

18. We're a few minutes late already and Senator Vadalabene,

19. for what purpose do you arise?

20. SENATOR VADALABENE:

21. Yes, exactly for an announcement on what you're re-

22. lating to now. That there'll be a meeting of the Executive

23. Appointments in Administration at one o'clock. We're a

24. little late. The quicker we get in there, the quicker

25. we can get out and some of you can get something to eat.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you. What time are we coming back, Mr. President?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Three...three-thirty.

32. SENATOR ROCK:

33. The hour of three-thirty we will return. I would just

1. remind the membership and put them on the alert that a  
2. number of conference committees have already been appointed  
3. and the notices will, in fact, be coming out and the...  
4. hopefully, these committees will be meeting this afternoon  
5. between the hours of one and three-thirty. Now, the notices  
6. are, frankly and mechanically they're on...they're in the  
7. typewriter right now and will be coming out.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. All right, I...try...Senator Grotberg, for what purpose  
10. do you arise?

11. SENATOR GROTBORG:

12. For purposes of an announcement. The conference committee  
13. on Senate Bill 1209, we took the bull by the horns and didn't  
14. wait for the forms, Senator Rock. Senators Berman, Clewis,  
15. Hickey and Glass. Three o'clock, Room 400.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. While we're on that order  
20. of business I would like to announce the times...can we  
21. get a little order?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. May we have order.

24. SENATOR CARROLL:

25. Several members have received notices of conference  
26. committees...can you please, for a minute...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Will the members please be in their seats and...

29. SENATOR CARROLL:

30. Thank you.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. ...all unauthorized people retire.

33. SENATOR CARROLL:

1. Several members have received notices of conference  
2. committees. The time is now being distributed and maybe  
3. if we can announce some of them quickly before the members  
4. get away from the Floor, those who are conferees on Senate  
5. Bill 325, myself, Lemke, Daley, Sommer, Regner, it will  
6. be meeting at 1:30 in Room 400. 332; Lane, Hall, Roe,  
7. Weaver and myself will be meeting at 1:45 in that same room.  
8. 337; myself, Bruce, Hall, Ozinga and Rupp will be meeting  
9. at 2:00 o'clock. 502; I'm not sure if the membership has  
10. been determined, will be meeting at 2:30, and 153; myself,  
11. Donnewald, Egan, Roe, and Weaver will be meeting at 3:00  
12. o'clock. Those notices are being distributed to your desks  
13. and offices now. I just thought maybe you'd want to be  
14. aware so that we can get those meetings rolling. Thank you.  
15. Oh, 337 is myself, Bruce, Hall, Regner and Rupp.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Are there further announcements? Senator Berman.

18. SENATOR BERMAN:

19. Just for clarification who is the chairman, or is there  
20. a chairman of these conference committees?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Secretary...the...the chairman of the...each individual  
23. committee?

24. SENATOR BERMAN:

25. Is there a chairman of these conference committees and  
26. is it an...is it an automatic designee?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Carroll.

29. SENATOR CARROLL:

30. It is my understanding that the House of Origin, the  
31. Presiding Officer designates who the chairperson shall be.  
32. So, that a Senate Bill is chaired by whomever Senator Hynes  
33. designates.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. The first...first member listed is the chairman.  
3. Are there further announcements? The Secretary advises  
4. that...just...just a moment. The Secretary advises that  
5. there is a non...a supplemental Calendar for nonconcurrences  
6. on your desk. That's Supplemental No. 1. There will be  
7. Supplemental No. 2; for identification. Senator Barning.  
8. SENATOR BERNING:  
9. A question of Senator Carroll.  
10. PRESIDING OFFICER: (SENATOR DONNEWALD)  
11. Well,...Senator Carroll. Just a moment. Senator  
12. Carroll.  
13. SENATOR BERNING:  
14. Senate Bill 339, is that not on your list, Sir?  
15. SENATOR CARROLL:  
16. Yes, it...  
17. PRESIDING OFFICER: (SENATOR DONNEWALD)  
18. Senator Carroll.  
19. SENATOR CARROLL:  
20. ...is. I don't know that a time had been set for that.  
21. We were attempting to start at 1:15 but the notices physically  
22. could not be out at that time so we had to drop back and I  
23. think that dropped back and we're waiting for the next vacancy  
24. so that we can have that one, and I think that was the original  
25. one scheduled.  
26. PRESIDING OFFICER: (SENATOR DONNEWALD)  
27. Senator Buzbee.  
28. SENATOR BUZBEE:  
29. Mr...Mr. President, on Senate Bill 543 Senator Weaver  
30. came by awhile ago and...and told me that we were going to  
31. meet sometime, I believe he's got it set at about 1:15 in  
32. Room 400. That's Senators Rock, Buzbee, Donnewald, Weaver  
33. and Coffey. That's the University Retirement System.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Are there further announcements? The Senate stands  
3. in recess until 3:30 p.m. today.

4. (Recess)

5. (After Recess)

6. PRESIDENT:

7. The hour of 3:30 having arrived, the Senate will please  
8. come to order. Message from the House.

9. SECRETARY:

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

11. Mr. President - I am directed to inform the  
12. Senate that the House of Representatives has refused to con-  
13. cur with the Senate in the adoption of their amendment to a  
14. bill with the following title: House Bill 1406 with House  
15. Amendment No...or Senate Amendment No. 1. House Bill  
16. 1508 with Senate Amendments Nos. 1 and 2. House Bill 1827  
17. with Senate Amendment No. 1. House Bill 2032 with Senate  
18. Amendment No. 2. House Bill 2069 with House Amendment No.  
19. 1.

20. PRESIDENT:

21. Secretary's Desk. Message from the House.

22. SECRETARY:

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

24. Mr. President - I am directed to inform the Senate  
25. that the House of Representatives has refused to recede from  
26. their Amendment No. 1 to a bill with the following title:  
27. Senate Bill 419. I'm further directed to inform the Senate  
28. that the House of Representatives request a First Committee  
29. of Conference to consist of five members from each House to  
30. consider the difference of the two Houses in regards to the  
31. amendment to the bill. The Speaker of the House has appointed  
32. on such committee on the part of the House, Representative  
33. Schneider, Brady, Bradley, Hoffman, and Polk.



1. PRESIDENT:

2. Senator Berman.

3. SENATOR BERMAN:

4. The House refused to concur, so I ask that a conference  
5. committee be reported...be appointed.

6. PRESIDENT:

7. The...the question is, shall the Senate accede to the  
8. request of the House that a conference committee be reported...  
9. be appointed with respect to Senate Bill 419. All those in  
10. favor signify by saying Aye. Opposed. The Ayes have it.  
11. The motion carries and the Senate accedes to the request  
12. and will appoint a conference committee. Resolutions.

13. SECRETARY:

14. Senate Resolution 204, offered by Senator Maragos and  
15. all Senators and it's congratulatory.

16. Senate Resolution 205, offered by Senator Mitchler,  
17. Vadalabene, Demuzio and all Senators and it's congratulatory.

18. Senate Resolution 206, offered by Senator Nimrod and  
19. it's congratulatory.

20. Senate Resolution 207, offered by Senator Regner and  
21. it's congratulatory.

22. Senate Resolution 208, offered by Senator Don Moore and  
23. all Senators and it's congratulatory.

24. Senate Resolution 209, offered by Senator Graham and  
25. it's congratulatory.

26. PRESIDENT:

27. Do we have leave to put these resolutions on the Consent  
28. Calendar? Leave is granted. Resolutions.

29. SECRETARY:

30. Senate Resolution 210, offered by Senator Leonard,  
31. Carroll, Daley and others.

32. PRESIDENT:

33. Do we have leave to place this resolution on the Consent

1. Calendar? Leave is granted. A Message from the House.

2. SECRETARY:

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

4. Mr. President - I am directed to inform the Senate  
5. the House of Representatives has refused to recede from their  
6. amendment to a bill with the following title: Senate Bill  
7. 1315. I am further directed to inform the House of Representa-  
8. tives request a First Committee of Conference to consist of  
9. five members from each House to consider the difference be-  
10. tween the two Houses on the amendment. The Speaker of the  
11. House appointed as such members on the part of the House;  
12. Representatives Taylor, Yourell, Steczo, Lauer and Conti.

13. PRESIDENT:

14. Senator Bruce. Senate Bill 1317 requests for a conference  
15. committee. Senator Bruce moves that the Senate accede to  
16. the request of the House that a conference committee be  
17. appointed. All those in favor signify by saying Aye. Opposed.  
18. The Ayes have it. The motion carried...carries and the Senate  
19. accedes to the request to appoint a conference committee.  
20. Is Senator Regner on the Floor or Senator Rupp? Senator Rock.

21. SENATOR ROCK:

22. Both...both have indicated to me their...their wish to  
23. accede to the request of the House for the appointment of  
24. the conference committee, Mr. President. And I would make  
25. that representation and so move.

26. PRESIDENT:

27. Messages from the House.

28. SECRETARY:

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

30. Mr. President - I am directed to inform the Senate  
31. that the House of Representatives has refused to recede from  
32. their amendments 4...numbers 4 and 5 to a bill with the  
33. following title: Senate Bill 335. I am further directed to

1. inform the Senate the House of Representatives has request  
2. a First Committee of Conference to consist of five members  
3. from each House to consider the difference of the two Houses  
4. in regard to the amendments to the bill. The Speaker of  
5. the House has appointed as such committee on the part of  
6. the House Representative Barnes, Lechowicz, Houlihan, Waddell  
7. and Peters.

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

9. Mr. President - I am directed to inform the Senate that  
10. the House of Representatives refused to recede from their  
11. Amendment No. 2 to a bill with the following title: Senate  
12. Bill 502. I am further directed to inform the Senate that  
13. the House of Representatives request a First Committee of  
14. Conference to consist of five members from each House to  
15. consider the differences of the two Houses in regards to  
16. the amendment to the bill. The Speaker of the House has  
17. appointed as such committee on the part of the House  
18. Representative Barnes, Lechowicz, Byers, Polk and Peters.

19. PRESIDENT:

20. On behalf of and with leave of the Body Senator Rock  
21. moves on behalf of Senators Regner and Rupp that the Senate  
22. accede to the request of the House that conference committees  
23. be appointed as to Senate Bill 335 and Senate Bill 502.  
24. All those in favor of the motion signify by saying Aye.  
25. Opposed. The Ayes have it. The motion carries and the Senate  
26. accedes to the request that conference committees be appointed  
27. as to Senate Bills 335 and 502. For what purpose does Senator  
28. Grotberg arise?

29. SENATOR GROTBORG:

30. Mr. President, on the Order of Concurrence is Senate  
31. Bill 327. I would wish to nonconcur and that a conference  
32. committee be appointed.

33. PRESIDENT:

1. Senator...Senator Grotberg, if you'd hold that for  
2. just a moment. We will...we'll go back to that order.  
3. On the Secretary's Desk on the Order of Concurrence is  
4. Senate Bill 1148, Senator Glass, House Amendment No. 3.

5. SENATOR GLASS:

6. Thank you, Mr. President and members of the Senate.  
7. House Amendment No. 3; in which I am going to move con-  
8. currence is, I think, very accurately described in our  
9. synopsis and it places this bill in the same precise con-  
10. dition as the bill that we passed out of here, House Bill  
11. 909. It, briefly, provides the conservation rights are  
12. not valid until accepted by the grantee and the acceptance  
13. may be conditioned on any requirements deemed proper by  
14. the grantee including the payment of funds to provide for  
15. the management of the conservation rights and, finally,  
16. the word owner is expanded to include any other, not only  
17. the owner of the fee simple but also of any other interest  
18. in the land including a live tenant and I would prepare  
19. to move concurrence. I see Senator Rock has a question.

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Yes, thank you, Mr. President and Ladies and Gentlemen  
24. of the Senate. I do have a question. On these supplemental  
25. Calendars, Senator Glass, reposes House Bill 910. Can you  
26. tell me that...how we're coordinating these two? You are  
27. moving to concur in 1148 and this is on our Calendar,  
28. apparently, on the Order of Nonconcurrence and I understood that they  
29. were both to be identical. What...what...what are we, in  
30. fact, doing?

31. PRESIDENT:

32. Senator Glass...

33. SENATOR GLASS:

SB 1149  
Concurrence  
6-29-77

1. Well, Senator Rock, with respect to 910. I inadvertently  
2. moved and it passed that bill without Tabling Amendment No.

3. 1. What I, apparently; should have done was to Table No. 1  
4. and then add Amendment No. 3, so that as that bill now...  
5. the posture that it is now in is, that it has two inconsistent  
6. amendments. So, once we get rid of Amendment No. 1 then  
7. both bills will be in the identical shape.

8. PRESIDENT:

9. Senator Rock.

10. SENATOR ROCK:

11. Then on that supplemental Calendar, your motion will  
12. be to recede from Senate Amendment No. 1, is that correct?

13. PRESIDENT:

14. Senator Glass.

15. SENATOR GLASS:

16. Yes, that is correct.

17. PRESIDENT:

18. Further discussion? Senator Glass has moved that the  
19. Senate concur in House Amendment No. 3 to Senate Bill 1148.  
20. The question is, shall the Senate concur in House Amendment  
21. No. 3 to Senate Bill 1148. Those in favor will vote Aye.  
22. Those opposed will vote Nay. The voting is open. Have all  
23. voted who wish? Have all voted who wish? Take the record.  
24. On that question the Ayes are 48, the Nays are none, none  
25. Voting Present. The Senate does concur in House Amendment  
26. No. 3 to Senate Bill 1148, and the bill having received the  
27. required constitutional majority is declared passed. Senate  
28. Bill 1149, Senator Regner, with House Amendments Nos. 1 and  
29. 2. Senator Regner is on the...Senator Regner, Senate Bill  
30. 1149 with House Amendments No. 1 and 2.

31. SENATOR REGNER:

32. Mr. President and members of the Senate, Senate Bill  
33. 1149 with the two House Amendments on it, now, make it the

1. same bill as 1978 and that would...which has an implementation  
2. date of 1981, effective date of 1971 and the Calendar for the  
3. elections are the same, as Senator Graham explained last  
4. night, and I would move to concur with Senate...House Amend-  
5. ments Nos. 1 and 2.

6. PRESIDENT:

7. Is there any discussion? Senator Berman.

8. SENATOR BERMAN:

9. Would the sponsor yield? Did you say...

10. PRESIDENT:

11. Indicates he'll yield.

12. SENATOR BERMAN:

13. ...that...did you say that there's a change from the  
14. effective implementation as opposed to 1978?

15. SENATOR REGNER:

16. No, the implementation date of the Consolidate Election  
17. Date Bill will be 1981, now. The reason they put that  
18. amendment on the same as 1978, so that anyone that might  
19. want any input on the bill, as it exists right now, will  
20. have that time. The Elections Commission is going to be  
21. conducting hearings around the State, I understand, for in-  
22. put from various local Governments in that they might feel  
23. some change is needed.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion?

26. SENATOR

27. Just...just...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Berman.

30. SENATOR BERMAN:

31. Berman.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. ...I beg your pardon. Senator Berman.

1. SENATOR BERMAN:  
2. All right. So, that I'm...I'm clear on this, David...  
3. Senator Regner. If the...the Act takes effect January...  
4. December 1, '78 but the first elections that would take  
5. effect under this are 1981. Thank you, very much.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. Is there discussion? The question is, shall the  
8. Senate concur in House Amendments 1 and 2 to Senate Bill  
9. 1149. Those in favor vote Aye. Those opposed Nay. The  
10. voting is open. Have all those voted who wish? Take the  
11. record. On that question the Ayes are 49, the Nays are 1.  
12. The Senate does concur in Amendments 1 and 2 to Senate Bill  
13. 1149, and the bill having received the required constitutional  
14. majority is declared passed. Senator Sommer, for what purpose  
15. do you arise?  
16. SENATOR SOMMER:  
17. Just on a matter of personal privilege which I...  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. State your...  
20. SENATOR SOMMER:  
21. ...seldom do. I notice in the gallery the Governor's  
22. crime czar Dan Wile and his father who has just been pre-  
23. sented to the Senate Appoint...Appointments Committee.  
24. PRESIDING OFFICER: (SENATOR DONNEWALD)  
25. Please rise and be recognized. Senate Bill 1201,  
26. Senator Regner.  
27. SENATOR REGNER:  
28. Yes, Mr. President...  
29. PRESIDING OFFICER: (SENATOR DONNEWALD)  
30. Proceed.  
31. SENATOR REGNER:  
32. Mr. President and members of the Senate, this is a  
33. reduction, House Amendment No...is it 1?

SB 1208  
6/29/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. No. 1.

3. SENATOR REGNER:

4. ...is a reduction...reduction of sixteen thousand  
5. six hundred dollars and I move to concur with House Amend-  
6. ment No. 1 to Senate Bill 1201.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? The question is, shall the Senate  
9. concur in House Amendment No. 1 to Senate Bill 1201. Those  
10. in favor vote Aye. Those opposed Nay. The voting is open.  
11. Have all those voted who wish? Please be in your seat.  
12. On that question the Ayes are 55, the Nays are none. The  
13. Senate does concur in Amendment No. 1 to Senate Bill 1201,  
14. and the bill having received the constitutional majority is  
15. declared passed. Senate Bill 1203, Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President and members of the Senate.  
18. Senate Bill 1203 was originally introduced to avoid a con-  
19. flict with Senate Bill 320 which created a conflict be-  
20. tween fire protection district incorporation and fire codes  
21. by reference and the section be amended by Senate Bill 1203,  
22. cannot recede to that amendment, and I move that we nonconcur.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? Senator Vadalabene moves to non-  
25. concur in House Amendment No. 1 to Senate Bill 1203. Those  
26. in favor indicate by saying Aye. Those opposed Nay. The  
27. Ayes have it. The motion carries and the Secretary shall  
28. so inform the House. Senate Bill 1208, Senator Glass. Proceed.

29. SENATOR GLASS:

30. Thank you, Mr. President, I'm going to move to nonconcur  
31. in House...in both House Amendments, House Amendments 1 and 2  
32. and I do so move.

33. PRESIDING OFFICER: ..(SENATOR DONNEWALD)



1. Is there a discussion? Senator Glass moves to non-  
2. concur in House Amendments 1 and 2 to Senate Bill 1208.  
3. Those in favor indicate by saying Aye. Those opposed.  
4. The Ayes have it. The motion carries and the Secretary  
5. shall so inform the House. Senate Bill 1236, Senator Lemke.  
6. Proceed.

7. SENATOR LEMKE:  
8. I move to concur with...with...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. House Amendment 1.

11. SENATOR LEMKE:  
12. ...House Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. Is there discussion? Senator Buzbee.

15. SENATOR BUZBEE:  
16. Well, I have a question of the sponsor, Mr. President.  
17. As I understand it, this...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. He indicates he will yield.

20. SENATOR BUZBEE:  
21. Thank you. This says that the Metropolitan Transit  
22. Authority Act is the one that we're amending here and that  
23. we are...with House Amendment No. 1, if we adopt it we're  
24. going to delete the provision that the Chairman of that  
25. Metropolitan Transit Authority has to be employed fulltime  
26. as the chairman. I understand he's the man that makes about  
27. ninety thousand a year now. Why should that be...is that...  
28. oh, I'm sorry.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)  
30. Senator Lemke. Senator Buzbee.

31. SENATOR BUZBEE:  
32. My question is, I guess, why would we say that...why  
33. should we delete the provision that the man be...the gentleman

1. be employed fulltime.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Lemke.

4. SENATOR LEMKE:

5. (Machine cutoff)...chairman takes a salary of fifteen

6. thousand dollars a year. He can take up to fifty thousand

7. dollars if he works at it fulltime, but the present chair-

8. man is taking it at fifteen thousand dollars. This is a

9. good amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President and members of the Senate, I rise in

14. support of Senator...Senator Lemke's motion to concur.

15. Under the existing law the CTA Board Chairman may be paid

16. a...an annual salary of fifty thousand dollars a year and

17. it is a fulltime job. Most people who have studied the

18. question feel that the current chairman is competent, capable and

19. able to do a good job. He is an acting chairman at the

20. moment and because of...he is otherwise occupied and is the

21. President of a company, he is unwilling to take the position

22. as a fulltime matter. This would allow an executive director

23. to be appointed to handle the day to day operations and

24. then the chairman and the board would determine policy for

25. the Metropolitan Transit Authority. The salary is being

26. reduced to twenty-five thousand dollars a year. I think

27. its a very reasonable amendment and I would urge your support.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Do I understand, Senator Hynes, that the...or the sponsor

32. either one, that the chairman who is fully engaged in running

33. another business on the outside will be paid...can be paid up to

1. twenty-five thousand dollars a year and that in addition  
2. there will be an executive director who will be paid, how  
3. much?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Hynes.

6. SENATOR HYNES:

7. Well, there currently is a general manager of the CTA  
8. and I don't know what his salary is and...and the thought  
9. is, that the general manager would then become the executive  
10. director.

11. PRESIDING OFFICER: (SENATOR DONNEWALD).

12. Senator Netsch.

13. SENATOR NETSCH:

14. Well, is that one part of what the amendment says?  
15. The...again, we're...we're relying on the printout and  
16. the printout, among other things, said...says it empowers  
17. the board to appoint an executive director, yeah, change  
18. from general manager and substitutes executive director  
19. on another page of the Statute and that person will be  
20. paid, how much?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Hynes.

23. SENATOR HYNES:

24. The...the change is, that the words general manager  
25. are stricken and executive director is inserted in place  
26. of general manager. Perhaps, a more technical change than  
27. anything else and to keep up with current management and  
28. nomenclature. There's no change in the salary and I...I  
29. frankly do not know what the salary of the general manager  
30. of the CTA is. This does not change that salary or the  
31. limits that might be placed upon it in any way.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Netsch.

1. SENATOR NETSCH:

2. Well, this is what I...I...it seems to me, though,  
3. that we are changing, in a sense, the...the nature of the  
4. role of the chairman and we are allowing him to continue  
5. to have a fairly substantial salary while making it clear  
6. that he does not have to devote fulltime and attention to  
7. those duties. Now, that may be a perfectly desirable  
8. arrangement, but if we are to have that person plus a full-  
9. time executive director who is highly salaried, at least  
10. I think we ought to know what we are doing and what it's  
11. costing us to do this.

12. PRESIDING OFFICER:: (SENATOR DONNEWALD)

13. Senator Hynes.

14. SENATOR HYNES:

15. At the present time the acting chairman makes fifteen  
16. thousand dollars a year and there is no...there has been  
17. no change in that or could there be under the existing law.  
18. This provides that the chairman could not be paid in excess  
19. of twenty-five thousand dollars a year. So, that the average...  
20. the typical board member...not the typical, every board member  
21. is by statute paid fifteen...no more than fifteen thousand  
22. dollars. This would say the chairman could not exceed twenty-  
23. five thousand dollars. There is no change in the salary of  
24. the executive director. It's simply a change in title to  
25. make it conform to this new structure. There is no plan  
26. to increase salaries and...and to rearrange salaries. This  
27. is simply an effort to put this board into the state that  
28. many other boards are in, so that competent persons from the  
29. business community can be brought in for policy making matters.  
30. There are a number of boards in the Cook County area and  
31. throughout the State and a number of State boards that have  
32. a partime person serving as chairman and as members who provide  
33. technical expertise but are limited to policy making functions.

1. The Illinois Toll Highway Authority, for example, that  
2. we've confirmed members of today, operates in that fashion.  
3. The actual day to day operation is handled by a fulltime  
4. professional. The policy is made by a board composed of  
5. members of the business community, the labor community and  
6. so on who can contribute their expertise. I do not think  
7. this is in any way unusual and, in fact, I think it's a  
8. highly desirable approach.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Netsch.

11. SENATOR NETSCH:

12. My...my argument really is not with the fact that it  
13. is absolutely unique or that it's even bad policy. I agree,  
14. there are many public bodies which are being managed in  
15. part by...at least the policy making boards who are partime  
16. and other who, then, are fulltime. What I'm suggesting is,  
17. that I...I...there is a change taking place here and I think  
18. that change is a...a specific concession that the chairman  
19. who is simply not going to engage fulltime in...in the business  
20. of running the CTA, does not have to do that and at the same  
21. time is going to be paid a fairly substantial salary, and I  
22. think that is something that has not, at least, been fully  
23. thought through. Whether that is the best arrangement for  
24. the Chicago Transit Authority, particularly perhaps in view  
25. of...of the...the intense demands on Mr. McDonough's time  
26. from his other interests, and I think it is a questionable  
27. policy, at least, at this point.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Yes, Mr. President. I want to re-emphasize a point that  
32. Senator Netsch made. This may well be the way to do it. It  
33. may well be a more desirable system, but, you know, it's the

1. sort of thing we really ought to have an opportunity to  
2. pass on in committee and to have it come over as a House  
3. Amendment at the end of the Session, naturally makes  
4. people wonder and we have the same problem on the Election  
5. Commissioners in Chicago. I don't think you know  
6. as long we have a chance to go through some questions and  
7. to get some answers and to have the whole thing laid before  
8. us, you know, then you have some basis for judgement, but  
9. I don't understand how it is you always get caught in a  
10. situation of putting someone in a job for which there are  
11. specific requirements and then changing the requirements  
12. of the job to alter that individual. It's a kind of a  
13. old buddy system of doing things, but it seems to me that  
14. we really ought to find someone who fits the specifications  
15. of the job and I think it's just going at the whole process  
16. backwards. If we should, in fact, change the way this is  
17. organized I think we ought to have a bill that addresses  
18. that subject, take it to committee and discuss it.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Walsh.

21. SENATOR WALSH:

22. Mr. President and members of the Senate, I rise in  
23. support of the motion to concur. I...I think that this...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just...just a moment, Senator. The noise level is  
26. very bad. Proceed.

27. SENATOR WALSH:

28. ...the prior two speakers questioned whether this was  
29. a desirable manner in which to...to handle the...the appoint-  
30. ment or whether the duties of the chairman should require  
31. him to be the chief operating officer. I, for one, believe  
32. that the chairman of the CTA should not, necessarily, be and,  
33. in my opinion, should not be the chief operating officer. I

1. believe the chief operating officer should work for the  
2. board rather than be a board member. And in that way we  
3. would not be faced with inactive board members. They  
4. would be charged with supervising the chief operating officer.  
5. We have had, Mr. President and members of the Senate, a  
6. chief operating officer of the CTA who has been the chair-  
7. man of the CTA and I think that has resulted, at least in  
8. the allegation, that other board members have abrogated  
9. their duties of supervision. I think that this is a de-  
10. sirable approach toward organization of the CTA and I  
11. would hope that we would take the  
12. same approach in organization of the RTA, and I support  
13. the gentleman's motion.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berning.

16. SENATOR BERNING:

17. A question of the sponsor, please.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Indicates he will yield.

20. SENATOR BERNING:

21. Did I understand you to say that the present salary  
22. of the CTA Chairman is fifty thousand?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Hynes, do you wish to respond?

25. SENATOR HYNES:

26. That's what the Statute authorizes, but at the present  
27. time the CTA does not have a chairman. It's has an acting  
28. chairman who makes fifteen thousand dollars a year. He's a  
29. board member.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Berning.

32. SENATOR BERNING:

33. Then with this amendment the proposal is to make the

1. chairman possible...the...the chairman to possibly earn  
2. up to twenty-five thousand. Now, is the chairman and the  
3. members...or are the chairman and members of the board  
4. under the IMRF?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Hynes.

7. SENATOR HYNES:

8. Senator Berning, I can't give you an absolute answer  
9. but I think they are.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Berning.

12. SENATOR BERNING:

13. Well, I think that is correct, Senator. And it may or  
14. may not be, Mr. President and members of the Senate, illegal  
15. or unethical but I submit that here again we are establishing  
16. a very, very sizable income for someone on a partime basis,  
17. at least that's the impact as I inderstand it, that the  
18. chairman will not be fulltime, but he should be getting  
19. twenty-five thousand dollars a year which would qualify, then,  
20. for a very, very sizable pension under IMRF and this, again,  
21. subjects all of us to the criticism of authorizing and aiding and  
22. abetting, double dipping and double dipping is equally as  
23. reprehensible whether it's combining governmental and govern-  
24. mental participation in systems and...and compensation or  
25. governmental and private. It would appear to me that this  
26. is providing just an unwarranted degree of compensation and  
27. emoluments for an individual who at the rate of twenty-five  
28. thousand either ought to be devoting fulltime or someone else  
29. should be secured and asked that he put in fulltime.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Soper.

32. SENATOR SOPER:

33. Well, Ladies and Gentlemen, you know, you talk about



1. somebody should spend fulltime, you can get somebody that  
2. understands the business and...and he's got...and he's in  
3. a business, twenty-five thousand dollars is no money. You  
4. know it and I know it. And you talk about fulltime for  
5. fifteen thousand, well, any jasper that would want a  
6. twenty-five thousand dollar job and with the expertise  
7. that this man has and would do nothing else and that was  
8. his income, you couldn't find him that had the expertise.  
9. But if you get somebody that doesn't know anything he'll  
10. take a job for twenty-five, he'll take it for fifteen, but  
11. that's the kind of a egghead that you get. He doesn't know  
12. anything and fifteen thousand is a hell of a lot of money.  
13. I move that we go on with this thing.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Well, I think that Senator Soper said it very aptly.  
18. Some people are worth twenty-five thousand dollars a month  
19. and other people aren't worth twenty-five thousand dollars  
20. in a year or in a lifetime.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator...Senator Lemke may close.

23. SENATOR LEMKE:

24. I make a motion to concur and ask for a favorable roll  
25. call.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is, shall the Senate concur in House Amend-  
28. ment No. 1 to Senate Bill 1236. Those in favor vote Aye.  
29. Those opposed Nay. The voting is open. Have all those  
30. voted who wish? Take the record. On that question the Ayes  
31. are 40, the Nays are 10, 3 Voting Present. The Senate does  
32. concur with...in House Amendment No. 1 to Senate Bill 1236  
33. and the bill having received the required constitutional

HB 1281  
6/29/77

1. majority is declared passed. . Senate Bill 1281, Senator  
2. Schaffer. Proceed.

3. SENATOR SCHAFFER:

4. Mr. President, Senate Bill 1281 which, I believe, was  
5. a fairly noncontroversial bill came over here with one  
6. House Amendment, House Amendment 5, which I'm going to move  
7. to concur in. House Amendment 5 simply provides that all  
8. school districts with over fifty thousand Title I students  
9. must spend that Title I money in the attendance areas where  
10. the students live. Frankly, it affects the City of Chicago.  
11. The proponents of the amendment in both Houses has prevailed  
12. upon me to concur. I believe that the amendment is fair.  
13. If you're getting Federal money for poor kids, one ought to  
14. spend the money on the poor kids and that's all, basically,  
15. the amendment does. I move to concur in House Amendment No.  
16. 5 to Senate Bill 1281.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. I have a question, Mr...Mr. President, of the sponsor.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Indicates he'll yield.

23. SENATOR BUZBEE:

24. First of all, Senator Schaffer, I'm a little surprised  
25. that you're sponsoring this bill to start with in that it  
26. ...apparently all that it did to start with was to repeal  
27. sections and language that dealt with the Superintendent...  
28. State Superintendent of Education and changed that to the  
29. Office of Superintendent of Public Instruction and the State  
30. Board of Education. I thought that you were one of those  
31. who supported getting rid of the State Board of Education  
32. and getting rid of the appointive Superintendent and going  
33. back to an elected State Superintendent of Public Instruction,

1. and if we...we have Senator Lemke, in fact, is sponsoring  
2. a constitutional amendment which will do just that, and I  
3. was wondering why you sponsored this legislation to start  
4. with. We...we'll probably need all this language back  
5. in the Statutes in a couple of years as soon as we get rid  
6. of the appointive superintendent.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Was that a question, Senator? Senator Schaffer.

9. SENATOR SCHAFFER:

10. Senator, I don't think I've ever enunciated that. I...  
11. I suspect you've interpreted my misgivings with the current  
12. operation of that department and its director as being  
13. taking that position. I'm not sure where I am on that  
14. issue. I, frankly, don't think I want it back in elective  
15. politics, but I might be prepared to clean it up, as it now  
16. stands.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. President and Ladies and Gentlemen of  
21. the Senate. This is a very important concurrence motion.  
22. I have several points that I wish to make on this. I'm  
23. rather disturbed that the House sponsor would take this  
24. approach to try to help a particular area of the school  
25. population in Chicago in a way similar to the proposal the  
26. other night that wanted to take money away from one group  
27. of children that required special ed service...education  
28. services, and take that money from them and give it to  
29. another group. That's what this amendment seeks to do. The  
30. proposed amendment from the House seeks to take dollars away  
31. from one group of children in the City of Chicago and give  
32. it to another group of children in the City of Chicago....  
33. Now, just that concept alone is contrary to a tradition that

1. I have been aware of in the almost ten years that I've been  
2. in this Legislature and that tradition has been that if we  
3. make changes in School Aid Formula, we try not to hurt anyone,  
4. we try to add on to address particular needs. You have seen  
5. that in all of the years that I've been involved in the  
6. School Aid Formula work. We pass hold harmless provisions  
7. so that no one ever receives less as a result of a school  
8. aid change than they would have had there been no school aid  
9. change, and yet this amendment works just the opposite of  
10. that long honored tradition, because it will, in fact, take  
11. substantial dollars away from one group of children and put  
12. it to another. Let's talk about the dollars that is involved  
13. here. This amendment says that the waiting factor which is  
14. computed based upon Title I count children in Chicago, must  
15. be given to the attendance area, the attendance center, that  
16. those children cover. Now, there has been a lawsuit filed  
17. which is presently pending in the City of Chicago for a legal  
18. determination of what that Title I waiting means. And there  
19. has been several opinions. Let me give you one opinion, let  
20. me give you my opinion. In 1973 when we adopted the Resource  
21. Equalizer Formula we had an element in the old Formula called  
22. a density factor. It was an amount of money that was given  
23. to high density districts and for purposes of this discussion  
24. let's just talk about Chicago. Chicago got extra money because  
25. Chicago has unique problems. With a half a million students  
26. with municipal problems, with poverty problems Chicago used to  
27. get extra money under what was called a density factor. It  
28. was not categorical money, it was not earmarked for any group  
29. of students. It was given in recognition of the problems  
30. that Chicago has. In the past four years since we passed that  
31. bill those problems have not gone away. Some have been alleviated,  
32. but many have been exacerbated and still require attention, so  
33. Title I money on that type of count goes to Chicago. It's

1. extra money. We are talking about a hundred and seventy-  
2. eight million dollars, Ladies and Gentlemen, out of approxi-  
3. mately four hundred million dollars that goes to Chicago.  
4. Now, what happens...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Senator, your time has expired. Would you conclude  
7. your remarks.

8. SENATOR BERMAN:  
9. All right. Let me merely point out that if this amend-  
10. ment passes you will have in some districts...some schools  
11. of Chicago classes with pupils of five to ten pupils per  
12. teacher and in other areas of the City, classes with forty  
13. to fifty pupils. I think this is a terribly discriminatory  
14. approach when they...based upon the needs of all the children  
15. of the...of the City of Chicago. I urge a No vote on concurrence.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17. We have at least eight more requesting to speak and,  
18. Ladies and Gentlemen, if we could make our remarks brief we  
19. could get along. Senator Rock.

20. SENATOR ROCK:  
21. Thank you, Mr. President. A few questions of the sponsor  
22. if he'll yield.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)  
24. Indicates he will.

25. SENATOR ROCK:  
26. This, as I understand it as I have read the amendment  
27. No. 5...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Just a moment, Senator. The noise level is horrendous.  
30. Would the members please be in their seats. Would all un-  
31. authorized personnel remove themselves. We won't continue  
32. until we have quiet. Proceed.

33. SENATOR ROCK:

1. Thank you. This is, as I...this Amendment No. 5,  
2. as I understand it, is applicable only to the Chicago  
3. School District. Is that correct?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Senator Rock, there was some confusion on that. The  
8. Amendment No. 5 clearly hits only the City of Chicago.

9. Amendment No. 3 which was Tabled was a....

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Just a moment. Senator Rock.

12. SENATOR ROCK:

13. That...that's all I wanted to know. I don't need a  
14. speech about Amendment No. 3 which was Tabled or anything  
15. else. It applies only to Chicago, is that correct?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock.

18. SENATOR ROCK:

19. Can...can you explain for me what is a Title I pupil?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. It's a...where...it's the...while this is State money  
24. we are...and State - Federal combination we're talking about  
25. a poor student of poverty level.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Do you know if there is information available to de-  
30. termine the number of Title I pupils in a particular attendance  
31. center?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Schaffer.

1. SENATOR SCHAFFER::

2. I'm led to believe that that information is available.

3. I personally do not have that expertise..

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rock.

6. SENATOR ROCK:

7. Well, I'm led to believe it's not available but that's  
8. neither here nor there. The...the point is, that the  
9. amendment reads that state aid derived from a district under  
10. the sub-section B of this section, shall be distributed  
11. among the attendance centers in the district in the same  
12. proportion as is the enrollment of pupils eligible under  
13. Title I. Now, it just seems to me that without knowing the  
14. enrollment in each attendance center of pupils eligible under  
15. Title I you, in fact, stop all the distribution, no. 1.  
16. Secondly, in your opinion, does this apply only to Title I  
17. money or is this all the state aid?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. Well, answer two questions. One, I believe the informa-  
22. tion on how many Title I students there are in an attendance  
23. area can be arrived at. I admit it might take some time.  
24. I don't think it would be that big a job. As for your second  
25. question, to the best of my knowledge this affects only Title  
26. I money in...in the City of Chicago.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Rock.

29. SENATOR ROCK:

30. Well, that...that...that's my point, and frankly I have  
31. read your press release which was issued this morning where  
32. expressed this kind of concern and...and if that's the concern,  
33. frankly, the amendment doesn't do that, because the amendment

1. doesn't say that the Title I money will be distributed where  
2. the Title I kids are. This says that the State aid will be  
3. distributed in proportion as to the Title...Title I kids,  
4. and I don't think that's what you want to say and I would  
5. move...urge an nonconcurrency in this amendment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Washington.

8. SENATOR WASHINGTON:

9. Mr. President and members of the Senate, I want to  
10. comment Representative Jones for coming up with what I  
11. consider to be the best the amendment I've seen in this  
12. Session and I want to thank the Representative...Senator  
13. Schaffer for agreeing to accept this amendment because it's  
14. substantial justice. The question is often made or raised  
15. why Johnny and Mary can't read. Well, I'll tell you one  
16. reason why Johnny and Mary can't read in Chicago, in Austin,  
17. Englewood, Avelon, Garfield Park, Woodlawn, Lawndale, Humboldt,  
18. one reason they can't read is because some other people are  
19. getting their money and they're not getting the money that  
20. they're entitled to as I interpret the compensatory resource  
21. article before us. What has happened here is that there has  
22. been a designation of where they students are. More than  
23. fifty percent of them are in Chicago. There has been a designa-  
24. tion of how many in Chicago fit under Title I poverty concept.  
25. More than fifty percent of the students in the City of Chicago  
26. in the public school system. Yet and still that money, and  
27. we're talking about a hundred fifty some odd millions of  
28. dollars which to me, under the present law, was clearly earmarked  
29. for Title I students has been disbursed willy-nilly throughout  
30. the entire Chicago Public School System admittedly so by  
31. Superintendent Hannen, and that's the core of the suit now  
32. pending. What this House Amendment does is simply to make  
33. it abundantly clear, because evidently Superintendent Hannen



1. can't read to make it abundantly clear that the purpose of  
2. this Title I money, and they had to have a head count in  
3. order to arrive at a figure and the present law sets it out,  
4. but to make it abundantly clear that this money, which the  
5. State of Illinois has earmarked for Title I students which  
6. every district in the City of Chicago complies with, I repeat,  
7. which every single district in the City of Chicago complies  
8. with except Chicago must go to those students. It's just  
9. that simple. The money should be traced and tracked to the  
10. poverty student in the school system wherever he is, wherever  
11. he is. We scream and cry about the innercity schools being...  
12. turning out students who can't read, graduating from high  
13. school on a sixth grade reading level. This is one of the  
14. reasons. One of the previous speakers talked about taking  
15. money from one and giving it to the other. Well, what has  
16. happened in Chicago that some of the students in Chicago  
17. have been the beneficiaries of unjust enrichment. They've  
18. taken money from my district, from Chew's district, from  
19. Collins' district, from Newhouse's district, from Smith's  
20. district and from other districts and...and spread it through-  
21. out the City, and Representative Jones is simply saying this,  
22. you have a responsibility based on the public policy you  
23. passed here in 1973 to repeat and again repeat and over re-  
24. peat until somebody understands in Chicago that this money  
25. is for the poor students of Chicago. How dare anyone say,  
26. how dare anyone say it's a deprivation on the more affluent  
27. areas when they're getting money that they're not entitled  
28. to. That's the strangest conception of Robin Hood I've  
29. ever heard. It's unjust in enrichment. We have a right and  
30. we demand and we'd be recalcitrant in our responsibilities  
31. to our constituents if we didn't demand that these funds go  
32. where this legislative Body said they should go in 1973.  
33. This is a fine amendment and I think we should concur in it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Glass.

3. SENATOR GLASS:

4. Thank you, Mr. President and Ladies and Gentlemen,  
5. I rise to support this amendment and I would like to make  
6. one, what I think is an extremely important point. Senator  
7. Rock in his discourse stated that it...it appeared from  
8. the language of the amendment that all of the State aid  
9. would have to be allocated based on the number of Title I  
10. students in a given attendance center. That is not what  
11. the amendment says, in my opinion. The amendment says that  
12. the State aid derived under Section 8J and that is the  
13. Title I money, so at least it's my reading and I think the  
14. correct reading of this amendment that it would allocate the  
15. Title I funds only to the attendance centers where the  
16. students that caused that money to be available are attending.  
17. I...I would make this further observation. In the City of  
18. Chicago you have a school district of approximately five  
19. hundred thousand students and in a district that large I  
20. think is folly to allocate money other than on this basis,  
21. because if...if it were a smaller school district of ten or  
22. fifteen thousand you might say that you would have to coordinate  
23. all the programs through the use of the total amount of money  
24. that was received and that was the most efficient way to do  
25. it, but here I...I do agree with Senator Washington that the  
26. whole purpose of this money...the whole purpose of the Title  
27. I money is, in fact, to assist students of low-income and...  
28. and from deprived areas. I...I...I have a hard time, logically,  
29. arguing against using the money that is derived by the district  
30. from Title I in those attendance centers where the Title I  
31. students are located and that's all the amendment does, and  
32. I'd urge its adoption.  
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Well, Mr. President and Ladies and Gentlemen of the  
4. Senate, it is not my intention to argue with the good in-  
5. tentions of the House and Senate sponsors of this amendment.  
6. What I do want to point out to the Senate, however, is an  
7. injustice, not really an injustice, but an administrative  
8. nightmare that will be caused by this amendment. I can't  
9. see any way how the Chicago School District could administer  
10. this thing and keep the distribution of the Title I funds  
11. on an even keel, but what it does, it takes out a section,  
12. applying to those school districts between ten and fifty  
13. thousand whereby they have to file a report in order to  
14. qualify for Title I funds by August 15th of every year.  
15. In other words, they remove a section that is in this bill  
16. at the present time. Why this was done I do not know, and  
17. I further want to point out to the Senate that my position  
18. on this is consistent in this matter. This amendment applies  
19. to only one school district throughout the State and I  
20. think it would create an administrative nightmare for them.  
21. We had a bill in the Senate Education Committee not too long  
22. ago which required the distribution of all state aid funds  
23. to attendance centers within school district on the basis of  
24. the population of that attendance center in relationship to  
25. the entire school district population. I voted against that  
26. bill, also. I have not changed my stand on this. This is  
27. a matter for the Superintendent of Education to administer  
28. and it cannot be done legislatively in this manner and I  
29. urge a No vote on concurrence.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Chew: Just a moment, Senator. Would the members  
32. please be in their seats. Please, Gentlemen, clear the aisles.  
33. Senator Chew.

1. SENATOR CHEW:

2. Thank you, Mr. President. Now, we...we are discussing  
3. this condition here that has not been lived up to and they  
4. have been mandated to so do. Superintendent Hannen of  
5. Chicago Public Schools, the General Superintendent, stated  
6. in his admission that the monies that these schools have  
7. been getting was not distributed according to the original  
8. plan. It's no secret that he said it should have been and it  
9. is not. Now, all of the questions that Senator Rock asked  
10. Senator Schaffer, for your information, Senator Rock, I  
11. have it right here on paper and it's been laying around here  
12. on these desks for quite awhile. I can furnish you the in-  
13. formation that you requested. All we're saying here is, that  
14. money is due disadvantaged children and it should go, and  
15. that's what the amendment does. It puts the money where it  
16. belongs. All of the Formulas that we work with are right  
17. here on this paper and it's self-explanation. It explains  
18. itself. So, I have to concur in this amendment. I'd be  
19. derelict in my duties if I were to say the amendment is  
20. no good. We want to stop any school district or any city  
21. from misusing the funds other than the way they're described.  
22. That's all the amendment is about. You can argue about this  
23. all day. It is as plain as the nose on your face. The  
24. money that belongs in these disadvantaged districts have  
25. not been going there and this amendment will put it there,  
26. and I would encourage all members of this Senate to support  
27. the concurrence.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Davidson. Senator Davidson.

30. SENATOR DAVIDSON:

31. Yes, Mr. President, I'd like to rise in support of this  
32. amendment. Many of the questions which were raised the pre-  
33. vious speakers was answered by Senator Glass in relation

1. to where this does apply and it does only apply only to the  
2. Title I. The weighted average daily attendance which is  
3. district-wide, there is no way but what each school or  
4. attendance center, as you want to call it, is going to  
5. have a record of how many those...students from  
6. poverty level families to claim that money are going to be  
7. known. I think this is good legislation and I urge an Aye  
8. vote.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. Thank you, Mr. President. I set in on the meeting of  
13. the Public Aid Advisory Committee with Senator Moore a  
14. couple of weeks back, and we just got a new computer system  
15. and this system is going to be able to help us to get some  
16. handle on just what kinds of things contribute to those per-  
17. sons who repeatedly show up on the public aid rolls. One of  
18. the leading things that we've cutted out already, I think  
19. Senator Moore will confirm this, is that education is a  
20. major factor, a major factor. Now, we have come down to  
21. this legislation, I've been here eleven years, been on the  
22. Education Committee the whole time, and talked about helping  
23. poor people. We've talked about helping poor students like  
24. those from the Lawndale-Garfield Community, Senator Rock and  
25. Senator D'Arco, from Pilson and its adjacent neighborhood,  
26. Senator Lemke and Senator Guidice, from uptown from Englewood  
27. Senator Daley. We said we want to help these kids.  
28. And we've got some money based upon a head count of these  
29. youngsters and I'm really surprised to hear us talking about  
30. handing this money to Phil Hill, to Hyde Park, to Lake Shore  
31. Drive. That isn't what that money was allocated for. The  
32. distribution of the Federal funds have come for the same  
33. purpose followed these youngsters and the Statute appears to

1. give us the directive to do the same thing. Well, what  
2. are we really talking about. We're talking about poor  
3. kids that we used as the reason for raising this money and  
4. distributing it in another fashion. A lot of us were a  
5. great deal surprised when we found out that Superintendent  
6. Hannen was distributing these funds in this fashion, and  
7. let me tell you something. I talked to members of the Board  
8. of Education in the City of Chicago and seven members of the  
9. Board, a majority, gave the interpretation that this money  
10. ought to follow the kids for whom it was intended, a majority  
11. of that Board. I have here a memorandum from Superintendent  
12. ...from...from Director Cronin who...who says this is the  
13. fashion in which the money ought to be spent and they want  
14. clear directions in order to be able to do that. Now, let  
15. me read you a paragraph from a letter dated June 28th from  
16. Superintendent Cronin's office. The last...the next to the  
17. last paragraph of this letter reads as follows: It is clear,  
18. however, that the State Board of Education is urging local  
19. school districts to make every effort to use these State  
20. compensatory resources to attend to the special needs of  
21. educationally disadvantaged children. In addition the State  
22. Board wishes to have periodic reports presented to them  
23. relative to the impact of these funds on disadvantaged children.  
24. I would suggest to you, Gentlemen, that if we take funds  
25. that were earmarked for these children for all practical  
26. purposes and use them elsewhere in the system, that we are  
27. committing something close to a fraud on those children, and  
28. I don't think that this Legislature wants to be in that  
29. position. I think this is a good amendment. Senator, I  
30. would applaud you for it. I think it's one of the best  
31. pieces of legislation to come through here, and for the  
32. Democratic Party which is supposed to be the party of the  
33. little people and suppose to protect those who cannot protect

1. themselves, not to put this amendment on I think will be  
2. a blot upon the record of this party. I would move that  
3. we, Mr...Mr. President and Senators, that this...this  
4. amendment ought to be adopted and I would urge its adoption.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President and members of the Senate.  
9. This is the kind of an amendment, the kind of a problem,  
10. the kind of a traumatic confrontation that leaves some of  
11. us at a loss in an effort to sort out the allocations and  
12. the charges, the wheat from the chaff as matter-of-fact. As  
13. I understand it, the effort is to be made under this amend-  
14. ment to disproportionately allocate available dollars. If  
15. that is the case, Mr. President, in my opinion that is dis-  
16. criminatory. I do not know what the level of funding is  
17. per student in Chicago but according to the understanding of  
18. what I think is our State policy each child is funded to the  
19. same extent, State-wide because of our resource equalizer  
20. program. Now, it distresses me, Mr. President, a good  
21. deal, to hear the complaints by some that dollars, dollars  
22. are the determining factor in the education available or  
23. the quality of education available when most of us know,  
24. Mr. President, that education can be had in a log cabin in  
25. front of a fireplace or in a brick storefront building or  
26. in a fancy mausoleum. Mr. President, it depends upon the  
27. motivation of the individual. I can't comprehend where  
28. the justification arises for...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just...just a moment. Senator Newhouse, for what  
31. purpose do you arise?

32. SENATOR NEWHOUSE: "

33. Can we have some order. I

1. think we ought to hear what Senator Berning is saying.

2. I think it's very important.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Well, I've been trying to say that all day, Senator,

5. and I've asked the Senators to be in their seats and they...

6. they get there for a few moments but then all of a sudden

7. they're gone again and then we have the noise arise.

8. Senator Berning, continue.

9. SENATOR BERNING:

10. Thank you, Mr. President and members of the Senate  
11. and Senator Newhouse. I merely am attempting to emphasize  
12. that the dilemma that I face and I think, perhaps, some of  
13. the rest. What I am going to say in summation, Mr. President,  
14. is simply this, that insofar as I am able to determine,  
15. being one who came from a very humble background, attended  
16. school in the basement of a church, the motivation of the  
17. individual student is the criteria and not the dollars that  
18. are floating around over his or her head and as long as the  
19. dollars are equally distributed I think no one, no one can  
20. fault that. The determination ought to be made by those in  
21. charge of the districts, those to whom we give, we delegate  
22. that responsibility, Mr. President, and I think it would be  
23. an insult to me if I were to have someone stand up and say  
24. you need extra money so that you can be educated. This is  
25. a challenge, an insult to the native intelligence of children  
26. and I think it ought to be rejected.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Collins.

29. SENATOR COLLINS:

30. Mr. President and members of the Senate, this is a  
31. very important and a very emotional issue for me. Senator  
32. Newhouse has captured some of things that I would have said  
33. so, therefore, I won't reiterate those things. But, the



1. major issue for me here is the future of the black children  
2. in the 21st district in the City of Chicago and on the  
3. West Side, and I want the members of this Body to know that  
4. we don't have schools, we got jungles on the West Side of  
5. Chicago, the over crowdedness. Most of the kids, and I  
6. want to say to you, Senator Rock, Title I kids are defined  
7. by the Federal Government as the educational disadvantaged  
8. kids, and by your own statistics and your own tests of the  
9. Board of Education in the Chicago, the majority of the kids  
10. in that district, the majority, almost ninety percent are  
11. educational disadvantaged children. Now, what are we talking  
12. about. I've listened and I've studied and I've followed and  
13. I believed in the Democratic principles and the Democratic  
14. Party and some of you here have the nerve to even question  
15. or challenge whether or not I was a Democrat, but that's  
16. what we're talking about here, simple equal justice, fairness  
17. and giving the black children a chance to compete in a highly  
18. technical society so that we can break the chain of poverty  
19. and so that we can eliminate some of them off the welfare  
20. rolls. What good is nondiscrimination in employment if the  
21. kids don't have the basic skills to compete with. What good  
22. is open housing if you don't have a decent job that can deliver  
23. the funds that it cost to purchase that house. You can't  
24. go to a grocery store and get a loave of bread if you don't  
25. have the cost and that's what I'm talking about, a chance,  
26. a chance for freedom, a chance to participate equally in  
27. society and there's no question about that. The monies that  
28. is allocated for Title I funds and...and...and the beliefs  
29. and the hide and the hand that the laws are not clear. This  
30. amendment that Senator Johns is proposing here today makes  
31. it clearly clear where and-how those monies are to be used  
32. and I recommend and I urge you, give the blacks a chance  
33. if you want them to get off of welfare. It's not going to

1. stop crime in the streets by passing the death penalty,  
2. by tightening up on the criminal justice laws, by building  
3. more jails. You got to educate people and you got to provide  
4. a quality education and a quality education is one that  
5. prepares a student to live, work and progress in harmony  
6. with society and that's what we're asking for. Give the  
7. blacks a chance.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Hynes.

10. SENATOR HYNES:

11. Mr. President and members of the Senate, I rise in  
12. opposition to this amendment, well-intentioned though it  
13. may be on the part of the sponsor. This amendment has im-  
14. plications for the school system in the City of Chicago  
15. that I do not think the sponsor clearly recognizes nor do  
16. I think that the members of this Body might clearly recognize  
17. and, frankly, some of the possible implications I'm not  
18. sure I recognize and they frighten me. To begin with the  
19. Title I aid in question was never intended to be categorical  
20. aid. It was not intended to be earmarked. It was intended  
21. to be part of the general aid going to the school districts  
22. of this State. It was a substitute for the density factor  
23. which had existed in the School Aid Formula for many years,  
24. and it was determined that this would be a better and simpler  
25. method of making the computation of the amount of money that  
26. would be involved. And I know that to be the case because  
27. I was involved in those discussions and those negotiations  
28. with Senator Shapiro and with Senator Berman and many others  
29. when this Formula was put together. This was not the intention  
30. and now several years later when the Formula is in operation  
31. and the school system in the City of Chicago, which at this  
32. present moment is near financial chaos, has established it-  
33. self on the basis of what is in the Formula, we come along

1. with an amendment that will make radical changes in the  
2. way the money must be spent. I simply say that this  
3. amendment is misdirected and it is going to cause chaos.  
4. This is going to reap havoc in the schools in Chicago. In  
5. some...some estimates are that the pupil...pupil-teacher  
6. ratio will be have...have to be so dramatically altered, that  
7. in some schools the ratio will be ten to fifteen pupils  
8. per teacher, in others, forty or more pupils for teacher...  
9. per teacher. There is no other money to keep the schools  
10. that will lose money at the level they are now which everyone  
11. recognizes is inadequate and when you are dealing with a  
12. situation where the school's financing in a given attendance  
13. center is inadequate already and then you take money away  
14. from that center in order to improve the situation somewhere  
15. else, you make it hopeless. This will destroy the school  
16. system in the City of Chicago, and make no mistake about it.  
17. One speaker mentioned that he could see why it might not be  
18. necessary to do this in schools where there are only fifteen  
19. thousand in attendance. Well, to me that was nothing more  
20. than covering one's self for what is the obvious question.  
21. Why should this amendment apply only to the City of Chicago?  
22. Why should it not apply on a State-wide basis. There are  
23. school districts all over this State that receive Title I  
24. funds. Why shouldn't it apply to Senator Bloom's district  
25. in Peoria? Why shouldn't it apply in Rockford and every  
26. other city? Why? Because it couldn't be passed if it applied  
27. all over the State. This is nothing more than an effort to  
28. narrow it down so that it can be passed without regard to  
29. the equity involved, without regard to uniformity of treatment.  
30. And I think it's a disgrace, that if this amendment is so  
31. desirable and so valuable and so good, that it would not  
32. apply State-wide because if this money was intended to be  
33. categorical in Chicago, it was intended to be categorical

1. in every other area of the State and that's the form  
2. the amendment ought to be in. Why? Why? Why should this  
3. apply only in the City of Chicago? I think the answer is  
4. obvious. This amendment will have a disastrous impact on  
5. a school system that everybody knows is already in serious  
6. trouble, and I suggest to you that it ought to be defeated.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Smith. Senator...for what purpose do you  
9. arise, Senator? Senator Washington.

10. SENATOR WASHINGTON:

11. I wish to speak a second time....

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Well, there are other Senators...

14. SENATOR WASHINGTON:

15. ...for the first time during this...I'll wait till  
16. the end.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Just a moment. There are...there have been fifteen  
19. members address themselves to this issue. We must proceed.  
20. Senator Smith. Senator Washington.

21. SENATOR WASHINGTON:

22. I will comply with your wishes, but it has been the  
23. practice here, as I have observed, that many, many speakers  
24. have been permitted to speak twice.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. I'm not...

27. SENATOR WASHINGTON:

28. I won't insist on that.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. I'm not prohibiting that...

31. SENATOR WASHINGTON:

32. I just want to point it out...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. ...at all. I just want to remind you that we are  
2. a very, very critical time schedule. Senator Smith.

3. SENATOR SMITH:

4. Mr. President and Ladies and Gentlemen of the Senate.  
5. Ordinarily I would not take the three or four minutes that  
6. you have allotted to me, but in the light of the facts with  
7. regards to the matter involved here and now, I think that  
8. I could well be considered a traitor to my race and un-  
9. worthy of any consideration of the humblest member of this  
10. Body did I not rise here at my seat and briefly voice forth  
11. my belief with regards to the matter. I respect what the  
12. good Senator on the far right side of the Republican side  
13. said, but I think that that he said, like all things else  
14. said when a particular group is concerned, I think it needs  
15. just...at least a minute of explanation. He said what the  
16. policy of the State is. The policy of the State with re-  
17. gards to this particular issue, as expressed by some, is  
18. damnable. I know that that assertion is a strong one, but I  
19. will not withdraw it. I rather repeat it. It is disgraceful.  
20. Even when I was a child in the hills of east Tennessee I  
21. heard all of this talk about policy and the best policy.  
22. Well, if it's the policy of the State I think this, that the  
23. State ought not stop merely with expressing or writing or  
24. talking about what policy is. Let it follow in actuality.  
25. Let it become a theory of government developed into a fact  
26. of government. It's just that simple. I might want money.  
27. There sets Clewis and here sits Kosinski, they have money.  
28. He also has a gun. It wouldn't be good policy for me to try  
29. to take his money acting simply on the basis of theory of  
30. a policy while he's awake, alive and in possession of that  
31. gun. But if he doesn't have the gun, if a man's inclined to  
32. steal, that would be a more appropriate time according to  
33. policy. I'm trying to intimate that policy is not a something

1. to be practiced simply under certain conditions. A man  
2. that believes in policy or honesty, he is that way because  
3. it is with him an eternal principle. He acts from principle  
4. not from policy. Now, no man here can deny the fact that  
5. the conditions exist. If you didn't have or don't have  
6. or won't have the money there wouldn't be a whimper there  
7. wouldn't be a word breathed here. It is enough for any  
8. party to now believe that he has any living voter under the  
9. thumb nail of the thumb on his hand or the fingernails.  
10. I have here the figures that I clipped out and never thought  
11. that use them in a sense like this and it's surprising to  
12. me to see how the black vote is leaving the party of my  
13. choice, the Democratic Party. It's striking and it's true  
14. and why is it true. It's like the fellow that had seventeen  
15. boys and they grew up to be young men and they all voted  
16. one way and one day...except one, and they asked the father  
17. how did it happen that that one boy didn't vote with the  
18. others and he said, well, he went away to school, he learned  
19. how to read and write and think and he learned some sense and  
20. he deserted. The black man is seeking, through this bill,  
21. through this amendment to that bill. Someone expressed wonder  
22. and amazement the fact that you, Senator, had the courage and  
23. the guts to place that amendment on your bill. I compliment  
24. you. And whatever others may think, how much pressure may  
25. have been put on other members of this Body, we will never  
26. forget. I for one will never let my people forget that  
27. acting under orders at a time when we need you, you called  
28. upon us when you needed us. Now, we need you and there are those of  
29. us my friends scattered throughout, not only the City of  
30. Chicago, and by the way that makes me think of a something  
31. you may not know...I'm going to obey because I know how you  
32. are if I talk one second too long. I know, you'll rap me down.  
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator, four minutes too long.

2. SENATOR SMITH:

3. That's all right. I'll sit down. I'll sit down.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Netsch. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you, Mr. President. My...my comments will be not  
8. nearly so dramatic as any of the preceding speakers, perhaps,  
9. because in one sense I don't feel that there is quite as  
10. much drama to it as I wish there were. There is no question  
11. in my mind that the impact of this amendment, which incidentally  
12. I support, will not be nearly as dramatic or drastic as Senator  
13. Hynes has described it and regretfully I expect it may not  
14. be quite as dramatic as some of its proponents hope that it  
15. will be. I think it's going to take more even than a fair  
16. even allocation of the money in the Chicago school system to  
17. solve all of the problems of the Chicago public schools, but  
18. I think it at least is a step in the right direction. I  
19. think two points ought to be made, perhaps, three. One, is  
20. that I...I would not have understood this from some of the  
21. preceding speakers, but this is Federal Title I money we are  
22. talking about. It has nothing to do with the State Aid  
23. Formula. It has nothing to do with a compromise involving  
24. the density factor which is, in fact, is reflected in the  
25. State Aid Formula. It...it just...that is not really what  
26. this is all about, so I think that was really misleading and  
27. perhaps confuses the...the issue as it really should be  
28. thought of. Second...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just a moment...just a moment, Senator. Senator Hynes,  
31. for what purpose do you arise?

32. SENATOR HYNES:

33. Senator Netsch, I do this with a great deal of reluctance,

1. but I...I think you are a respected member of this Body and  
2. your comments are very important to the deliberations of  
3. the members, and if I might on a point of personal privilege.  
4. This is, in fact, State money. This is General Revenue money.  
5. It is not Federal money. This is the General Revenue funds  
6. that are distributed to the school districts and this is one of  
7. the factors in the School Aid Formula as to how it is to be  
8. distributed. The Title I Federal funds that the City of  
9. Chicago receives are allocated specifically to the districts  
10. where it is intended. Some fifty million dollars a year is  
11. already being applied. This is State money. It's part of  
12. the State aid claim of the City which has been used as...  
13. as general aid since it started.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Netsch may continue.

16. SENATOR NETSCH:

17. Well, I'm not sure we are really in disagreement, as  
18. I stated it, but we'll...we'll pursue that later, because it  
19. is the State aid related to the Title I entitlement. Well,  
20. all right, we'll come back to that. Secondly, it seems to  
21. me that the...the point that is...that's need to be made is  
22. that what we are talking about is a fair distribution and I  
23. think that is in compliance both with the letter and the  
24. spirit of what funds for disadvantaged students is intended  
25. to be. Third, there is a lawsuit that, to some extent, in-  
26. volves the same issues. I think it would be very nice if,  
27. for once, we would solve our own policy problems and not wait  
28. for the courts to tell us what to do and, finally, it seems  
29. to me that if, indeed, this is a good idea, as some people  
30. think it is, and if it works well in Chicago then the fact  
31. that this amendment does not apply to the rest of the State  
32. is irrelevant because as it works in Chicago I am sure the  
33. districts in the rest of the State will insist that it be



1. applied to there, also.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, I feel compelled to...to rise just to disagree  
6. somewhat with something my esteemed colleague and good  
7. friend, Senator Netsch, just said. The decision of...by  
8. the Federal courts that will be handed down in the case  
9. that the Reverend Jesse Jackson filed, as I understand it,  
10. will have absolutely nothing to do with what we do here to-  
11. day one way or the other. If we do this or we don't do this,  
12. because, again, as Senator Hynes said, we are talking about  
13. General Revenue funds that come from the State of Illinois  
14. and built into the Formula that decides how to distribute  
15. those funds, is a Title I waiting factor and that Title I  
16. waiting factor is only there to give more school aid to  
17. those areas of the State which have high enrollments of  
18. students who come from the...the families of...of the im-  
19. poverished. The Title I is only a factor we put in there  
20. and it's...the Title I is...is the Federal definition that  
21. we subscribe to, that we use but, again, it is State General  
22. Revenue funds and that other lawsuit that you're talking  
23. about would have no impact, as I understand it, on what we  
24. do with our State funds.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Washington. Senator, just a moment. Senator  
27. Demuzio, did...did you wish to speak? Senator Demuzio.

28. SENATOR DEMUZIO:

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

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Schaffer.

32. SENATOR DEMUZIO:

33. The Title I that we're talking about, the State money,

1. is it the...we have the same guidelines on the Title I money  
2. at the State level as we do with the Federal level with the  
3. Title I?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. I cannot, in all candor, answer that question. It's  
8. my impression they are, but I'm aware of at least one  
9. variance. I'm...but, you know, I'm not positive.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Was the rationale behind the establishment of the  
14. Title I of the State patterned...patterned after the Title  
15. I at the Federal level?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. That is my clear impression.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. In my experience in the Community Action Agency and  
24. the...the four counties that I am familiar with in downstate  
25. Illinois, the Title I is, in fact, utilize for poverished...  
26. poverished individuals and it is on a...on a per head basis  
27. and that is the way the Federal Government allocates it not  
28. to be in this case.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Washington.

31. SENATOR WASHINGTON:

32. Very briefly, Mr. President. Just two points. One, the  
33. question was raised why does not this amendment apply throughout

1. the State of Illinois. Why does it apply only to Chicago?  
2. I, too, think the question is irrelevant but one of the  
3. answer is this, that it is my clear understanding that  
4. every other district throughout the State is complying with  
5. the interpretation we have given to these Title I funds.  
6. Secondly, I stand absolutely in disagreement with  
7. Senator Hynes, because it is my feeling that these funds  
8. were designed to be categorical funding grants exclusively.  
9. In conclusion, Senator Smith raised a very serious and  
10. interesting question and the question was why are so many  
11. of our people leaving the Democratic Party? I'll tell you  
12. why, because partly because of the antics of some of the  
13. Democratic Senators and Reps here in the General Assembly.  
14. Our people see them trying to emasculate the Human Relations  
15. Commission. They see them taking and ripping out three  
16. hundred thousand dollars out of the Fair Employment Practice  
17. Commission budget. They see the Democrats in this Senate  
18. and House stripping...making it impossible for the  
19. State to give the kind of help, supportive help, to small  
20. business and minority businesses as necessary and they see,  
21. also, Democrats down here ripping apart the Model Employer  
22. Program. All these issues designed to help people, designed  
23. to help poor people. That's why they're leaving and another  
24. reason they're leaving is because they're sick and tired  
25. of the powers that be within that party taking their rights,  
26. their money, their prerogative and giving them to someone  
27. else and then come bleeding and crying that we're crying  
28. because we don't like what they're doing. I think it's a  
29. good amendment and I think we should concur.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Schaffer may close.

32. SENATOR SCHAFFER:

33. Mr. President, it's been pointed out a couple of times

1. and I've been asked, "what in the world are you doing with  
2. this. There aren't enough blacks in your district to organize  
3. a softball team." And I suspect that's true.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Newhouse, for what purpose do you arise?

6. SENATOR NEWHOUSE:

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

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. State your point.

10. SENATOR NEWHOUSE:

11. And it's...it's not...this is not in a hostile fashion  
12. at all, Senator. I want everybody in this room to under-  
13. stand one thing. This is not aimed solely at blacks. No  
14. way. We're talking about uptown, we're talking about Senator  
15. Lemke and Senator D'Arco, we're talking about Latins, we're  
16. talking about poor whites from the Appalachia, we're talking  
17. about the wide spectrum of people. So, I wouldn't like anyone  
18. to go under the illusion they're going to be punishing blacks  
19. alone when you do this. You'll be punishing a lot of other  
20. people also. If Senator...Senator...I want to...I certainly  
21. wanted everybody to hear what Carl Berning...Senator Berning  
22. had to say because I think he gave us our best selling point.  
23. He'd send us all right back to the one room candle lit school  
24. house.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Schaffer may continue.

27. SENATOR SCHAFFER:

28. Well, I...I accept that amendment to my statement and  
29. I suspect I don't have enough Title I students in my district  
30. to organize a softball team. When the proponents of this  
31. proposal came to me with the amendment that had been placed  
32. on my bill, I asked them to explain it and they did in detail,  
33. and I think there's been a lot of smoke puffed out in this

1. last half an hour of debate on that. I am supporting the  
2. concurrence on this amendment because it's right, because,  
3. this is the way the money was supposed to be spent. This  
4. is the way the money is being spent in all other parts of  
5. the State, and if you ask me if I have an ulterior motive,  
6. well, perhaps, I do and it's to point out to my friends who  
7. support this that there are a new breed of Republicans, a  
8. new breed of Republicans who will stand shoulder to shoulder  
9. with you when you were right and when your cause is just.  
10. We're willing to support you, we're willing to work with you  
11. and if the rest of your party doesn't get that message we'd  
12. be very happy to have you in ours. This is a fair amendment,  
13. this is an honest amendment, this is the right thing to do.  
14. I solicit support on both sides of the aisle because it's  
15. the right thing to do.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The question is, shall House Amendment to...shall...shall  
18. the Senate concur in House Amendment No. 5 to Senate Bill  
19. 1281. Those in favor vote Aye. Those opposed Nay. The  
20. voting is open. Have all those voted who wish? Have all  
21. those voted who wish? Take the record. On that question  
22. the Ayes are 27, the Nays are 14, 1 Voting Present. The  
23. Senate does not concur with Amendment No. 5 to Senate Bill  
24. 1281 and the Secretary shall so advise the House. Senate  
25. Bill 1298, Senator Netsch. Senator Netsch. Senator Netsch.  
26. Proceed.

27. SENATOR NETSCH:

28. Thank you. This...this bill is a bill that came from  
29. the Economic and Fiscal Commission. In the House an amendment  
30. was added...it has to do with requiring...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Proceed.

33. SENATOR NETSCH:

1. Thank you, Mr. President. It has to do with requiring  
2. more detailed information in the State Budget book so that  
3. the General Assembly, when it receives those documents, can  
4. try to make some sense of what the Chief Executive has pre-  
5. sented to us. The House added an amendment which also re-  
6. quires, and I think very rightly so, that all of the figures  
7. on the values of the assets and liabilities of the several  
8. State retirement systems be included in the budget book on  
9. the same basis as the information already required by this  
10. bill. That is for the budget year, the current year...which  
11. is the current year and three prior Fiscal years. In other  
12. words, in addition to getting the capital expenditures spread  
13. out for us in a way that will make us...help to make us under-  
14. stand what's in the budget, we will also be getting all of  
15. the information about the State funded retirement systems.  
16. The House felt this was a good idea and I think the Economic  
17. and Fiscal Commission does, because it had...made the same  
18. proposal which had simply not gotten put into bill form.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Will the...Sergeant-At-Arms, clear the aisles. Will  
21. the members please be in their seats. Proceed, Senator.

22. SENATOR NETSCH:

23. And I would seek concurrence of the Senate in Amendment  
24. No. 1...House Amendment No. 1 to Senate Bill 1298.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? Question is, shall the Senate  
27. concur in House Amendment No. 1 to Senate Bill 1298. Those  
28. in favor vote Aye. Those opposed vote Nay. The voting is  
29. open. Have all those voted who wish? Have all those voted  
30. who wish? Take the record. On that question the Ayes are  
31. 31, the Nays are 6, 2 Voting Present. The Senate does con-  
32. cur in House Amendment No. 1 to Senate Bill 1298, and the  
33. bill having received the required...constitutional majority is

1. declared passed. Senate Bill 1301, Senator Bruce. Senate  
2. Bill 1308, Senator Moore. Proceed.

3. SENATOR MOORE:

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

5. I would move to concur in Amendment No. 3 and No. 4 to Senate  
6. Bill 1308. Amendment No. 3, this amendment ties the beginning  
7. of payment to nursing homes on a cost related basis to the  
8. effective date of the Act which is January 1, 1978. That  
9. date, January 1, 1978, is also the Federally mandated date  
10. for states to implement this payment program. Amendment No.  
11. 4 is divided into four parts. The first part is nonsubstantive  
12. changes that make the sentence grammatically correct. The  
13. second part are proposed changes relate to the manner in which  
14. capital cost are to be determined. The third part insures  
15. that the provisions of the bill coincide with Federal regulations  
16. and standards in order that we will not inadvertently jeopardize  
17. Federal matching funds and the fourth part makes it clear that  
18. public review and comment is required with respect to the initial  
19. development of payment standards as well as succeeding sub-  
20. stantial changes in the rates. This amendment is substantially  
21. agreed upon by the Illinois Department of Public Aid and the  
22. nursing home industry, and, Mr. President...Mr. President,  
23. I would ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? Question is, shall the Senate  
26. concur in House Amendment Nos. 3 and 4 to Senate Bill 1308.  
27. Those in favor vote Aye. Those opposed Nay. The voting is  
28. open. Have all those voted who wish? Take the record. On  
29. that question the Ayes are 48, the Nays are none, 2 Voting  
30. Present. The Senate does concur in House Amendments 3 and  
31. 4 to Senate Bill 1308, and the bill having received the re-  
32. quired constitutional majority is declared passed. Senate  
33. Bill 1338, Senator Graham. Senate Bill 1342, Senator Mitchler.

SB 1358  
concurrent  
6/29/77

1. Senate Bill 1358, Senator Bloom. Proceed.

2. SENATOR BLOOM:

3. Thank you, Mr. President. This came back from the  
4. House with two amendments or three amendments...numbered...  
5. one amendment deleted unnecessary language and was a technical  
6. cleanup amendment and the Amendment No. 3 increased the scope  
7. of the bill. Originally the bill dealt only with vacancies  
8. in nominations prior to election. No. 3 dealt with the  
9. larger problem that we attempted to deal with through 38-44  
10. or 44-38 last year with the sheriff vacancies. It attempts  
11. to codify...codify and unify the method by which vacancies  
12. in county offices are filled, and they would be filled by  
13. the county board chairman with the advice and consent of the  
14. county board within sixty days after the occurrence of the  
15. vacancy. The affected offices were county commissioner in  
16. commissioned counties, board members in counties of less  
17. than three million...pardon, oh, excuse me...and your county  
18. wide officers as well as the board of review and the assessors.  
19. The procedure is the same as it exists in the Statute. We  
20. amended, a year ago, I...I believe the House Parliamentarian  
21. drew that up. I'd move to concur in the amendments and I'll  
22. attempt to answer any questions you might have.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is, shall the Senate  
25. concur in House Amendments 2 and 3 to Senate Bill 1358. Those  
26. in favor vote Aye. Those opposed Nay. The voting is open.  
27. Have all those voted who wish? Take the record. On that  
28. question the Ayes are 39, the Nays are none. The Senate does  
29. concur in House Amendments Nos. 2 and 3 to Senate Bill 1358,  
30. and the bill having received the required constitutional  
31. majority is declared passed. Senate Bill 1338, Senator Graham.  
32. Proceed.

33. SENATOR GRAHAM:



1. Yes, Mr. President, thank you, and members of the  
2. Senate. I move that we do concur in the House Amendment to  
3. Senate Bill 1338. It's an amendment dealing with the transfer  
4. and control...conditions and control and permits of the ICC  
5. relating to the trucking industry, and this amendment was  
6. worked out by the Illinois Commerce Commission and Trucking  
7. Industry and I move for concurrence in this amendment.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there discussion? Question is, shall the Senate  
10. concur in House Amendment No. 1 to Senate Bill 1338. Those  
11. in favor vote Aye. Those opposed Nay. The voting is open.  
12. Have all those voted who wish? Take the record. On that  
13. question the Ayes are 41, the Nays are 1, 2 Voting Present.  
14. The Senate does concur in House Amendment No. 1 to Senate  
15. Bill 1338 and the bill having received the required constitu-  
16. tional majority is declared passed. Senate Bill 1359, Senator  
17. Lane. Proceed.

18. SENATOR LANE:

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

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Wait just a moment. Would the members in front of  
22. Senator Lane please be seated? Senator Lane.

23. SENATOR LANE:

24. Mr. President, Amendment No. 1 puts mail order operations  
25. into the Act. What Amendment No. 5 does, it takes the mail  
26. order operation out of the Act. Amendment No. 6 changes  
27. the makeup of the board and includes physician whereby it  
28. hadn't before, and Amendment No. 7, children under the age  
29. of 18 would have to have a physician's examination. This  
30. is an FDA ruling and the House saw fit, though, to put it  
31. in as an amendment. I move that the Senate concurs...concur  
32. with Amendment 1, 5, 6 and 7 to House Bill...or Senate Bill  
33. 1359.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Is there discussion? Senator Hickey.  
3. SENATOR HICKEY:  
4. Mr. President, I'd like to ask the sponsor which  
5. amendment is the one that takes the mail order exemption  
6. out? And what are you doing with that?  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Senator Lane.  
9. SENATOR LANE:  
10. Amendment 1...No. 1 put them in to the Act. As it  
11. left the Senate they were out of the Act and they were put  
12. into the Act on House Amendment No. 1. House Amendment No.  
13. 5 took them back out. They're out of the Act.  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)  
15. Senator Hickey.  
16. SENATOR HICKEY:  
17. And, now, what are we doing?  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. Senator Lane.  
20. SENATOR LANE:  
21. I made the motion to concur with the Amendment No. 5  
22. which has taken them out of the Act.  
23. PRESIDING OFFICER: (SENATOR DONNEWALD)  
24. Senator Hickey.  
25. SENATOR HICKEY:  
26. I would urge that we do not vote with the sponsor in  
27. this. What this does is, to take...make an exemption of  
28. a hearing aid dealer who mails hearing aids out with no  
29. cash payment with satisfaction guaranteed in thirty days  
30. before payment is made. Now, what we're doing here is asking  
31. the State to register hearing aid dealers who really don't  
32. have any training at all, some of them stick them in the  
33. wrong ears and everything else and they...and they charge  
34. about four times as much as they should for hearing aids while

1. this dealer that has been exempted from this originally and  
2. we're now about to take out this exemption, gives a thirty  
3. day guarantee before he asks for any money at all, is going  
4. to be completely put out of business by this, and I tell  
5. you in the name of people who need...who don't have four  
6. and five hundred dollars apiece to pay a hearing aid  
7. dealer who doesn't really know what he's doing and can get  
8. one for about a fourth that much from somebody else that  
9. will give them thirty days guaranteed satisfaction, I ask  
10. you to vote against this.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Yes, well, Senator Hickey., that it...that it does  
15. exactly what it you wish...you wish it to do relative to  
16. mail order sales of hearing aids. Amendment No. 3 in the  
17. Senate removed all mail order sales from provisions of the  
18. bill. It left the Senate in that form. Amendment No. 1  
19. in the House deleted that this Act does not apply to mail  
20. order sales, therefore, at that point it did apply to mail  
21. order sales and Amendment No. 5 restores that this Act does  
22. not apply to mail order sales. So, as the bill stands, as  
23. I understand it, right before the Senate on concurrence if  
24. we...concur in Amendments No. 1 and 5 the bill will leave  
25. this Body not applying to mail order sales.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there...Senator Hickey.

28. SENATOR HICKEY:

29. ...Mr. President, if Senator Lane agrees with what  
30. Senator Bruce said, I won't reverse all those other things  
31. I said about cost of hearing aids, but I'll say vote for  
32. the concurrence.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Do you say that, Senator Lane?

2. SENATOR LANE:

3. I agree with Senator Hickey and Senator Bruce.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. I'd like to ask the sponsor a question. We...we talked

8. over here in the Senate about the amendment that required

9. that a child under age 18 had to be seen by a physician and also

10. a audiologist. Is...is that provision has been eliminated

11. and if so, what is there now that would cover that aspect

12. that I'm inquiring about?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Lane.

15. SENATOR LANE:

16. Senator, what you had inquired about when we were

17. amending the bill in the Senate was covered under an FDA

18. ruling as I had explained to you, but the House did see fit

19. in House Amendment No. 7 in spelling it out that an individual

20. under eighteen years of age must show prove from a physician

21. licensed to practice medicine in all of its branches, preferably

22. an audiologist or...which would be an MD, right.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. All right, so, then, what...what I've just indicated is

27. covered, then, in Amendment No. 7 and in fact it is now in

28. the bill. I was...I was informed in the House that it was...

29. that it was deleted or they could not get the amendment on

30. and I see that it is here and I plan to vote in support of.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Ozinga.

33. SENATOR OZINGA:

1. Well, I'm happy to hear that this bill is finally  
2. gotten into such shape. I've labored long with this subject  
3. matter and I urge everybody to support these concurrences.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator...Doctor...Senator  
6. Shapiro.

7. SENATOR SHAPIRO:

8. Right. Will the sponsor yield to a question?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. He indicates he will.

11. SENATOR SHAPIRO:

12. Oh. Senator Lane, in Amendment No. 6 it provides for  
13. one member of the consuming public. What does that mean?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Lane.

16. SENATOR LANE:

17. I imagine the consuming public is anybody who might  
18. be deficient of having a hearing problem. If they're...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is, shall  
21. the Senate concur in House Amendments Nos. 1, 5, 6 and 7.  
22. Those in favor vote Aye. Those opposed Nay. The voting is  
23. open. Senator Bruce...Bruce. Have all voted who wish?  
24. Take the record. On that question the Ayes are 51, the  
25. Nays are none. The Senate does concur in House Amendments  
26. 1, 5, 6 and 7 and the bill having received the required  
27. constitutional majority is declared passed.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senate Bill 1361, Senator Schaffer. Is Senator Schaffer  
30. on the Floor? Senate Bill 1367, Senator Harber Hall. Is  
31. there leave to go to the order of secondary...Secretary's  
32. Desk for nonconcurrences? Leave is granted. For what  
33. purpose does Senator Walsh arise?

1. SENATOR WALSH:

2. Well, on the Order of Concurrences I have House Joint  
3. Resolution 17 which has not been called and I think is in  
4. proper order of business to call it now. I would like to  
5. have it heard.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Can you hold that for one moment until we can get rid  
8. of some of the nonconcurrences and we'll be back to you as  
9. soon as I speak to the President about going to these motions.  
10. To these resolutions. Senator Walsh, we won't forget you.

11. SENATOR WALSH:

12. Well, there's a nice crowd here now, Mr. President.  
13. And I know...I know everyone would like to be recorded on  
14. this...on this resolution. I just wonder when you'd be  
15. getting back to it if you don't call it now?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Well, we would do that when we get to the Order of  
18. consideration of Resolutions, Item 14 in our daily order of  
19. business and we have not gotten to that order. We are on  
20. the Secretary's Desk on the Order of Concurrences. Senator  
21. Walsh.

22. SENATOR WALSH:

23. Mr. President, I...I've been waiting for some time to  
24. have this heard. It...it's on the Calendar on the Order  
25. of Concurrences and, you know, just above the line which  
26. indicates Secretary's Desk Nonconcurrences.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Well, I...I'm not debating with you on where it occurs.  
29. I'm just asking you to hold your motion for awhile. We  
30. will get to Resolutions. I don't preside all the time. Neither  
31. do I make all the decisions here, so, perhaps, you should  
32. speak to those that make those decisions to see whether or not  
33. we're going to pickup those three Resolutions. Thank you,

1. Senator Walsh. Is there leave to...we are on the Order of  
2. Secretary's Desk on Nonconcurrences. Senator Walsh.

3. SENATOR WALSH:

4. I...I just want to make...make this point. I...I'm  
5. anxious to have this Resolution called and I...I know that  
6. you'd like to have conference committees appointed on non-  
7. concurrences. Can you come back to this order of business  
8. after nonconcurrences?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. We'll get right back to you if it's all right. We're  
11. going to make a few of the nonconcurrences. You will not  
12. be forgotten. Thank you. On the Order of Secretary's Desk  
13. on Nonconcurrences, House Bill 52, Senator Glass.

14. SENATOR GLASS:

15. Thank you, Mr. President and members of the Senate.  
16. Is Senator Lemke on the Floor?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is Senator Lemke on the Floor? I...he does not appear  
19. to be here, Senator Glass.

20. SENATOR GLASS:

21. Well, I wanted to be sure he had an opportunity to  
22. speak on this bill because I know he's interested in it and  
23. he will be opposing, I think, the motion I'm going to make.  
24. But, I...I wonder if we could pass it til he is on the  
25. Floor, with leave to return to it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there leave to return to this? Leave is granted.  
28. House Bill 299, Senators Sangmeister and Egan. Is Senator  
29. Egan on the Floor? House Bill 317, Senators Glass and Maragos.  
30. Senator Glass.

31. SENATOR GLASS:

32. Thank you, Mr. President. House Bill 317 which was  
33. primarily a...made a lot of technical changes in the Probate

1. Act. We had an Amendment No. 1 on the bill as well as an  
2. amendment...Amendment No. 3. Amendment No. 3 covered the  
3. same substantive material that was included in Amendment  
4. No. 1. Amendment No. 1 was incorrectly drawn and...and  
5. it was duplicative. So, I am, therefore, going to move  
6. that the Senate recede from Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion on Senator Glass' motion to recede.  
9. This is final passage. Is there debate? Senator Glass.

10. SENATOR GLASS:

11. What I said, Senator Walsh, Amendment No. 1, 2 and  
12. 3 are on the bill. We put Amendment No. 1 on in the Senate  
13. and when later we...we substituted Amendment No. 3...it...  
14. it really replaced Amendment No. 1. Now, Amendment No. 1  
15. should have been Tabled. It covers the same substantive  
16. material, but was incorrectly drawn. So, that's why I'm  
17. moving to, in affect, get rid of that amendment. And the  
18. House nonconcurred and I move that the Senate recede.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there any further discussion? The...Senator Rock.  
21. All right. Is there discussion on the motion to recede?  
22. The question is, shall the Senate recede from Amendment No.  
23. 1 to House Bill 317. Those in favor vote Aye. Those opposed  
24. vote Nay. The voting is open. Have all voted who wish?  
25. Have all voted who wish? Take the record. On that question  
26. the Ayes are 34, the Nays are 5, 1 Voting Present. The Senate  
27. recedes from Amendment No. 1 to House Bill 317, and the bill  
28. having received the required constitutional majority is declared  
29. passed. For what purpose does Senator Buzbee arise?

30. SENATOR BUZBEE:

31. A parliamentary inquiry, Mr. President. Now, on the  
32. Calendar we're dealing with nonconcurrence and then on the  
33. board it's listed as concurrence and we just took a concurrence



1. vote. I guess I missed the explanation as given by Senator  
2. Glass, but...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Well, Gentlemen, we...

5. SENATOR BUZBEE:

6. Let's go over the rules very briefly...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Right. We go through...

9. SENATOR BUZBEE:

10. ...if you don't mind.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. ...this everytime around June 30th. On the Calendar  
13. will appear the question of concurrences. That will be  
14. concurrences with amendments that we have placed on...that  
15. the House has placed on Senate bills. On nonconcurrency will  
16. occur House Bills where the Senate has nonconcurred with the  
17. Senate amendments and has come back here on a question to  
18. recede or to ask for the appointment of a conference committee.  
19. So, that is why the distinction is made on the Calendar be-  
20. tween concurrence and nonconcurrency. And, so, on the Order  
21. of Nonconcurrency the sponsor can either ask to recede or to  
22. refuse to recede and ask that a conference committee report...  
23. that a conference committee be appointed. Senator Egan.

24. SENATOR EGAN:

25. Yes. Let me just say politely, Mr. President, that these  
26. are nonconcurrences in Senate amendments in the House.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. That is correct. They have refused to...

29. SENATOR EGAN:

30. Yes, but you...you said House amendments...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. I'm sorry.

33. SENATOR EGAN:

1. I just want to correct that.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senate Amendments on concurrences...

4. SENATOR EGAN:

5. Nonconcurrences in Senate Amendments in the House.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. That is correct. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, I...want to go one step further then. This little  
10. electronic marvel that we have on our desk has been absolutely  
11. superb to be able to work from. Now, however, we're in the  
12. position of having to vote on concurrences without having any-  
13. thing in front of us to know what we're voting on and I  
14. would like to know what we can do to alleviate that situation,  
15. so I'll know how to explain to my constituents why I voted  
16. for that bad bill when I go home.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Well, perhaps, Senator Regner with...with his electronic  
19. marvel can tell us how we can solve the problem. Senator  
20. Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and Senator...Buzbee, all we have  
23. to do is request the LIS to print it out and it would  
24. probably take about a half hour or so.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, I certainly don't want to slow down the proceedings  
29. at all. However, I would sure like to know what I'm voting  
30. on and I wonder if we could put that request into LIS right  
31. now and get to some other order of business so we can find  
32. out what we're voting on when we're...

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. SENATOR JOHNS:

2. Mr. President, I believe that I voted on the prevailing  
3. side and I now move to reconsider the House Bill 317 by  
4. which it was voted Do Pass.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to reconsider the vote by which the  
7. Senate receded from Senate Amendment No. 1 to House Bill  
8. 317. Those in favor say Aye. Opposed Nay. For what pur-  
9. pose does Senator Berman arise?

10. SENATOR BERMAN:

11. Well, Mr. President, you know, we...we all want to know  
12. what we're voting on. This bill was not in the pamphlet  
13. that was handed out. It's listed on the Calendar on Non-  
14. concurrence which would mean that it...there would be some  
15. future action whereby we could evaluate our vote before final  
16. passage. I think we've been, not intentionally but certainly,  
17. accidentally mislead as far as preparation. It might be a  
18. super bill, but at this point I just don't know.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Well, Senator Berman, as I pointed out on...we have to  
21. alert ourselves to the fact that nonconcurrence does not mean  
22. that we have nonconcurred. It is the House that has noncon-  
23. curred and the motion on those...in that order of business  
24. will be either to recede or to ask for a conference committee  
25. report. Senator Berman.

26. SENATOR BERMAN:

27. Mr. President, I'd suggest that you change that approach  
28. because I would think that on the...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Could we have some order.

31. SENATOR BERMAN:

32. ...that on the Calendar under Concurrence you should have  
33. both concurrences and motions to recede, because that indicates

1. final passage and we want to take a look at those bills.  
2. But, if you have nonconcurrences and motions to nonrecede  
3. that's not final action. I think that's the difference.  
4. We want to know what we're going to be voting on for final  
5. passage.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Well, the only thing I would point out to the Body is,  
8. that the message comes back from the House. It says to  
9. the Secretary of the Senate that the House has refused to  
10. concur in Senate Amendment No. 1 and that is why it is on  
11. our order of business. That is exactly the way the House  
12. Calendar reflects the action in the House. Senator Hynes.

13. SENATOR HYNES:

14. Mr. President, I think everyone is correct. We're...  
15. we're going to have the printout available as quickly as  
16. possible and we're going to hold up Senator Regner's appro-  
17. priation until we are sure that we get it quickly. So, I  
18. would suggest that until we...that we move off of this order  
19. of business with leave of the Body. There are some Resolutions,  
20. in addition to that there are a number of bills on the Order  
21. of Concurrence that have not been called by the sponsors and  
22. that I believe the sponsors may be ready to call. We could  
23. go through that again and clean that up and take the resolutions  
24. and go through Concurrence and by that time, hopefully, we'll  
25. have the printout. And if we do not we can just go through  
26. those nonconcurrences where the sponsor refuses to recede so  
27. that the conference committees can be established.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. For what...Senator Netsch.

30. SENATOR NETSCH:

31. Well, I think Senator Hynes just made the comment that  
32. I was going to seek. I have one bill on this list where I'm  
33. going to refuse to recede and it would be helpful if we could

1. get that under way. That would not be final action and  
2. we would have a chance to get back to the bill in its  
3. final form.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The...Senator Johns, I have not forgot. Gentlemen,  
6. there's still a motion to reconsider the vote by which the  
7. Senate refused to recede from House...from Senate Amendment  
8. No. 1 and that amendment...that motion will...we are on  
9. the area of debate. Senator Glass.

10. SENATOR GLASS:

11. Senator Johns, as I explained on the amendment several  
12. times, the amendment that I was receding from did almost  
13. the identical thing that Amendment No. 3 did that was on the  
14. bill. The only difference was that Amendment No. 3 would  
15. permit a not-for-profit corporation to ask...act as conservator  
16. of the estate and not the person. It really was not, I don't  
17. think in any way, controversial.. It was just almost a cleanup  
18. amendment, so I...I would urge you, you know, if...if you... I  
19. would make the suggestion to you that your motion which you  
20. have made to be held. If you feel after examining the bill  
21. that you should pursue it then...then do so, but it...it did  
22. incorporate a proposal to Senator Hickey that we put in the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Berman.

25. SENATOR BERMAN:

26. This bill as you're recommending...will the sponsor yield?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. He indicated that he...that he will yield.

29. SENATOR BERMAN:

30. All right. Senator Glass, this...the amendment that we...  
31. that we are asking to recede from is the one that would allow  
32. a not-for-profit corporation to be appointed by a person as  
33. the conservator of the estate. Is that my understanding?

1. PRESIDING OFFICER: :(SENATOR BRUCE)

2. Senator Glass.

3. SENATOR GLASS:

4. No, Senator Berman, it's just the reverse. Amendment  
5. No. 3 allows that. That amendment has stayed on the bill.  
6. Amendment No. 1 did not get to that point and we're...we  
7. were, therefore, receding from Amendment No. 1. This was  
8. a...basically a bar association bill and I have a message  
9. here from Clyde Topel indicating that Amendment No. 3 covers  
10. the substantive material included in Amendment No. 1 but  
11. Amendment No. 3 is in the correct substantive form, and  
12. Amendment No. 1 was incorrectly drawn and duplicative of  
13. Amendment No. 3 and that's why we wanted Amendment No. 1  
14. off the bill. All these amendments were drafted by Austin Flemming,  
15. incidentally.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Guidice. Senator Berman.  
18. Could we have some order, please. Senator Berman.

19. SENATOR BERMAN:

20. This...this points out the point...the...the...this  
21. illustrates the point I was making before. This bill went  
22. through the Judiciary I Committee. Our staff because of  
23. where it appeared on the Calendar has not analyzed this motion.  
24. And we would like to have this taken out of the record for  
25. a few minutes so that the staff can analyze it so we know  
26. exactly what we're...what we're doing.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Glass, does that...Senator Glass.

29. SENATOR GLASS:

30. I...I think Senator Berman's suggestion is the right one.  
31. Senator Johns has made the motion to reconsider. I don't  
32. think he'll want to persist in it after he finds out what  
33. the amendment does. Senator Guidice is here and he agrees, but

1. I would suggest that we just take this out of the record  
2. and hold that motion, if that's possible.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Johns, the suggestion has been made, if you  
5. would withdraw your motion to reconsider and then if you  
6. will put it in writing down here the bill will still be  
7. within our domain and if the differences are resolved you  
8. can withdraw your motion in writing. With leave of the  
9. Body Senator Johns asks leave to withdraw his motion to  
10. reconsider. Is there leave? Leave is granted. With  
11. leave of the Body we will return to the Secretary's Desk,  
12. the Order of Concurrences for picking up Resolutions.  
13. Senator Hynes.

14. SENATOR HYNES:

15. Mr. President, on the Secretary's Desk is a Senate  
16. Joint Resolution, the number of which I do not have in front  
17. of me, regarding conference committees. Mr. Secretary, what  
18. is...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Resolutions.

21. SECRETARY:

22. Senate Joint...Senate Joint Resolution No. 51, offered  
23. by Senator Hynes.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Hynes.

26. SENATOR HYNES:

27. Mr. President and members of the Senate, this is a Joint  
28. Resolution which has been agreed to by leadership on both  
29. sides of the aisle and it in effect sets forth the procedures  
30. for the operation of conference committees. We have no indication,  
31. at this point, that the House will accept the Resolution in  
32. its present form, but we are determined to make the effort  
33. and to send it over there. It...it adopts, essentially, the

1. procedures that we have used in the past with some minor  
2. changes. The...there is a provision for notice and it does  
3. set forth the various types of motions that we will be in-  
4. volved in and that have been the subject of some discussion  
5. here. The Resolution has been distributed to the membership.  
6. It was distributed an hour approximately an hour ago and  
7. I would move the adoption of the Resolution. If there is  
8. any discussion or if there are any questions I'd be happy  
9. to answer them.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Hynes has moved the adoption of Senate Joint  
12. Resolution 51. Is there discussion? All in favor...is  
13. there discussion? All in favor say Aye. Opposed Nay. The  
14. Ayes have it and the Resolution is adopted. Senator Walsh,  
15. on House Joint Resolution 17. Senator Walsh.

16. SENATOR WALSH:

17. Mr. President and members of the Senate. I would hope  
18. the membership would attend my remarks on House Joint Resolu-  
19. tion 17. House Joint Resolution 17 provides that the State  
20. Office Building in Springfield, also known as the New State  
21. Office Building, be designated as the William G. Stratton  
22. Building. The State Office Building was constructed in the  
23. mid 1950's pursuant to authorization of the General Assembly  
24. in 1953. The sum of twelve million five hundred thousand  
25. dollars was appropriated by the General Assembly in 1953  
26. and the building was completed in 1955 at a cost one million  
27. dollars less than the General Assembly appropriation. This,  
28. in itself, was a remarkable feat. Prior to the construction  
29. of the State Office Building state offices were strewn about  
30. throughout the City of Springfield. As a result of the  
31. construction of the building and consolidation of the offices  
32. we've had eliminated considerable inconvenience to state em-  
33. ployees and those of us who have offices in that building



1. use the building for committee meetings take for granted  
2. now what would have been considered a real luxury back in  
3. the 1950's. This was...building was constructed under the  
4. leadership of Governor William G. Stratton. He was...is the  
5. only official in the history of the State of Illinois who  
6. has been elected State-wide on six different occasions. He  
7. was Congressman at large twice, State Treasurer twice and  
8. elected to the highest office in this State twice. I believe  
9. it is fitting that the State Office Building be named after  
10. former Governor William G. Stratton and I support...request  
11. the support of the membership in my motion to adopt House  
12. Joint Resolution 17.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt House Joint Resolution 17. Is  
15. there discussion? Senator Johns.

16. SENATOR JOHNS:

17. Mr. President and members of the Senate, I...I would  
18. like to direct my remarks to Senator Walsh and Representative  
19. Conti, if he could only hear. I don't know where he is right  
20. now but I've been approached by many of my colleagues as to  
21. how I felt about this naming of the building after William  
22. G. Stratton a former Governor noted as the boy wonder of  
23. politics at his time and a man that I've met many times and  
24. have grown to know and like very much and the...many of you  
25. knew that I wanted to name it after Otto Kerner, a man I  
26. cared a great deal about and a man that I hope someday is  
27. vindicated of the charges about him because I cared a great  
28. deal for him as I've told you. I talked to Representative  
29. Conti and he asked me what I would do on this and my colleagues  
30. have come to me and asked me. I want you to know, Senator  
31. Walsh, that I'm going to support you in this endeavor because  
32. I...if I were the man that I want to be and I ask people to  
33. forgive Otto Kerner and I'd want to be forgiven myself and

1. if I'm going to attempt to be a Christian and a good man I  
2. would carry no malice for having failed in my attempt to  
3. name it after Otto Kerner. And I think what you're trying  
4. to do is worthwhile and I'm going to support you in this  
5. endeavor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? On the motion to adopt House Joint  
8. Resolution 17. All in favor say Aye. Opposed Nay.  
9. The Ayes have it. The resolution is adopted. Senator  
10. Walsh.

11. SENATOR WALSH:

12. I just want to briefly thank Senator Johns and the  
13. membership. I think, Mr. President, however, there may  
14. conceivably be an expenditure of minimal State funds I  
15. know, but I do think there probably should be a...should  
16. be a roll call on this since...as there was a roll call on  
17. the bill to designate the mental facility in Kankakee  
18. after Lieutenant Governor Shapiro and...and other...  
19. I...it isn't going to be much but it'll probably be a name  
20. plate or something of that nature. There was a roll call  
21. in the House and I believe that's probably the reason it  
22. was requested.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well, if you're joined by five members. The resolution  
25. couldn't spend any money anyway, but fine we'll go for a  
26. roll call, then. The question is on the adoption of HJR 17.  
27. Those in favor vote Aye. Those opposed vote Nay. The voting  
28. is open. Have all voted who wish? Senator Daley, would you  
29. hit my switch, please. Have all voted who wish? Take the  
30. record. On that question the Ayes are 45, the Nays are 2,  
31. none Voting Present. HJR...House Joint Resolution 17 is  
32. adopted. The President indicated that we would now go to the  
33. Order of Secretary's Desk on Nonconcurrences and pickup those

1. bills where Senators expected to refuse to recede to the  
2. House action. Senator Rock.

3. SENATOR ROCK:

4. On that same order, Mr. President, is SJR 38, please.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. We will...we are still on the Order of Resolutions.  
7. Senate Joint Resolution 38. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President and Ladies and Gentlemen of  
10. the Senate, Senator Joint Resolution 38 is identical to  
11. a resolution adopted by this Body last year, which was  
12. sponsored by Senator Howard Mohr and Senator Donnewald,  
13. authorizing the Space Needs Commission to conduct closed  
14. meetings for the purpose of negotiating land purchases and  
15. improvements in the Capitol Complex. You will recall that  
16. last year we enlarged the boundaries of the Capitol Complex  
17. and legislatively authorized the Space Needs Commission to  
18. acquire land as it became available. The final determinations  
19. obviously of this or any other purchase would be made in  
20. open meetings in open sessions as the Space Needs Commission  
21. currently does. While the General Assembly is not subject  
22. to the Open Meetings Act there is a provision in the Illinois  
23. Constitution that all open meetings for legislative commissions  
24. are...or all...all meetings of legislative commissions are  
25. required to be open unless by a two-thirds vote of the member-  
26. ship of each House we approve closed meetings. Currently under  
27. the Open Meetings Act the...this type of closed meeting is  
28. allowed for the purpose of considering the acquisition of  
29. real property. We, frankly, have to have this kind of resolu-  
30. tion when we are discussing the proposed acquisition of real  
31. property within the Capitol Complex obviously because the  
32. appraisals which we receive both from private appraisers and  
33. from the Department of Transportations in house appraisers,

1. we obviously do not wish that to become a matter of public  
2. record while we are attempting, -at least, to negotiate. I  
3. know of no serious opposition to this Joint Resolution and  
4. I would urge a roll call vote which must be approved in  
5. accordance with the Constitution by a two-thirds vote.  
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The motion is on the adoption of  
8. Senate Joint Resolution 38. Those in favor vote Aye. Those  
9. opposed vote Nay. The voting is open. Have all voted who  
10. wish? Have all voted who wish? Take the record. On that  
11. question the Ayes are 45, the Nays are 6, none Voting Present.  
12. Senate Joint Resolution having received a two-thirds majority  
13. is declared adopted. For what purpose does Senator Ozinga  
14. arise?

15. SENATOR OZINGA:

16. I was engaged in conversation with reference to a  
17. conference committee at the time...was called and I'd like  
18. to be recorded as Aye.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The electronic record will so show. Is there leave  
21. to go to the Order of Secretary's Desk for nonconcurrēces  
22. and pickup those bills where Senators are going to refuse to  
23. recede? Is there leave? Leave is granted. For what purpose  
24. does Senator Glass arise?

25. SENATOR GLASS:

26. Only to bring up the point that the membership still  
27. will not know what they're voting on even though, you know.  
28. I think the same objection would prevail as in the other  
29. case. It..it's true that most of the time when the sponsor  
30. moves to nonconcur the Body routinely goes along, but...but  
31. just the same I think the same objection prevails and unless  
32. there's some urgency we probably ought to wait till we get  
33. all the bills.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, I would just point out to the Body that somehow  
3. before the electronic wizard was working a Senator was able  
4. to explain verbally what the bill did and we have all of  
5. those amendments down here with the Secretary and it seems  
6. to me that we're going to have to go all over and get some  
7. of these nonconcurrences off the Calendar. We have two  
8. Supplemental Nonconcurrency Calendars which have been placed  
9. on your desks. For what purpose does Senator Netsch arise?

10. SENATOR NETSCH:

11. Simply to note, Senator Glass, that I think the difference  
12. is, that this is not final action and the...on the prior  
13. bill what was being requested was final action. I think  
14. that is a pretty significant difference. And it does speed the  
15. process somewhat.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. House Bill...House Bill 391, Senator D'Arco. House  
18. Bill 641, Senator Mitchler. Do you plan to recede, Senator?  
19. Refuse to recede? Standing on roadways to solicit. House  
20. Bill 659, Senator Netsch. Senator Netsch.

21. SENATOR NETSCH:

22. I will move to refuse to recede.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch moves that the Senate refuse to recede  
25. from Amendment No...

26. SENATOR NETSCH:

27. I, I believe it is.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. ...Amendment No. 1 to House Bill 659 and that a con-  
30. ference committee be appointed. Those...those...

31. SENATOR NETSCH:

32. I will briefly explain it, because I think that's a fair  
33. request. We cannot agree on the date for the conclusion of

1. the Viet Nam War. We had five separate dates pending before  
2. us. We think we have now finally resolved it, but to make  
3. it legal we've got to get into a conference committee and  
4. draw one from the hat. No, actually, we have agree on what  
5. the proper date is now.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? The motion is that the  
8. Senate refuse to recede from the adoption of Amendment No.  
9. 1 to House Bill 659. Those in favor say Aye. Opposed Nay.  
10. The Ayes have it. The Secretary shall inform the House and  
11. a conference committee be appointed. House Bill 733, Senator  
12. Rock. House Bill 933, Senator Mitchler. Is that on a motion  
13. to refuse to recede, Senator Mitchler?

14. SENATOR MITCHLER:

15. Move to recede.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator, we're picking up those bills where Senators  
18. are refusing to recede and asking that a confernce committee  
19. report...a conference committee be appointed. House Bill  
20. 1062, Senator Schaffer.. Senator Schaffer. is recognized to  
21. explain Senate Amendment No. 1.

22. SENATOR SCHAFFER:

23. The amendment is in good shape. There's a very minor  
24. technical error on it and the only way I know to clean it  
25. up is to refuse to recede and put it into a conference com-  
26. mittee.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Schaffer moves that the  
29. Senate refuse to recede from Senate Amendment No. 1 to House  
30. Bill 1062 and that a conference committee be...committee be  
31. appointed. Those in favor say Aye. Opposed Nay. The Ayes  
32. have it. The Secretary shall show...so inform the House.  
33. House Bill 1105, Senator Collins. Senator Collins, House

1. Bill 1105. Do you wish to refuse to recede? Can you briefly  
2. explain Senate Amendment No. 1?

3. SENATOR COLLINS:

4. The reason, and let me say this, that I have to...there's  
5. a technical problem. Can you take it out of the record for  
6. a minute?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there leave to take it from the record? Leave is  
9. granted. House Bill 1412, Senator Hickey.

10. SENATOR HICKEY:

11. Mr. President, Amendment No. 1...this is the Equine  
12. Infectious Anemia Bill and...and Amendment No. 1 gave the  
13. Department of Agriculture authority to establish nonsubstantive  
14. rules and regulations to House Bill 1412 in its form as it  
15. came from the House. And Amendment No. 2 eliminates the total  
16. equine infectious anemia ratification program. Since everyone  
17. having any interest in this bill, including Senator McMillan,  
18. the Department of Agriculture, Representative Hanahan, et cetera,  
19. et cetera, agrees they...I wish to move not to recede and to  
20. request a conference committee.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Hickey moves that the Senate refuse to recede  
23. from Senate Amendments No. 1 and 3 to House Bill 1412 and  
24. that a conference committee be appointed. Is there discussion?  
25. All in favor say Aye. Opposed Nay. The Ayes have it and the  
26. Secretary shall so inform the House. House Bill 1729, Senator  
27. Regner. House Bill 1806, Senator Kosinski. Senator Kosinski  
28. to explain Senate Amendment No. 1.

29. SENATOR KOSINSKI:

30. Mr. President and members of the Senate, the House has  
31. removed the...an amendment which we put on and that amendment  
32. reduces the fee for filing a petition of State election cost  
33. from twenty-five thousand dollars to five thousand. If they...

HB 1806  
refuse to recede  
6-29-77

1. I see no way of this bill passing under those conditions and  
2. I wish to have a conference committee.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Kosinski moves that the Senate refuse to recede  
5. from Senate Amendment No. 1 to House Bill 1806 and that a  
6. conference committee be appointed. Is there discussion?  
7. Those in favor say Aye. Opposed Nay. The Ayes have it and  
8. the Secretary shall...shall so inform the House. House  
9. Bill 1829, Senator Shapiro. Ambulatory currency exchanges.  
10. Senator, we're just taking those bills where the sponsor  
11. is going to refuse to...to recede. Senator Shapiro is  
12. recognized to explain Senate Amendment No. 1.

13. SENATOR SHAPIRO:

14. Mr. President and Ladies and Gentlemen of the Senate.  
15. I want to move...I want to refuse to recede from Senate Amend-  
16. ment No. 1 to House Bill 1829.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Shapiro has moved that the Senate refuse to  
19. recede from Senate Amendment No. 1 to House Bill 1829 and  
20. that a conference committee be appointed. Those in favor say  
21. Aye. Opposed Nay. The Ayes have it and the Secretary shall  
22. inform the House. House Bill 2101, Senator Knuppel. Is  
23. Senator Knuppel on the Floor? Senator, do you wish to refuse  
24. to recede from Senate Amendment No. 1? Husband and wife are  
25. joint debtors in an obligation. We're not on that order,  
26. then, Senator. We'll get to those later on. Is there leave  
27. for the Daily...Chicato Daily News to shoot photos in the  
28. Senate? Leave is granted. May I have the attention of the  
29. membership. On your desks are two Supplemental Calendars on  
30. Nonconcurrency. Been distributed, Gentlemen. Two supplemental  
31. Calendars. And Ladies. They're on legal size sheets. They  
32. are not printed as a Calendar. They are typed on 8½ by 14  
33. paper. First bill is House Bill 526, Senators Bruce and Demuzio.



1. Senator Buzbee moves that the Senate refuse to recede from  
2. Senate Amendment No. 1 to House Bill 526 and that a conference  
3. committee be appointed. Those in favor say Aye. Opposed Nay.  
4. The Ayes have it and the Secretary shall...shall so inform  
5. the House. House Bill 741, Senator Joyce. Is Senator Joyce  
6. on the Floor? House Bill 840, Senator Glass. Lincoln Home-  
7. stead and Monuments Act. Briefly to explain Senate Amend-  
8. ment No. 1.

9. SENATOR GLASS:

10. I'm going to move to nonconcur. This was an amendment  
11. which deleted a paragraph that was being repealed. We wanted  
12. to keep that in the Act. It was relative to Lincoln Home,  
13. so I...I move to nonconcur...to refuse to recede, Mr. President,  
14. and request a conference committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Glass has moved that the Senate refuse to recede  
17. from Senate Amendment No. 1 to House Bill 840 and that a  
18. conference committee be appointed. Is there discussion? All  
19. in favor say Aye. Opposed Nay. The Ayes have it and the  
20. Secretary shall so inform the House. House Bill 841,  
21. Senator Glass. Senator Glass is recognized.

22. SENATOR GLASS:

23. Yeah. Mr. President and Senators, I make the same  
24. motion with respect to 841. This was the refusal of the  
25. House to accept Senator Weaver's amendment which would not  
26. have permitted senior citizens assess to state parks on  
27. weekends. So, I move to...that the Senate refuse to recede  
28. and that a conference committee be appointed.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Glass moves that the Senate refuse to recede  
31. from Senate Amendment No. 1 to House Bill 841 and that a  
32. conference committee be appointed. Is there discussion?  
33. Those in favor say Aye. Opposed Nay. The Ayes have it and

1. the Secretary shall inform the House. House Bill 845,  
2. Senator Lemke. Is Senator Lemke on the Floor? It's on  
3. Workmen's Compensation and adding a reference to the  
4. Supreme Court Rules.

5. SENATOR LEMKE:

6. I move to not recede from Senate Amendment No. 1 and  
7. ask for a conference...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Lemke moves that the Senate refuse to recede  
10. from Senate Amendment No. 1 and that a conference...to  
11. House Bill 845 and that a conference committee be appointed.  
12. You've heard the motion. Those in...is there discussion?  
13. All in favor say Aye. Opposed Nay. The Ayes have it and  
14. the Secretary shall inform the House. House Bill 908,  
15. Senator Regner. Release of information concerning existence  
16. of...information.

17. SENATOR REGNER:

18. I refuse to recede and request a conference committee.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Regner moves to refuse to...that the Senate  
21. refuse to recede from Senate Amendment No. 2 to House Bill  
22. 908 and a conference committee be appointed. Is there dis-  
23. cussion? On the motion those in favor say Aye. Opposed  
24. Nay. The Ayes have it and the Secretary shall inform the  
25. House. House Bill 910, Senator Glass. House Bill 1109,  
26. Senator Rhoads. Is Senator Rhoads on the Floor? House Bill  
27. 1216. Senator Rhoads requires reporting committee receive  
28. funds from political committee. Senator, we're just taking  
29. those bills where the sponsor is wishing to refuse to recede.  
30. Senator Rhoads to explain Senate Amendment No. 1.

31. SENATOR RHOADS:

32. Thank you, Mr. President and members of the Senate.  
33. Senator...Senate Amendment No. 1 lowered the threshold from

1. one hundred and fifty dollars to fifty dollars for the  
2. transfer of funds between political committees. In other  
3. words, above that or below that amount one would not need  
4. to disclose a transfer of funds. Currently under the  
5. Statutes all such transfers must be reported. The original  
6. purpose of the bill was to allow...allow for modest transfers  
7. of funds for the purchase of dinner tickets and things of  
8. that nature. I felt that that was too high a ceiling be-  
9. cause a number of organizations could contribute a hundred  
10. and forty-nine dollars each and thereby circumvent the  
11. purpose of disclosure. So, I would move that we do not  
12. recede from Senate Amendment No. 1 and that a conference  
13. committee be appointed.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads to explain the amendment briefly again.  
16. And if we can have some order, Gentlemen and Ladies. Briefly,  
17. Senator Rhoads.

18. SENATOR RHOADS:

19. Senator Knuppel, Senate Amendment No. 1 lowered the  
20. threshold from one hundred and fifty dollars to fifty dollars.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, you know, I can appreciate it and I respect  
25. Senator Rhoads for thinking it, but inflation keeps going  
26. up instead of down and it's, you know, it's just gets festiferous  
27. as hell that have to bother with all this little stuff. In  
28. fact, as far as I'm concerned I don't know anybody that...that...  
29. that's gone to jail for his disclosures yet. It's his un-  
30. disclosures and if they're going to go to jail, you know, the  
31. Journal Register spent a whole half page telling what a  
32. beautiful person one of the Legislators used to be here,  
33. why he didn't spend all of his office allowance. What great...

1. what a great guy he was. But, you know, if you're dis-  
2. honest you're dishonest. You sign...you sign your thing  
3. wrong...you sign your check on somebody's account you're  
4. a thief and a thief is a thief is a thief and it don't  
5. make a damn bit of difference whether you're supposed to  
6. be honest or whether the newspaper thinks you're nice be-  
7. cause you didn't spend your office allowance or whether  
8. you...whether the threshold was fifty dollars or fifteen  
9. hundred dollars. It's just a lot more busy work that's  
10. all.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Rhoads to close.

13. SENATOR RHOADS:

14. Well, Senator Knuppel, as I say the law is now that  
15. all such transfers must be reported. This would increase  
16. the ceiling up to fifty dollars. And, so, you...you'd have  
17. an area that you don't have now. I...I again move that we  
18. do not recede from Senate Amendment No. 1.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads moves that the Senate refuse to recede  
21. from the adoption of Amendment No. 1 to House Bill 1109  
22. and that a conference committee be appointed. Those in  
23. favor say Aye. Opposed Nay. The Ayes have it and the  
24. Secretary shall inform the House. House Bill 11...1216,  
25. Senator Walsh. Senator Walsh.

26. SENATOR WALSH:

27. Mr. President and members of the Senate, I move that  
28. the Senate refuse to recede from Senate Amendment No. 1 to  
29. House Bill 1216.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Walsh moves that the Senate refuse to recede  
32. from the adoption of Amendment No. 1 to House Bill 1216  
33. and that a conference committee be appointed. Is there

1. discussion? Those in favor say Aye. Opposed Nay. The  
2. Ayes have it and the Secretary shall inform the House.  
3. House Bill 1217, Senator Walsh.

4. SENATOR WALSH:

5. Mr. President and members of the Senate, I move that  
6. the Senate refuse to recede from Senate Amendment No. 2  
7. to House Bill 1217.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You've heard the motion. Those in favor say Aye.  
10. Opposed Nay. The Ayes have it. The Secretary shall inform  
11. the House. House Bill 1399, Senator Daley. Senator Daley  
12. to explain Senate Amendment No. 1.

13. SENATOR DALEY:

14. Mr. President and fellow Senators, this allows the  
15. furnishing of information to state's attorneys or law  
16. enforcement agencies where a bank reasonably believes that  
17. it has been a victim of a crime. Also makes exceptions for  
18. the Garnishment Act, the Civil Practice Act, the rules of  
19. the Supreme Court, Income Tax Act in...regards to  
20. subpoenas. It's a move to...refuse to recede from Senate  
21. Amendment No. 1 and ask for a conference committee.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. You heard the motion. Is there discussion? All in  
24. favor say Aye. Opposed Nay. The Ayes have it and the  
25. Secretary shall inform the House. House Bill 1428, Senator  
26. Hynes...Senator Hynes'bill will be handled by Senator Rock.  
27. Senator Rock is recognized.

28. SENATOR ROCK:

29. Thank you, Mr. Chairman...I mean Mr. President and  
30. Ladies and Gentlemen of the Senate. I would move that the  
31. Senate do refuse to recede from Senate Amendment No. 1 to  
32. House Bill 1428 and that a conference committee be appointed.  
33. This is the amendment that transferred the responsibility for

1. the support from the Arts Council to the Department of  
2. Registration and Education. I would move to refuse to  
3. recede and ask for a conference committee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. You heard the motion. Is there discussion? All in  
6. favor say Aye. Opposed Nay. The Ayes have it. The  
7. Secretary shall inform the House. House Bill 1762, Senator  
8. Lemke. Senator Lemke on House Bill 1762. All health  
9. and...accident health insurance claims to be paid within  
10. thirty days.

11. SENATOR LEMKE:

12. Refuse to recede.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke moves that the Senate refuse to recede  
15. from Senate Amendment No. 1 to House Bill 1762 and that  
16. a conference committee be appointed. Those...you've heard  
17. the motion. Those in favor say Aye. Opposed Nay. The  
18. Ayes have it. The Secretary shall inform the House. House  
19. Bill 2306, Senator...Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of  
22. the Senate. Again, I move to refuse to recede from Senate  
23. Amendment No. 1 which was placed on the bill by Senator Hynes  
24. at the request of the committee and ask that a conference  
25. committee be appointed.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You heard the motion. Is there discussion? All in favor  
28. say Aye. Opposed Nay. The Ayes have it and the Secretary  
29. shall inform the House. On your...on the second supplemental  
30. Calendar for today appears House Bill 1406, Senator Lemke.

31. SENATOR LEMKE:

32. I move to recede from Senate Amendment No. 1.

33. PRESIDING OFFICER: (SENATOR BRUCE)

HB 216  
Concurrence  
6/29/77

1. Senator, we...we are not taking those motions to recede.  
2. Only those where we refuse to recede. House Bill 1508,  
3. Senator Berman. House Bill 1827, Senator Shapiro. House  
4. Bill 2032, Senator Knuppel. 2032 provides method of  
5. summoning jurors by first class mail. Okay. House Bill  
6. 2069, Senator Lemke. Violation to deface property.  
7. Senator Lemke.

8. SENATOR LEMKE:

9. I move to non...not...not recede and ask for a conference  
10. committee.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Lemke moves that the Senate refuse to recede  
13. from Senate Amendment No. 1 to House Bill 2069 and that  
14. a conference committee be appointed. Is there discussion?  
15. All in favor say Aye. Opposed Nay. The Secretary shall  
16. inform the House. Is there leave to return to the Order  
17. of Secretary's Desk for Concurrences. Leave is granted.  
18. Senate Bill 29, Senator Berning. Senate Bill 116, Senator  
19. Knuppel. On concurrence. Substitutes person for man in  
20. several acts in fairs, expositions and civic centers with...  
21. with House Amendment No. 2. Senator Knuppel moves that...  
22. to nonconcur in House Amendment 2 to Senate Bill 6...116.  
23. Those in favor say Aye. Opposed Nay. The Ayes have it.  
24. The Secretary shall inform the House. All right, that...  
25. Senate Bill 152. Is Senator Carroll on the Floor? Senate  
26. Bill 203, Senator Philip. Senator, I understand they asked  
27. that that bill be held. House Bill 216, Senator Bowers.  
28. Senate Bill 216. Senator Bowers is recognized.

29. SENATOR BOWERS:

30. Thank you, Mr. President. Senate Bill 216 was the...  
31. the bill that we...we passed out of here that gave the  
32. Parole Boards the power to hear cases every three years  
33. in...in bad situations. The House in its own inimitable

1. fashion has managed to say in three lines in rather strange  
2. language the same thing we said in two in very precise  
3. language. But, I've read it three or four times and it  
4. does say the exactly the same thing. And I would, there-  
5. fore, move that the Senate concur in House Amendment No. 1  
6. to Senate Bill 216.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. You heard the motion. Is there discussion? The question  
9. is, shall the Senate concur in House Amendment No. 1 to  
10. Senate Bill 216. Those in favor vote Aye. Those opposed  
11. vote Nay. The voting is open. Have all voted who wish?  
12. Have all voted who wish? Take the record. On that question  
13. the Ayes are 52, the Nays are none, none Voting Present. The  
14. Senate does concur in House Amendment No. 1 to Senate Bill  
15. 216, and the bill having received the required constitutional  
16. majority is declared passed. Senate Bill 293, Senator Berman.  
17. Is Senator Berman on the Floor? Senate Bill 305, Senator  
18. Knuppel. Alternate valuations. Senator Knuppel is recognized.  
19. SENATOR KNUPPEL:

20. Mr. Chairman, this is the bill that allows the alternate  
21. valuation for inheritance tax purposes. The amendment that  
22. was put on over in the House speeds up the...the filing and  
23. payment dates for...for inheritance taxes in the State of  
24. Illinois. Presently, the inheritance tax has to be paid  
25. within fifteen months and it's accelerated to ten months.  
26. The rest of it's pretty generally the same. They just took and  
27. marked the Statute up so that you have to get your return  
28. filed and your tax paid within ten instead of fifteen months.  
29. I move that the Senate concur in the House Amendment. Now...  
30. (Machine cutoff)...it speeds up the payment by five months,  
31. but it's the State's money and it ought to be. The Federal  
32. Government shortened up the period from thirteen months to nine months  
33. and the State has never shortened their period down from



1. fifteen months on the payment of inheritance taxes. I  
2. see nothing wrong with this. It does speed it up by five  
3. months.

4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Is there discussion? Senator Walsh.

6. SENATOR WALSH:  
7. Will the Gentleman yield for a question?

8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Indicates he will yield. Senator Walsh.

10. SENATOR WALSH:  
11. Senator, this amendment apparently changes the bill com-  
12. pletely from the way it passed the Senate. Is that correct?

13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator Knuppel.

15. SENATOR KNUPPEL:  
16. No, Sir, it...all it does is change some dates that  
17. already existed in the inheritance tax law with respect to  
18. payment date and that...that's it, period, really. You...  
19. today you have...you're supposed to file your return within  
20. twelve months, I think, and pay your tax within fifteen. It's  
21. a little confusing. The Inheritance Tax Law, itself, is  
22. confusing as to the payment dates and so forth, but when  
23. you get rid of all the garbage, what it means is, is there's  
24. no penalty if you don't comply with the date you file your  
25. return. As long as your tax is paid within fifteen months  
26. you have no problem. Now, they have payments of interest  
27. for so much and then if you don't get it paid within fifteen  
28. months it goes to ten percent from the date of death and so  
29. forth. And...and so all this really does, sincerely, all  
30. it really does is to accelerate the payment date from fifteen  
31. to ten months and the rest of the thing...it might change  
32. six percent to seven percent or something of that nature but  
33. the...the rest of them are infinitesimal.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Walsh.

3. SENATOR WALSH:

4. Well, would...would this...now, again, so I understand  
5. it. The...all the...the...the House accepted your proposal  
6. as it...as it passed the Senate and added this new proposal  
7. on. Is that correct? There was no change in your proposal  
8. as it passed the Senate?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. No change in my proposal about the alternate method of  
13. valuation and the fifteen year provision of the Federal Act  
14. for payment in case that it qualified under the Federal law  
15. for such an extension. But what was changed is the time for  
16. payment of taxes in other types of estates. In all estates  
17. it was accelerated and it's...it was always a surprise to  
18. me they changed some times here four or five years ago, but  
19. never really moved the time of payment up. This does and  
20. it does it in all estates not just those that use the alter-  
21. nate valuation date...or method.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Walsh.

24. SENATOR WALSH:

25. Well, just briefly, Mr. President and members of the  
26. Senate. I...I would rise to oppose concurrence in this  
27. amendment. It does make a significant change in the...in  
28. the inheritance tax law now as I...as I see it and Senator  
29. Knuppel's proposal made a significant change too, but that  
30. passed the Senate and is intact. But the House Amendment  
31. adds an entirely new proposal in that it would require, as  
32. I...as I look at the legislative information system's synopsis,  
33. that rather than...rather than filing now within, I guess it's

1. seventeen months, we now must file within twelve months or  
2. I guess it's even within ten months now as I look at it.  
3. And that what we would pay within fifteen months you now  
4. must pay within ten months. So, apparently we're even...  
5. we're paying the estimate at the same time you file which  
6. has never been part of the Illinois Inheritance Tax Act. I  
7. wouldn't argue any further with Senator Knuppel's proposal  
8. although I wasn't crazy about it when it passed the Senate,  
9. but this completely new Act which the House asks us to  
10. accept by way of this concurrence I would object to, and I...  
11. I think the motion to concur should be defeated.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Maragos.

14. SENATOR MARAGOS:

15. I happened to be off the Floor at the time when you  
16. started your discussion of this, Senator Knuppel. Did you  
17. state that the...the payment date is still going to be  
18. different from the filing date?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. It's...it's always been different in Inheritance Tax  
23. Law and it will continue to be, as I understand it, different  
24. that you've got...you've got the same kind of a situation.  
25. All they did was change time in...in the...in the Statute  
26. by crossing out fifteen and making it ten et cetera.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Maragos.

29. SENATOR MARAGOS:

30. Now, I want to know about the et cetera. What does  
31. that do. The payment I heard, but what about the filing?  
32. What does that do with the filing part of it?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maragos. Senator Knuppel.

2. SENATOR KNUPPEL:

3. I don't know how in the hell you can pay if you don't  
4. file. You know what I mean, you make a deposit that's all.  
5. But, otherwise, if you don't know how to make out your re-  
6. turn if you don't...what to pay if you don't make out your  
7. return and file it.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Maragos.

10. SENATOR MARAGOS:

11. Senator Knuppel, I...I'm asking you. What does it do  
12. regarding the filing date? I don't want any of the editorial  
13. comment. I just want to know what you...does with the filing  
14. date? What date is that filed?

15. PRESIDING OFFICE: (SENATOR BRUCE)

16. Senator Knuppel. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, I think it's ten months. It was fifteen.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maragos.

21. SENATOR MARAGOS:

22. That's why...that's why I'm opposed to this amendment,  
23. Mr. President and members of the Senate. I respect Mr.  
24. Knuppel's experience in this area, however, I would like to  
25. state that many times you cannot get all the information  
26. as easily as you...as you want to in order to file in time  
27. and the present practice also is if you pick...if you  
28. make the filing date earlier they also penalize you. Even  
29. if you file a month or two late they penalize you from the  
30. date that it was...should have been filed. Not from the  
31. date it should have been paid, so I think this is a bad  
32. amendment and I ask that it be...that we nonconcur.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? Is there further dis-  
2. cussion? Senator Knuppel may close.

3. SENATOR KNUPPEL:

4. Hell, just take it out of the record. I don't give  
5. a damn if the thing passes or not, anyway. I'm so sick of  
6. this shit around here it don't make no difference to me.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senate...is there leave to take it from the record?  
9. Leave is granted. Senate Bill 322, Senator Harber Hall.  
10. Senator Harber Hall to explain House Amendments Nos. 1, 2  
11. and 3.

12. SENATOR HARBER HALL:

13. This is the Industrial Commission Bill. There are  
14. three amendments. One restores the reduction for twenty-  
15. one nine for two new court reporters and the other one re-  
16. stores sixteen thousand for summer workers and arbitrators  
17. vacation time. The third amendment adds a hundred and  
18. eighty thousand dollars for arbitrators and nine thousand  
19. dollars for regular physicians and thirteen seven for re-  
20. tirement contribution for those...and that would go along  
21. with the bill that was...is on Postpone Consideration.  
22. Is...hasn't passed as nearly as I can determine. And I  
23. would move for concurrence in these three House Amendments  
24. for the Industrial Commission. The total is about two hundred  
25. and forty thousand dollars higher...higher than it was when  
26. it left the Senate. Yeah, 65...I've been informed 651 did  
27. pass for the salary increases.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll is recognized.

30. SENATOR CARROLL:

31. Why , I thank you, Mr. President, I rise to oppose  
32. Senator Harber Hall's motion. One, of course, the bill is  
33. not in the book. Secondly, these restorations were totally

1. unwarranted and uncalled for and I would urge that we do  
2. not concur in the amendments 1, 2 and 3 to Senate Bill 322  
3. and ask the House respectfully to have a committee on con-  
4. ference. Or to recede.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Harber Hall.

7. SENATOR HARBER HALL:

8. Well, to...to rebutt the...the distinguished...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Wait a minute, Senator Hall...

11. SENATOR HARBER HALL:

12. Yeah.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. ...he did not ask a question...

15. SENATOR HARBER HALL:

16. All right.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion on Senator Hall's motion  
19. that the...the Senate concur in House Amendments No. 1, 2  
20. and 3? Senator Buzbee, did you seek recognition? Senator  
21. Buzbee.

22. SENATOR BUZBEE:

23. Well, only to point out that it's not in the book and  
24. I...I...it is on the printed Calendar. My guess is it was  
25. just an omission, but I really think that we ought to have  
26. the...have it in the book before we start to take final  
27. action, Senator Hall, and I would respectfully request  
28. it. You either withdraw it or...till we get it in the book.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well, Gentlemen, so that there's no...can we have some  
31. order. So, there's no misunderstanding the House Amendments  
32. will never appear in your books even on the 4th of July they  
33. will not be here. So, the...the Senate Bill should have

1. appeared in your book but not as it was amended in the House.  
2. Senator Buzbee.  
3. SENATOR BUZBEE:  
4. Mr. President, what...what is all this information I've  
5. been reading from all day long, then? I...I've...  
6. PRESIDING OFFICER: (SENATOR BRUCE)  
7. I'm sorry...  
8. SENATOR BUZBEE:  
9. ...been reading House Amendments to Senate Bills right  
10. here in the book.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. I'm sorry, Senator Buzbee, we...the Secretary and the  
13. Presiding Officer assumed that you were talking about the  
14. Bill Book. You're talking about the printout from LIS.  
15. SENATOR BUZBEE:  
16. No. I'm talking about the printout from ILS. The L..I...  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Legislative Information Service. Senator Harber Hall,  
19. perhaps, you should take it from the record and find out...  
20. SENATOR HARBER HALL:  
21. Well, now, really that...  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Well...  
24. SENATOR HARBER HALL:  
25. ...that I...IIS thing is just a courtesy. There's...  
26. there's no...there's nothing in our rules...rules about  
27. that. This is a...why not?  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. The motion is...the question is, shall the Senate concur  
30. in House Amendments No. 1, 2 and 3 to Senate Bill 322. Those  
31. in favor vote Aye. Those opposed vote Nay. The voting is  
32. open. Have all voted who wish? Have all voted who wish?  
33. Take the record. On that question the Ayes are 26, the Nays

1. are 29, none Voting Present. The Senate refuses to cur and  
2. cur in House Amendments No. 1, 2 and 3, and the Secretary  
3. shall inform the House. Senator Hynes, with good news.

4. SENATOR HYNES:

5. Mr. President, I would move that the Senate stand in  
6. recess until 8:00 o'clock.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. You heard the motion. We stand in recess until 8:00  
9. p.m. Those in favor Aye. Opposed Nay. The Senate is  
10. recessed until 8:00 p.m.

11. (Recess)

12. (After Recess)

13. PRESIDENT:

14. The hour of eight o'clock having arrived, the Senate  
15. will please come to order. Messages from the House.

16. SECRETARY:

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

18. Mr. President - I am directed to inform the  
19. Senate that the House of Representatives has refused to  
20. concur with the Senate in the adoption of their amendments  
21. to a bill with the following title: House Bill 245 with  
22. Senate Amendments Nos. 1 and 2. House Bill 341 with  
23. Senate Amendments or House, yes...341 with Senate Amendments  
24. 1 and 2. House Bill 496 with House Amendments Nos. 1, 2, 3,  
25. 4, 7, 8, 9, 10, 11, 12, 13 and 15. A like message on  
26. Senate Bill 501 with House Amendments Nos. 1, 2, 3, 4, 5,  
27. 6 and 12. A like message on House Bill 2...or 611 with  
28. Senate Amendments Nos. 2 and 3. A like message on House  
29. Bill 973, Senate Amendments Nos. 1, 2 and 4. A like message  
30. on House Bill 1033 with Senate Amendments Nos. 2, 3, 4 and 5.  
31. A like message on House Bill 1064 with Senate Amendment No.  
32. 1. A like message on House Bill 1594 with Senate Amendments  
33. Nos. 1, 3, 4, 5, 6, 7 and 8. A like message on House Bill



1. 1736 with Senate Amendments Nos. 1, 2, 3, 4, 5 and 6. And  
2. a like message on House Bill 2402 with Senate Amendment No. 4.  
3. PRESIDENT:

4. Secretary's Desk. The Senate will stand at ease until  
5. 8:30.

6. (At Ease)

7. PRESIDENT:

8. The Senate will please come to order. Do we have leave  
9. of the Senate to distribute a propaganda leaflet from the  
10. Bureau of the Budget as to the State's Fiscal condition?  
11. Leave is granted. Secretary's Desk on the Order of Noncon-  
12. currence. The third supplemental Calendar for today which  
13. has been distributed are several House Bills with Senate  
14. Amendments which the House refused to accept. Any member  
15. wishing to call one of those bills, if it is your intention  
16. to refuse to recede, please indicate when the bill is called  
17. and...and we will make the appropriate motion to get a con-  
18. ference committee established. House Bill 245, Senator Roe.  
19. House Bill 341, Senator Savickas. House Bill 611, Senator  
20. Sangmeister, and Senator Egan is...for what purpose does  
21. Senator Maragos arise?

22. SENATOR MARAGOS:

23. Mr. President, it is my understanding that there's some  
24. questions and I have been handling part of the amendments  
25. on this for...for Mr. Sangmeister and Mr. Egan. And I  
26. would like, at this time, to nonconcur cause I'm handling  
27. this bill for Senator Egan and...and Senator Sangmeister.  
28. Yeah...yeah, that's right. This is refuse to recede.

29. PRESIDENT:

30. All right. Senator Maragos moves that the Senate refuse  
31. to recede from the adoption of Amendment...Amendments Nos.  
32. 2 and 3...

33. SENATOR MARAGOS:

1. And ask for a conference.

2. PRESIDENT:

3. On Senate...on House Bill 611 and that a conference  
4. committee be appointed. Those in favor signify by saying  
5. Aye. Opposed Nay. The Ayes have it. The motion carries  
6. and the Secretary shall so inform the House. House Bill  
7. 973, Senator Smith. House Bill 1033, Senator Schaffer.  
8. House Bill 1064, Senator Berning. Senator Berning, if...  
9. only if you wish to refuse to recede. Senator Berning.  
10. House Bill 1064.

11. SENATOR BERNING:

12. Mr. President, I move that the Senate refuse to recede  
13. from Senate Amendment No. 1 to House Bill 1064 and request  
14. a conference committee.

15. PRESIDENT:

16. Senator Berning moves that the Senate refuse to recede  
17. from Senate Amendment No. 1 to House Bill 1064 and request  
18. that a conference committee be appointed. All those in favor  
19. of the motion signify by saying Aye. Opposed. The Ayes  
20. have it. The motion carries and the Secretary shall so  
21. inform the House. House Bill 1594, Senator Don Moore.  
22. House Bill 1736, Senator Regner. House Bill 2402, Senator  
23. Roe. Senator Savickas on House Bill 341, Amendments 1 and 2.  
24. Do you wish to refuse to recede or is it your pleasure to...

25. SENATOR SAVICKAS:

26. Yes, Senator, I wish to...

27. PRESIDENT:

28. All right.

29. SENATOR SAVICKAS:

30. ...refuse to recede, Mr. President.

31. PRESIDENT:

32. On House Bill 341 Senator Savickas moves that the Senate  
33. refuse to recede from Amendments...from Senate Amendments 1

1. and 2 to House Bill 3...341 and that a conference committee  
2. be appointed. All those in favor of the motion signify  
3. by saying Aye. Opposed. The Ayes have it. The motion  
4. carries and the Secretary shall so inform the House. House  
5. Bill 973. Senator Smith, do you wish to...a conference  
6. committee.

7. SENATOR SMITH:

8. A conference committee, please.

9. PRESIDENT:

10. All right.

11. SENATOR SMITH:

12. I refuse to recede.

13. PRESIDENT:

14. Senator Smith moves that the Senate refuse to recede  
15. from Senate Amendments Nos. 1, 2 and 4 to House Bill 973  
16. and that a conference committee be appointed. All those in  
17. favor of the motion signify by saying Aye. Opposed. The  
18. Ayes have it. The motion carries and the Secretary shall  
19. so inform the House. Senator Schaffer on House Bill 1033.  
20. Is it your intention to seek a conference committee?  
21. General Services appropriation. Senator Schaffer moves  
22. that the Senate refuse to recede from the adoptions of  
23. Amendments...the adoption of Amendments 2, 3,4 and 5 to  
24. House Bill 1033 and that the...a conference committee be  
25. appointed. All those in favor of the motion signify by  
26. saying Aye. Opposed. The Ayes have it. The motion carries  
27. and the Secretary shall so inform the House. For what purpose  
28. does Senator Rhoads arise?

29. SENATOR RHOADS:

30. Well, I'm having a difficult time hearing Senator Kosinski.  
31. His mike must not be on.

32. PRESIDENT:

33. Senator...Senator Rhoads, the Chair is just concerned

1. about what Senator Kosinski might say but we might...Senator  
2. Kosinski is recognized.

3. SENATOR KOSINSKI:

4. (Foreign language)

5. PRESIDENT:

6. Senator Clewis.

7. SENATOR CLEWIS:

8. I'd just like to say, Mr. President and members of the  
9. Senate, that that's very easy for Senator Kosinski to say.

10. PRESIDENT:

11. Do we have leave for the Chicago Daily News to take  
12. some still photographs? Leave is granted by overwhelming  
13. sentiment of the Body. For what purpose does Senator Philip  
14. arise?

15. SENATOR PHILIP:

16. I'm just going to say, if he does he's going to have  
17. to wipe it up.

18. PRESIDENT:

19. Bill 1594, Senator Don Moore. Is Senator Don Moore  
20. on the Floor? House Bill 1736, Senator Regner. House  
21. Bill 2402, Senator Roe. House Bill 245, Senator Roe.  
22. On...on the second supplemental Calendar on nonconcurrency.  
23. House Bill 1406, Senator Lemke. Is it your intention to  
24. move to recede or refuse...

25. SENATOR LEMKE:

26. I want to recede from Senate Amendment No. 1.

27. PRESIDENT:

28. Excuse me...excuse me. The Secretary informs me we...  
29. excuse me...the Higher Education Committee has arrived one  
30. hour late and we can now begin the Session. Senator Egan  
31. on the Order of Concurrences on the Secretary's Desk is  
32. House Bill 735 with Amendments No...House Amendments Nos.  
33. 1 and 4. May we have some order. May we have some order.

1. SENATOR EGAN:  
2. Thank you, Mr. President and members of the Senate.  
3. My motion, Mr. President, is to nonconcur in House Amendments  
4. No. 1 and 4 to Senate Bill 735.  
5. PRESIDENT:  
6. Would you explain the amendment, Senator?  
7. SENATOR EGAN:  
8. Well, the first amendment reduces the executive director's  
9. salary from thirty thousand dollars...  
10. PRESIDENT:  
11. May...excuse me, Senator Egan. May we have some attention.  
12. Will the members please be in their seats. Senator Egan.  
13. SENATOR EGAN:  
14. Yes, Mr. President and members of the Senate. Amendment  
15. No. 1 reduces the salary of the executive director from  
16. thirty thousand dollars to five thousand dollars and moves  
17. the principal in Amendment No. 4...moves the principal office  
18. from Chicago to Cairo and I wish not to concur in those  
19. amendments.  
20. PRESIDENT:  
21. Senator Glass.  
22. SENATOR GLASS:  
23. Was that Cairo, Egypt?  
24. PRESIDENT:  
25. Senator Egan.  
26. SENATOR EGAN:  
27. A very careful perusal of the amendment would not disclose.  
28. PRESIDENT:  
29. Senator Mitchler.  
30. SENATOR MITCHLER:  
31. What...this is Senate Bill 735 and I believe the Senator  
32. is in error. I do not think that that is moving it down to  
33. Cairo. Is that incorrect, Senator? There's another...what

1. is the name of that town that they're moving that to?  
2. PRESIDENT:  
3. Senator Egan.  
4. SENATOR EGAN:  
5. Well, it's a little town near Cairo.  
6. PRESIDENT:  
7. Senator Ozinga.  
8. SENATOR OZINGA:  
9. Could it be on the other side of the river? Could it  
10. possibly be Paducah, Kentucky? So it would be outside of the  
11. jurisdiction?  
12. PRESIDENT:  
13. Senator Egan.  
14. SENATOR EGAN:  
15. I understand it's Bone Gap in Van Buren County.  
16. PRESIDENT:  
17. Senator Egan moves to nonconcur in House Amendments Nos.  
18. 1 and 4 to Senate Bill 735. All those in favor say Aye.  
19. Opposed. The Ayes have it. The motion carries and the  
20. Secretary shall so inform the House. Resolutions.  
21. SECRETARY:  
22. Senate Resolution 211, offered by Senator Berning. It's  
23. congratulatory.  
24. Senate Resolution No. 212, offered by Senator Daley  
25. and it's a death resolution.  
26. PRESIDENT:  
27. Do we have leave to place these resolutions on the  
28. Consent Calendar? Leave is granted. Do we have leave to  
29. place Senate Resolution...is it joint...Senate...Senate  
30. Resolution 211 on the Secretary's Desk. It was incorrectly  
31. put on the Consent Calendar. Senator Berning points out that  
32. it is not a congratulatory resolution. Leave is granted.  
33. On the Secretary's Desk on the Order of Concurrences is  
34. Senate Bill 329. Annual appropriation of the Department of

1. Revenue. Senator Walsh. Sorry, Senator Grotberg, I only  
2. received word as to 329.

3. SENATOR WALSH:

4. Mr. President and members of the Senate, the House  
5. Amendment to Senate Bill 329 restores, in effect, twelve  
6. thousand dollars to the Senate reductions that were made  
7. in that bill. The appropriation for legal fees has also  
8. been restored but is going to be deducted from the Attorney  
9. General's budget. It has been examined by the majority  
10. and minority Appropriation's staff committees. I move that  
11. the Senate concur in House Amendment No. 1 to Senate Bill  
12. 329.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President I join Senator Walsh in his  
17. motion. It is true. The Attorney General asked us not to  
18. amend this amount into his budget, being fearful of the House  
19. at this time of year. We agreed to allow him so to do and  
20. therefore, agreed to put it back into the Revenue budget and  
21. take care of these types of problems in the next Fiscal Year.  
22. I would thereby move that we do concur in Amendment No. 1 to  
23. to Senate Bill 329.

24. PRESIDENT:

25. The question is, shall the Senate concur in House Amendment  
26. No. 1 to Senate Bill 329. Those in favor will vote Aye. Those  
27. opposed will vote Nay. The voting is open. Have all voted who  
28. wish? Have all voted who wish? Take the record. On that question  
29. the Ayes are 51, the Nays are none, none Voting Present. The  
30. Senate does concur in House Amendment No. 1 to Senate Bill 329  
31. and the bill having received the required consitutional majority  
32. is declared passed. Secretary's Desk on the Order of Concurrences  
33. is Senate Bill 327. Annual appropriation for the Department of  
Local Government Affairs. Senator Grotberg wishes

1. to nonconcur in House Amendments 1, 2, 4 and 6. Senator  
2. Grotberg, is that your intention.

3. SENATOR GROTEBERG:

4. That's the intention, Mr. President, and ask for the  
5. conference committee.

6. PRESIDENT:

7. Senator Grotberg moves to nonconcur in House Amendments  
8. 1, 2, 4 and 6 to Senate Bill 327. Those in favor of the  
9. motion signify by saying Aye. Opposed. The Ayes have it.  
10. The motion carries and the Secretary shall so inform the  
11. House. Senate Bill 323 on the Secretary's Desk on the  
12. Order of Concurrence. Appropriation of the Dangerous Drugs  
13. Commission. Senator Bowers.

14. SENATOR BOWERS:

15. Thank you, Mr. President. Senate Bill 323 was amended  
16. in the House with four amendments. I have checked with the  
17. other side of the aisle and the Chairman of the Appropriation Committee  
18. is in agreement, the department is in agreement and I would,  
19. therefore, move that the Senate concur in House Amendments  
20. No. 1, 3, 4 and 6 of...the amendments to Senate Bill 323.

21. PRESIDENT:

22. Is there any discussion? On the motion of...of Senator  
23. Bowers', the question is, shall the Senate concur in House...  
24. House Amendments 1, 3, 4 and 6 to Senate Bill 323. Those  
25. in favor will vote Aye. Those opposed will vote Nay. The  
26. voting is open. Have all voted who wish? Have all voted  
27. who wish? Take the record. On that question the Ayes are  
28. 49, the Nays are none, none Voting Present. The Senate does  
29. concur in House Amendments 1, 3, 4 and 6 to Senate Bill 323,  
30. and the bill having received the required constitutional  
31. majority is declared passed. Is Senator Roe on the Floor?  
32. Senator Don Moore. (Machine cutoff)...Senator Mitchler arise?

33. SENATOR MITCHLER:



1. Mr. President, I'd like to call Senate Bill 1342 on  
2. the Order of Concurrence for the purpose of concurring.

3. PRESIDENT:

4. Senator Mitchler, would you be agreeable to waiting...

5. SENATOR MITCHLER:

6. Yes.

7. PRESIDENT:

8. ...until tomorrow morning. There are only a few bills  
9. left...

10. SENATOR MITCHLER:

11. Okay...

12. PRESIDENT:

13. ...we're just taking a few appropriation bills that  
14. have been agreed and worked out, just to move them off the  
15. Calendar. Are there any other...are there any members having  
16. bills on the Order of Concurrence wishing not to concur?  
17. Or bills on the Order of Nonconcurrence wishing to refuse  
18. to recede? Messages from the House.

19. SECRETARY:

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

21. Mr. President - I am directed to inform the Senate  
22. that the House of Representatives has refused to concur with  
23. the Senate in the adoption of their amendments to a bill  
24. with the following title: House Bill 44 with...with Senate  
25. Amendments Nos. 1, 2 and 3. A like message on House Bill  
26. 1071 with Senate Amendment No. 1. A like message on House  
27. Bill 1768 with Senate Amendment No. 1. A like message on  
28. House Bill 1769 with Senate Amendments Nos. 1 and 3.

29. PRESIDENT:

30. Secretary's Desk. On the Order of Nonconcurrences on  
31. the Secretary's Desk is House Bill 1071. This is not on the  
32. printed supplemental Calendar and I'm informed that the  
33. sponsor, Senator McMillan, wishes to refuse to recede, and

1. with leave of the Body we will go to...to that bill. It  
2. is the annual appropriation for the Institute of Environmental  
3. Quality. Senator McMillan, House Bill 1071. Is it your  
4. intention...is that your intention?

5. SENATOR MCMILLAN:

6. Yes.

7. PRESIDENT:

8. Senator McMillan moves that the Senate refuse to recede  
9. from the adoption of...amendment...of Senate Amendment No. 1  
10. to House Bill 1071, and that a conference committee be  
11. appointed. All those in favor signify by saying Aye.  
12. Opposed. The Ayes have it. The motion carries and the Secretary  
13. shall so inform the House. The same situation prevails with  
14. respect to House Bill 1769 on the Order of Nonconcurrences.  
15. It is not on the supplemental Calendar. It is a bill to amend  
16. the School Code. Senator Glass is the sponsor. Senator  
17. Glass, is it your intention to...refuse to recede? Senator  
18. Glass moves that the Senate refuse to recede from Senate  
19. Amendments 1 and 3 to House Bill 1769 and that a conference  
20. committee be appointed. All those in favor of the motion  
21. signify by saying Aye. Opposed. The Ayes have it. The  
22. motion carries and the Secretary shall so inform the House.  
23. Senator McMillan, I'm informed that the Chair summarily cut-  
24. off your microphone when you were intending to make the  
25. opposite motion. Is that...is that correct?

26. SENATOR MCMILLAN:

27. Should I move to Table the...or...

28. PRESIDENT:

29. No, we'll...we'll...Senator Maragos moves to reconsider  
30. the vote by which the motion to refuse to recede from Senate  
31. Amendment No. 1 to House Bill 107 was adopted. All those in  
32. favor signify by saying Aye. Opposed. The Ayes have it.  
33. The motion to reconsider carries. The bill is back on the

RB 1436  
6/29/44  
Motions in Writing

1. Secretary's Desk and we will take it up tomorrow on a motion  
2. to recede. On the...on the Order of Nonconcurrency on the  
3. Secretary's Desk, the third supplemental Calendar, is House  
4. Bill 1736. Appropriation to the Office of the Governor  
5. with Senate Amendments 1, 2, 3, 4, 5 and 6, Senator Regner.  
6. SENATOR REGNER:

7. Mr. President and members of the Senate, I move that  
8. we refuse to recede from Amendments Nos. 1, 2, 3, 4, 5 and  
9. 6 and request a conference committee.

10. PRESIDENT:

11. Senator Regner moves that the Senate refuse to recede  
12. from the adoption of Amendments 1, 2, 3, 4, 5 and 6 to  
13. House Bill 1736 and that a conference committee be appointed.  
14. All those in favor of the motion signify by saying Aye.  
15. Opposed. The Ayes have it. The motion carries and the  
16. Secretary shall so inform the House. Motions in Writing.

17. SECRETARY:

18. Motion...having voted on the prevailing side I move  
19. to reconsider the vote by which House Bill 1436 lost. Signed,  
20. Senator Buzbee.

21. PRESIDENT:

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Yes, Mr. President, I would move the adoption of my  
25. motion and...I would defer to Senator Rock.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President and Ladies and Gentlemen of the  
30. Senate. House Bill 1436, as you will recall, is the bill  
31. sponsored by Senator Clewis which would have provided that  
32. where it is the intent of the General Assembly to preempt  
33. Home Rule units that the bill specifically so state. This

1. motion in writing has been filed to reconsider the vote by  
2. which this bill lost, so that once the vote is reconsidered  
3. this bill can and will be referred back to committee for  
4. further study. There has, frankly, been some discussion,  
5. on going discussion, as to the necessity or nonnecessity  
6. of this legislation. It was our idea, upon introduction,  
7. that rather than clutter the legislative process with what's...  
8. what used to be called the Dougherty Amendment or the Home  
9. Rule Amendment, that we could really avoid that and say  
10. that if somebody wished to have exclusive State jurisdiction  
11. or if they wished to preempt one of the many Home Rule units  
12. in our State, that the bill should so state. We have just  
13. received word from the Office of the Chief Executive that  
14. apparently this recommendation has now been approved. So,  
15. what we are requesting in our...and...and we have felt all  
16. along that this was, in fact, a codification of what the  
17. Illinois Supreme Court has already said. So, all that we  
18. are requesting is that the vote by which 1436 lost be re-  
19. considered and once the bill is back before the Body I am  
20. sure that the sponsor will make a motion...the proper motion  
21. to recommit it to committee for further study so that we  
22. can, in the ensuing months, make everybody aware of the  
23. necessity of this legislation.

24. PRESIDENT:

25. You've heard the motion. Senator...Senator Bloom.

26. SENATOR BLOOM:

27. Well, I'd ask Senator Rock, does this mean that Lee  
28. Schwartz will stay in Chicago?

29. PRESIDENT:

30. There's a possibility. Senator Buzbee moves to reconsider  
31. the vote by which House Bill 1436 was defeated. All those  
32. in favor signify by saying Aye. Opposed. The Ayes have it.  
33. The motion carries. The vote is reconsidered. The bill is

1. on the Order of 3rd Reading. Senator Buzbee moves to  
2. for what purpose does Senator Walsh arise?

3. SENATOR WALSH:

4. Don't you need a roll call vote on that, Mr. President?

5. PRESIDENT:

6. It is not necessary, Senator Walsh, unless...Senator  
7. Buzbee moves to refer the bill to the...committee on...

8. Senator Clewis.

9. SENATOR CLEWIS:

10. Mr. President and members of the Senate, Senator Clewis  
11. would like to move to refer the bill.

12. PRESIDENT:

13. All right. Senator Clewis moves to refer the bill to  
14. the Committee on Judiciary I. All those in favor signify by  
15. saying Aye. Opposed. The Ayes have it. So ordered. (Machine  
16. cutoff)...on Senate Bill 345.

17. SENATOR BUZBEE:

18. Yes, Mr. President, Senate...Senate Bill 345 which is on  
19. your concurrence Calendar, I think, about page 4. At this  
20. time I would like to move to nonconcur with House Amendment  
21. No. 2 and ask for the establishment of a conference committee.  
22. House Amendment No. 2, I have no objection to it except for  
23. the fact that they struck everything after the enacting clause  
24. in my bill and inserted this...this amendment.

25. PRESIDENT:

26. And that was one of your good bills, Senator.

27. SENATOR BUZBEE:

28. That was one of my good bills. That's right. And I'm  
29. in complete agreement with what the amendment is trying to  
30. do. I just like to have my bill back in, and so I'm asking  
31. for the establishment of a conference committee.

32. PRESIDENT:

33. Senator Buzbee moves to nonconcur in House Amendment No.

1. 2 to Senate Bill 345. All those in favor signify by saying  
2. Aye. Opposed Nay. Opposed Nay. The Ayes have it. The  
3. motion carries and the Secretary shall so inform the House.  
4. Senator Walsh.

5. SENATOR WALSH:

6. Mr...Mr. President, a point of information. Can you  
7. tell me the status of House Bill 1436 at this time?

8. PRESIDENT:

9. It is in the Committee on Judiciary.

10. SENATOR WALSH:

11. Re-referred. Thank you.

12. PRESIDENT:

13. Senator Joyce.

14. SENATOR JOYCE:

15. Yes, thank you, Mr. President, I refuse to recede from  
16. House Bill 741 of Senate Amendment No. 2. And...and request  
17. a conference committee.

18. PRESIDENT:

19. On the supplemental Calendar, House Bill 741, Senator  
20. Joyce moves that the Senate refuse to recede from the  
21. adoption of...of Senate Amendment No. 2 to House Bill 741  
22. and that a conference committee be appointed. All those in  
23. favor of the motion signify by saying Aye. Opposed. The  
24. Ayes have it. The motion carries and the Secretary shall so  
25. inform the House.

26. SECRETARY:

27. Senate Resolution 213, offered by Senators Grotberg  
28. and Mitchler. It's congratulatory.

29. PRESIDENT:

30. Do we have leave to place the resolution on the Consent  
31. Calendar? Leave is granted. May I have the attention of the  
32. membership for a moment. We will be finishing business for  
33. this evening in a very short period of time, but I would like

1. to ask those members who have been named as chairmen of  
2. conference committees with respect to Senate Bills to take  
3. the responsibility tonight, if at all possible, to get those  
4. conference committees under way. Many of them, already, are  
5. meeting. Some have not started. If you would check into  
6. the President's office and fill out a slip as to the time  
7. and place of the meeting that you desire on the bill, those  
8. notices will be distributed to the other members of the  
9. conference committee. It is the chairman's responsibility  
10. to see that the conference committee meets and that the  
11. conference committee report is submitted to the Secretary  
12. for action. If we do not get these moving tonight, the  
13. remaining few that are not in operation, they will become  
14. a delay on the Session. So, we urge you to get those moving  
15. tonight and try to have the meeting, if not tonight, first  
16. thing in the morning so that any differences may be resolved.  
17. Messages from the House.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate  
21. that the House of Representatives refuse to concur with the  
22. Senate in the adoption of their amendment to a bill with the  
23. following title: House Bill 1081 with Senate Amendment No.  
24. 1. House...A like message on House Bill 1098 with Senate  
25. Amendment No. 1.

26. PRESIDENT:

27. Secretary's Desk. Is there any further business to come  
28. before the Senate? If not...we're going to call all...that  
29. bill and the other two tomorrow morning. (Machine cutoff)...  
30. I would like to remind any member who has been designated as  
31. chairman of a conference committee with respect to a Senate  
32. Bill to get that conference committee in operation. At the  
33. moment our Calendar is in excellent shape. We have only some

1. thirty-five, approximately forty concurrences and non-  
2. concurrences remaining, most of which will be of a relative  
3. perfunctory nature. I'm now informed that it's twenty-nine  
4. and there are a few more on the way and a few other items.  
5. It will primarily tomorrow be a...a day to get those conference  
6. committee...committees resolved and I think the Session will  
7. be in very good condition, indeed. If there is no further...  
8. business to come before the Senate, the Senate will stand  
9. adjourned...(Machine cutoff)...do you wish to activate a  
10. conference committee on 2402?

11. SENATOR ROE:

12. Yes, Mr. President, I move that we not recede and request  
13. a conference committee.

14. PRESIDENT:

15. Senator Roe moves that the Senate refuse to recede from  
16. House Amendment No. 4...from...from Senate Amendment No. 4  
17. to House Bill 2402 and that a conference committee be appointed.  
18. All those in favor of the motion signify by saying Aye.  
19. Opposed. The Ayes have it. The motion carries and the Secretary  
20. shall so inform the House. Is there any further business to  
21. come before the Senate? If not, the Senate stands...Senator  
22. Guidice moves that the Senate stand adjourned until 9:00 a.m.  
23. tomorrow morning. All those in favor signify by saying Aye.  
24. Opposed. The Ayes have it. The Senate stands adjourned.

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