

80TH GENERAL ASSEMBLY

REGULAR SESSION

JULY 2, 1977

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senate Bill 752. House Bill 526. Senator Bruce. House
3. Bill 526. Senator Bruce.

4. SENATOR BRUCE:

5. If I could recommit that I would but it's a House bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The motion is...

8. SENATOR BRUCE:

9. ...it's a House bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. All right. We'll let it sit. House...House Bill 822,
12. Senator Moore. House Bill 822. House Bill 841. House Bill
13. 1406. On the Fifth Supplemental Calendar...will the members...
14. Senate Bill 725...752, Senator Carroll. Senator Rock.

15. SENATOR ROCK:

16. I understand the Conference Committee Report on Senate
17. Bill 735 has been filed with the Secretary. With leave of the
18. Body, I would handle that for Senator Egan. He is over in the
19. House on a Conference Committee.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there leave? Leave is granted. 735 is the number.
22. Senate Bill. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25. Senate Bill 735 is an amendment to the Prosecutor's Advisory
26. Council Act. The Senate added two amendments and then the bill
27. passed this Body 49 to 1. The House added two amendments, one
28. of which reduced the salary of the Executive Director from
29. thirty thousand dollars a year down to five thousand. And the
30. second amendment provided that the principal office shall be
31. located on the Angelo Towhead in Illinois, somewhere down near
32. Cairo. All right. In any event,...the point is, we do not
33. concur. The Conference Committee Report No. 1 calls for the

1. House to recede from House Amendment No. 1 and House Amendment
2. No. 4 and that the bill be further amended to insert an
3. immediate effective date. This bill passed in its pristine
4. form 49 to 1 out of this Body. I suggest that we concur in the
5. Conference Committee Report on Senate Bill 735.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there discussion? Question is shall the Senate adopt...
8. Senator Bruce.

9. SENATOR BRUCE:

10. I'm sorry, Senator Rock. In the Chicago newspapers of some
11. weeks, I have been reading about a council that has four or five
12. people, thirty-thousand, twenty-five, twenty, and is this the
13. council we're talking about that has three people and all of
14. them well compensated with evidently from the newspapers, little
15. to do or have I confused the news report?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock.

18. SENATOR ROCK:

19. No.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bruce. Is there further discussion?

22. SENATOR BRUCE:

23. Would you clarify that cause I think...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Demuzio.

26. SENATOR DEMUZIO:

27. I'd like to ask Senator Rock how many people signed that
28. Conference Report?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock.

31. SENATOR ROCK:

32. It was signed by seven people.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Thank you.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Grotberg.

6. SENATOR GROTBORG:

7. A question of Senator Rock.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he'll yield.

10. SENATOR GROTBORG:

11. Senator, is this...is this the bill that the Illinois

12. Prosecutor's Advisory Council has been worried about for four

13. days?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rock.

16. SENATOR ROCK:

17. Four months. This...this is one part of it. The other

18. part is the appropriation, which I understand, is contained in

19. Senate Bill 752 but this is...this is the substantive half.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Grotberg.

22. SENATOR GROTBORG:

23. This doesn't remove their money then?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. SENATOR ROCK:

27. No.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Question is shall the

30. Senate...Senator Soper.

31. SENATOR SOPER:

32. Parliamentary inquiry.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. State your point. It may not get answered, but state it.

2. SENATOR SOPER:

3. If we fail to chastise this enviable position then the
4. next position on 752 is...doesn't count. In other words, if we
5. tube this bill, they can't get the money out of the other gem that
6. we've got coming up, right?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Well, that's a parliamentary...this is a substantive bill
9. I'm...I'm advised. I don't know how they can use the money if they
10. don't have substantive legislation and by the way that inquiry
11. is out of order. Is there further discussion? Senator Soper.

12. SENATOR SOPER:

13. Long as I'm out of order, I want to be out of order again.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Okay.

16. SENATOR SOPER:

17. In other words, you're telling me if we tube this, they can't
18. get the money.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Oh, I suspect that's correct. Is there further discussion?
21. Senator Rock, do you wish a roll call? Question is shall the
22. Senate adopt a Conference Committee Report on Senate Bill 735.
23. Those in favor vote Aye. Those opposed Nay. Voting is open.
24. Have all those voted who wish? Take the record. On that question
25. the Ayes are 37, the Nays are 8. Senate Bill 735...now just a
26. minute. Let me announce it. The Senate does adopt the Conference
27. Committee Report on Senate Bill 738...735 and the bill having received
28. the required constitutional majority is declared passed. The
29. Conference Committee Report is not...there is a request for a veri-
30. fication. Verification will be had. Will the members please be
31. in their seat. The Secretary will read the affirmative vote.

32. SECRETARY:

33. The...the following voted in the affirmative: Berman, Berning,

1. Bloom, Bowers, Bruce, Buzbee, Carroll, Chew, Clewis, Coffey,
2. Davidson, Donnewald, Glass, Grotberg, Guidice, Kenneth Hall,
3. Hickey, Joyce, Knuppel, Kosinski, Lane, Lemke, McMillan, Maragos,
4. Merlo, Mitchler, Moore, Netsch, Philip, Rock, Roe, Savickas,
5. Schaffer, Vadalabene, Walsh, Wooten, Mr. President.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator...Senator Chew on the Floor? Strike him from the
8. record.
9. SENATOR SOPER:
10. Where's Clewis?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Clewis is on the Floor.
13. SENATOR SOPER:
14. Where's Donnewald? I see Donnewald. I see Glass. Grotberg
15. I can see.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there...the roll has been verified. It's 36 to 8, 36
18. Ayes, 8 Noes. Senate...Senate Bill 752, Senator Carroll. Senate
19. Bill...House Bill 1033, Senator Schaffer. Senator Schaffer.
20. SENATOR SCHAFFER:
21. Mr. President, House Bill 1032 is the appropriation bill
22. for the Department of, guess it's, Administrative Services, General
23. Services. As the bill left the Senate, I believe our reductions
24. were three hundred and thirty-five thousand. The Conference Committee
25. Report restores a hundred and seventy-seven thousand. I believe
26. there's consensus on this. Everyone is nodding their heads. I'd
27. appreciate a favorable roll call.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there discussion? Senator Carroll.
30. SENATOR CARROLL:
31. I join with the good Senator from that area up to the north
32. and would urge everyone to adopt Conference Committee Report to
33. Senate Bill 1033.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further...is there further discussion? Question
3. is shall the Senate adopt the Conference Committee Report on
4. Senate Bill...on House Bill 1033. Those in favor vote Aye.
5. Those opposed Nay. The voting is open. Have all those voted
6. who wish? Take the record. On that question, the Ayes are 49,
7. the Nays are none. House Bill 1033...the Senate does adopt the
8. Conference Committee Report on House Bill 1033 and the bill
9. having received the required constitutional majority is declared
10. passed. House Bill ...1736, Senator Regner defers to Senator
11. Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. This is the ordinary and contingent
14. expense of the Bureau of the Budget. This would ask for a
15. favorable roll call on the Conference Committee Report.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? Question is shall the Senate adopt
18. Conference Committee Report on House Bill 1736. Those in favor
19. vote Aye. Those opposed Nay. The voting is open. Have all
20. those voted who wish? Take the record. On that question the
21. Ayes are 50, the Nays are none. House Bill 1736...as to House
22. Bill 1736 the Senate does adopt the Conference Committee Report
23. on said House bill and the bill having received the required
24. constitutional majority is declared passed. And the bill having
25. received the affirmative vote of three-fifths of the members
26. elected is effective immediately upon its becoming law. House Bill
27. 2179, Senator Demuzio. You got it.

28. SENATOR DEMUZIO:

29. Thank you, Mr. President. House Bill 2179 there was objections
30. earlier on the First Conference Committee Report. Number one, I
31. think Senator Bowers asked a question as to whether or not the
32. collective bargaining agreements were those that...were those that
33. prevailed over any existing merit system that might be established.

1. The answer to that is not that the Conference Committee Report
2. we have distinguished that by saying that the merit principle
3. shall not interfere with any existing negotiated collective
4. bargaining agreement between the county board and the employees.
5. We feel that we have met Senator Philip's objection by deleting
6. the word commission and allowing and inserting the word sheriff
7. so that the sheriffs can indeed fire or suspend a deputy and it
8. sets out the procedures to be followed by the Merit Commission
9. which is similar to those of the municipalities. I think all
10. the objections at least that I have heard of that have been
11. withdrawn and I would move for the adoption of the Second Conference
12. Report.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? Question is shall the Senate adopt
15. the Conference Committee Report on House Bill 2179. Those in
16. favor will vote Aye. Those opposed Nay. The voting is open.
17. Have all those voted who wish? Have all those voted who wish?
18. Take the record. On that question the Ayes are 28, the Nays
19. are 14, 2 Voting Present. House Bill 2179 not having received
20. the required constitutional majority is declared lost. House
21. Bill 2361, Senator Berman. Senator Hynes.

22. SENATOR HYNES:

23. There's already a Second Conference Committee in operation
24. on that.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The Senate will stand at ease. Introduction of bills. Let's
27. hold fast, we may get out of here, folks.

28. PRESIDENT:

29. Message from the House.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the House that
33. the House of Representatives refused to adopt the First Conference

1. Committee Report on Senate Bill 152 and requests a Second
2. Committee of Conference to consist...consider the difference
3. of the two Houses in regards to Amendment No. 1. The Speaker
4. has appointed the committee on the part of the House.

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. I move that we accede to the
9. request of the House and that a Second Conference Committee
10. be appointed.

11. PRESIDENT:

12. Senator Carroll has moved that the Senate accede to the
13. requests of the House that a Second Conference Committee be
14. appointed. All those in favor signify by saying Aye. Opposed
15. Nay. The Ayes have it. The motion carries and the Senate accedes
16. to the request to appoint a Conference Committee. The
17. Sixth Supplemental Calendar. The Senate will please come to
18. order. The Sixth Supplemental Calendar, Conference Committee
19. Reports, Senate Bill 496, First Conference Committee Report.
20. Senator Sommer,

21. SENATOR SOMMER:

22. This is the appropriation for Capital Development and I
23. believe that all the amendments have been worked out and should
24. be ready to go.

25. PRESIDENT:

26. The question is shall the Senate adopt the Conference
27. Committee Report. The question is shall the Senate adopt the
28. Conference Committee Report on...on Senate Bill 496. Change
29. the board, Mr. Secretary to Senate Bill. The question is shall
30. the Senate adopt the Conference Committee Report on Senate Bill
31. 496. Those in favor will vote Aye. Those opposed will vote Nay.
32. The voting is open. Have all voted who wish? Have all voted who
33. wish? Take the record. On that question the Ayes are 53, the Nays

1. are none, none Voting Present. The Senate does adopt the
2. Conference Committee Report on Senate Bill 496 and the bill having
3. received the required constitutional majority is declared passed.
4. The bill have received the affirmative votes of three-fifths of
5. the members elected is effective immediately upon its becoming
6. a law. Order of Resolutions.

7. SECRETARY:

8. Senate Joint Resolution No. 53 offered by Senator Rock.
9. Resolved by the Senate of the 80th General Assembly of the State
10. of Illinois, the House of Representatives concurring herein that
11. when the two Houses adjourn on Saturday, June the...July the 12th,
12. 1977...I was thinking too far ahead.

13. PRESIDENT:

14. Mr. Secretary, the hour is late but not that late. Would
15. you begin the resolution again.

16. SECRETARY:

17. Resolved by the Senate of the 80th General Assembly,
18. State of Illinois, the House of Representatives concurring herein
19. that when the two Houses adjourn on Saturday, July the 2nd, 1977,
20. they stand adjourned until Monday, October 24th, 1977, at 4:00 p.m.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25. I am delighted to ask for the suspension of the rules and the
26. immediate consideration and adoption of Senate Joint Resolution
27. 53 which is the adjournment resolution. This obviously does not
28. mean we are adjourned yet but we will shortly. Calling for us
29. to return on Monday, October the 24th, at the hour of four o'clock.
30. I would move you, Mr. President, the rules be suspended and Senate
31. Joint Resolution 53 be immediately adopted.

32. PRESIDENT:

33. You've heard the motion. All those in favor signify by saying

SB 1317
7/2/77

- 1. Aye. Opposed. The Ayes have it. The rules are suspended.
- 2. The motion...the resolution is adopted. On the Sixth
- 3. Supplemental Calendar is Senate Bill 1142. The Conference
- 4. Committee Report, Senator Nimrod. Senate Bill 1317, Senator
- 5. Philip. Senator Philip.

6. SENATOR PHILIP:

7. Thank you, Mr. President, Ladies and Gentlemen of the
8. Senate. This is the Report of the First Conference Committee
9. on Senate Bill 1317 which in effect amends the ...Practices
10. Act, the Municipal Code, the School Code, and the Junior
11. College Act. And what it does, in effect, would allow a person
12. who has less than seven and anhalf of interest in a business
13. to do...if they followed these procedures, first of all,
14. publicly disclosed, second of all, abstained from voting, third
15. of all, if it's over fifteen hundred dollars it would have to
16. be a sealed bid. This has been worked out with the Municipal
17. League and I think everybody has agreed to it.

18. PRESIDENT:

19. Is there any further...Senator Rock.

20. SENATOR ROCK:

21. Well, I frankly for one am not agreed to it and I would
22. urge a No vote.

23. PRESIDENT:

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, just briefly, as Chairman of the Municipal Problems
27. Commission in all our travels all over the State conducting
28. various hearings, I heard first hand about the problems that
29. confront the municipal government at this...and this has always
30. been their first hand problem and we support this concept. Roll
31. call.

32. PRESIDENT:

33. Senator Philip.

1. SENATOR PHILIP:

2. Thank you, Mr. President. I'd just like give you an
3. example...we have a man who sat on a school board in DuPage
4. County who works for Illinois Bell Telephone Company. Our
5. State's attorney advised us that he was in conflict of interest
6. because the school district used Illinois Bell Telephone, their
7. service. There is no other service he...that school can use.
8. Our State's attorney said we will either resign or we'll have
9. to indict you. Now this has happened three or four times in our
10. county. This will alleviate that problem and it is a great
11. problem in smaller communities so I ask for your favorable
12. consideration.

13. PRESIDENT:

14. The question is shall the Senate adopt the Conference Committee
15. Report on Senate Bill 1317. Those in favor will vote Aye. Those
16. opposed Nay. The voting is open. Have all voted who wish?
17. Have all voted who wish? Take the record. On that question the
18. Ayes are 39, the Nays are 3, 2 Voting Present. The Senate
19. does adopt the Conference Committee Report on Senate Bill 1317 and
20. the bill having received the required constitutional majority is
21. declared passed. The bill having received the affirmative vote
22. of three-fifths of the members elected is effective immediately
23. upon its becoming a law. Senate Bill 152, Senator...what purpose
24. does Senator D'Arco arise? What purpose does...Senator Bruce.

25. SENATOR BRUCE:

26. I think it's on a bill, House Bill 741, I have a motion to
27. reconsider down there whenever you wish to take that, we're ready.

28. PRESIDENT:

29. Do we have leave to go to the Order of Motions in Writing?
30. Leave is granted.

31. SECRETARY:

32. Motion in Writing.

33. Having voted on the prevailing side on Conference Committee
34. Report No. 1 to House Bill 741, I move to reconsider the vote by

1. which that report lost. Signed, Senator Bruce.

2. SENATOR BRUCE:

3. Thank you, Mr. President. This is the...serve the omnibus
4. pension bill which relates to eight pensions, I've indicated to
5. Senator Merlo and I was going to oppose it and if proven wrong
6. I would gladly admit it. I admit that the bill as it's drawn
7. relates to only minor things that if the bill is reconsidered
8. I will be most happy to explain and I would move to reconsider
9. the vote by which Conference Committee Report on House Bill
10. 741 was defeated.

11. PRESIDENT:

12. Senator Bruce has moved to reconsider the vote by which the
13. Conference Committee vote on House Bill 741 was defeated. All
14. those in favor of the motion signify by saying Aye. Opposed.
15. The Ayes have it. The vote is reconsidered. The Conference
16. Committee Report is before the Senate. Senator D'Arco.

17. SENATOR D'ARCO:

18. I think in my explaining the bill last time there was
19. some misunderstanding about it and Terry Bruce does have some
20. knowledge about it that might be enlightening for all the members
21. to hear.

22. PRESIDENT:

23. Senator Bruce.

24. SENATOR BRUCE:

25. Thank you, Mr. President. I've been on the House Floor
26. and spoken to some of the people that have a great deal of
27. interest in this and I know we...we thought we had considered this
28. before. What the bill will allow in the long sections that you see
29. is to allow people to transfer funds from pension system, eight
30. of them, into the General Assembly Retirement Program. As the
31. present law stands, anyone who has a vested pension with the Illinois
32. Municipal Retirement Fund can transfer both credits and funds into
33. the General Assembly Retirement System. Eight other systems will

1. allow you to transfer credits into...allows you to transfer the
2. credits but does not allow you to transfer the funds. It's...
3. it's approved by the Pension Laws Commission. It does no more
4. than that and you've paid the funds in. It allows a direct
5. transfer. It makes three other changes, one of which relates
6. to the downstate police and one of which relates to municipal
7. employees who had credit with the Land Clearance Commission.
8. That is all that the bill does. I have checked it with just about
9. everyone that I have a great deal of confidence in. It has nothing
10. to do with Fred Selcke, I might add. It has nothing to do with
11. anyone who has had anything to do with the General Assembly. It's
12. a matter of transferring funds in credit from other systems into
13. our system.

14. PRESIDENT:

15. Senator Bloom.

16. SENATOR BLOOM:

17. In the first place, this started out as a downstate firemen's
18. bill. It's turned into a Christmas tree, to a degree. I'd ask
19. first, is there an employer's contribution or anything? You know,
20. money has to come from somewhere and I never thought that I'd be
21. standing up, I guess attempting to defend, you know the fiscal
22. integrity of the pension funds involved with the City of Chicago,
23. but it's, as I understand it, Senator Bruce, or Senator D'Arco, it's
24. kind of a two step thing. You go from the other articles affected
25. into Article 7. I've asked two questions, actually three
26. questions in one.

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. Well, you transfer both the employee contribution and the em-
31. ployer contribution from the eight affected funds into the General
32. Assembly. Now, since 1971 or 3, if you want to retire at the
33. General Assembly rate, you are mandated to make up that rate on your

1. own, so it does have no effect on our pension system. You transfer
2. the funds over. They want full credit for each year as the
3. General Assembly member you make up the difference out of your
4. pocket.

5. PRESIDENT:

6. Is there any further...Senator Bloom.

7. SENATOR BLOOM:

8. Well, the way it was explained to me by Representative Terzich
9. in his kind of phonetic way, you haven't...you know, you haven't
10. answered the other question about whether...where the employer's
11. contribution is coming from. In other words, certain amounts
12. of money are coming from another pension trust fund, as I
13. understand it and I...I may be wrong but we still have that
14. threshold question, what are we doing considering what is basically
15. a new bill and when I was before the Pension Committee with another
16. bill, Representative Terzich came in with...with what is basically
17. this Conference Committee Report to tack something on to House Bill
18. 2272 which Senator Soper had before the committee and I think
19. it's just absolutely wrong at two minutes till three in the morning
20. on the 2nd of July to be trying to consider this. I'm making...
21. I realize I'm making several points but still, you know, some
22. money has to come from somewhere or some credits have to come
23. from somewhere and as I understand it, you know, the...these...
24. these pension funds that are going to be transferred from are
25. going to be adversely affected. No, it probably won't affect the
26. State Pension Fund. But this is the way I understand it that
27. the local ones are going to be raped. And that's...that's the
28. long and the short of it.

29. PRESIDENT:

30. Senator D'Arco...Senator...Senator Bruce.

31. SENATOR BRUCE:

32. Well, they...they cannot be had simply because if you've
33. transferred your credits from A pension to B pension, they will

1. never pay out of B pension, can't, couldn't, you have no service
2. credits. All this says, the funds that relate to the credits
3. are transferred from A to B and since they're never going to
4. pay them out, you're not taking any advantage. In every one
5. of these pension systems have approved the transfer of both
6. the credit and the funds and it's done right now, Sentor Bloom,
7. by the Municipal Retirement Fund. Every person that has municipal
8. time can transfer it into our system. You transfer both your
9. service credit years and the funds that you put in.

10. PRESIDENT:

11. Gentlemen, we could debate this subject all evening. It is
12. 3:00 p.m...a.m. I would suggest that the question is, shall the
13. Senate adopt the Conference Committee Report on House Bill 741.
14. Those in favor will vote Aye. Those opposed will vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 31, the Nays
17. are 5, 3 Voting Present. The Senate does not adopt the Conference
18. Committee Report on House Bill 741. We have one final substantive
19. bill and then we have four bills necessary to implement the
20. budget and that will complete the work of this Body. Senate Bill
21. 150...Senator Davidson.

22. SENATOR DAVIDSON:

23. Before you leave that order of business of Motions in Writing,
24. I had one on Motions in Writing...voted on the prevailing side
25. to reconsider the vote by which 997 had failed and I would ask
26. leave of the Body to put that over till the...when we come back on
27. Monday, October the 24th.

28. PRESIDENT:

29. You've heard the request. Leave is granted. ...Bill 152,
30. Conference Committee Report. Senator Carroll. On the thirty
31. second timer.

32. SENATOR CARROLL:

33. Thank you, Mr. President. We talked about this bill. We talked

1. about what it didn't do. Now it doesn't do any of those things
2. it didn't do. We've taken off all those amendments and it's
3. back to, you can't open the office within five hundred feet
4. from a school which is what we intended in the first place,
5. which is a case before the court and I would move adoption
6. ...that we accept Conference Committee Report No. 2 to Senate
7. Bill 152.

8. PRESIDENT:

9. The question is shall the Senate adopt...Senator Bruce.

10. SENATOR BRUCE:

11. It's just 3:00 in the morning but I want to tell anyone who
12. happens to listen to this at 3:00 in the morning that I have
13. employers in my district that don't think this is going to be
14. very funny and that some of us are very serious about making
15. changes in the Unemployment Compensation Act and the sooner the
16. better and the action taken by this General Assembly in June
17. of this year will certainly bear on my votes in October of this
18. year when some of us are going to make some more dramatic
19. changes in unemployment insurance. I don't know how the rest
20. of you are doing but employers in my area are having a one hundred
21. percent increase in their rates and perhaps we have made errors
22. but I think all of us have been taught a very serious lesson that
23. the bills that we're going to sponsor and the sponsors of the bills
24. and how we're going to get them from House to Senate are going
25. to have to be very carefully considered so in the Fall we have
26. some reform. Now, I'm not talking about Senator Carroll. That
27. is correct. It has nothing to do with your bill and the only
28. opportunity though, Senator Carroll, has happened...you have got
29. the only unemployment insurance bill we can talk about. Thank
30. you very much.

31. PRESIDENT:

32. Question is shall the Senate adopt the Conference Committee...
33. Senator Bloom.

1. I hate to keep chirping but Senator, what does the additional
2. Section 1701...

3. PRESIDENT:
4. Senator Carroll.

5. SENATOR BLOOM:
6. the...what does it do? If you could explain it to us, please.

7. PRESIDENT:
8. Senator Carroll.

9. SENATOR CARROLL:
10. Senator Bloom, the parts that don't say what they do are the
11. five hundred feet from the school. We put in the Administrative
12. Review Act into all of these areas of law, generally under a
13. Greiman bill that we've passed all of them and put them all under
14. the Administrative Review Act and it was just put on this one which
15. had never been a question to anyone that I know of.

16. PRESIDENT:
17. The question...Senator Bloom.

18. SENATOR BLOOM:
19. Yeah, but why are there exceptions in there and why does
20. it say is excluded and does not apply to the adoption of any
21. rule required by Federal law in connection with which the department
22. is precluded by law from exercising any discretion or to forms
23. established, well, et cetera. But that part, you know, that...
24. that concerns me and it should concern us, I think. It should not
25. concern us as indicated by the spokesman for the committee
26. amendment.

27. PRESIDENT:
28. Question is shall the Senate adopt the Conference Committee
29. Report on Senate Bill 152. Those in favor will vote. Those opposed
30. will vote Nay. The voting is...Senator Bruce.

31. SENATOR BRUCE:
32. Senator Bloom has intrigued me also and I know it's 3:00
33. in the morning but as I understand it right now the Act of unemploy-
34. ment insurance is not subject to the new Administrative Procedure

1. Act and I'm not sure when a decision is made exactly what impact
2. this is going except the decisions and proceedings of the
3. claims adjudicator and I've had an opportunity to work with
4. claims adjudicators in UI cases are exempt from the Administrative
5. Procedure Act and I'm...seems to me that we're talking about
6. Federal law, Federal Form, Section B, exemptions, decisions
7. of adjudicators, there's a lot more in this bill than just
8. 910 South Michigan. Not any more at all.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. I will repeat it again. 910 has nothing to do with this.
13. This was a question where we had put an appropriation in the
14. language that the court is now reviewing. The Supreme Court
15. of the State of Illinois was felt we should also have backup
16. substantive legislation which said that an office could not
17. open within five hundred feet of a public school. The
18. Administrative Procedure Act deals with the entire Department
19. of Labor not the Bureau of Unemployment Compensation alone or
20. the Bureau of...whatever. What it does do is say that those
21. aspects are not under the Illinois Administrative Procedure
22. Act but that which is Illinois law under Illinois Administrative
23. Procedure Act as we have done for each and every division of
24. State Government in other bills. I did not know this to be any-
25. thing controversial at all and that aspect has passed out of
26. this Chamber as well as the other in all branches of State
27. Government because the Administrative Review Act had to be...
28. have enabling legislation in each division.

29. PRESIDENT:

30. Senator Hall.

31. SENATOR KENNETH HALL:

32. Thank you, Mr. President. Would the...would the sponsor yield
33. for a question please.

1. PRESIDENT:

2. Indicates he will yield.

3. SENATOR HALL:

4. Senator Carroll, that...a State building that's already
5. placed and there is a school building being built. It won't
6. affect it, right? Okay.

7. PRESIDENT:

8. Question is shall the Senate adopt the Conference Committee
9. Report on Senate Bill 152. Those in favor will vote Aye. Those
10. opposed will vote Nay. The voting is open. Have all voted who
11. wish? Have all voted who wish? Take the record. On that
12. question the Ayes are 23, the Nays are 7, 6 Voting Present.
13. The Senate does not adopt the...2nd Conference Committee Report
14. on Senate Bill 152. For what purpose does Senator Knuppel
15. arise?

16. SENATOR KNUPPEL:

17. Well, I've got two problems. One of them is the Conference
18. Committee Report on 1142 and I see the sponsor of the bill is
19. not here and the other one is that I want to be assured that
20. there's nothing further that I have to do with the two bills,
21. the two House bills, that have been on the Calendar so long
22. and have to do with per diem and mileage. That those matters
23. will remain on the Calendar and on the order of business when
24. we return here on...in the Veto Session in October and I'd
25. like to have leave of this Body to waive the rules as far as
26. this Body is concerned for that purpose.

27.

28.

29.

30.

31.

32.

33.

The following typed previously.

1. PRESIDENT:

2. Senator, that will not be necessary unless there
3. is a motion by some member of the Body to recommit the
4. bills to committee.

5. SENATOR KNUPPEL:

6. Thank you, very much.

7. PRESIDENT:

8. Then it would say on the Calendar. And the Chair
9. was about to conclude that Senate Bill 152 is declared
10. lost. House Bill 2347, Conference Committee Report,
11. Senator Maragos.

12. SENATOR MARAGOS:

13. Mr. President, I defer to Senator Carroll for an
14. explanation of the amendment to this and the Conference
15. Committee Report.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. This is the authorization
20. bill that deals with the capital projects that we added.
21. We have added to basically every category of authorization
22. that the Governor had requested at a level of some ninety...
23. ninety million dollars above what had been authorized
24. in the past and I would move adoption of Conference
25. Committee Report No. 1 to House Bill 2347.

26. PRESIDENT:

27. Is there any discussion? If not, the question is shall
28. the Senate adopt the Conference Committee Report on House
29. Bill 2347. Those in favor will vote Aye. Those opposed
30. will vote Nay. The voting is open. This will require thirty-six
31. affirmative votes, both for effective date purposes and for adoption
32. since it involves an increase in bonding authorization. Have
33. all voted who wish? Have all voted who wish?

1. Take the record. On that question the Ayes are
2. 50, the Nays are none, none Voting Present.
3. The Senate does adopt the Conference Committee Report
4. on House Bill 2347 and the bill having received
5. the required constitutional majority is declared
6. passed. And the bill having received the affirmative
7. vote of three-fifths of the members elected,
8. is effective immediately upon its becoming a law.
9. House Bill 689, Conference Committee Report. Senator
10. Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President. This is the
13. funding for the Common School Fund for the
14. Fiscal Year 1978. It is at a level of one
15. billion two hundred and ninety million for the
16. General Distributive Fund and two million dollars for
17. summer school. This is at a level of ninety-five
18. percent of full funding. It represents a reduction of
19. approximately four million dollars from the level that
20. was voted out from the House of Representatives
21. and a substantial change from the level that we had
22. voted this bill out previously. This bill and
23. House Bill 2361 represents approximately four million
24. dollars over the Governor's recommended levels.
25. These are accounted for in some figures that the
26. Governor indicates is lapse money. Personally,
27. I think this is an insufficient amount but I recognize
28. that the schools must be funded. It requires thirty-
29. six votes to pass a bill at this time. I have
30. personally talked to a number of people on the
31. other side of the aisle when we passed the...this
32. bill out at thirty-five million dollars over the
33. Governor's level. We had every Democrat vote for it.

1. We had thirty-two votes as I recall was the vote. Thirty-three
2. votes, I'm sorry, on that bill. We would need thirty-six votes
3. tonight to pass any substantial level of funding. We would
4. need thirty-six votes to pass any level higher than the Governor is
5. willing to allow and that's really about the picture. This
6. is the amount that has been agreed to by the Governor. This
7. is the Governor's level of funding. I suggest an Aye vote.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is there any discussion? Senator Kenneth Hall.

10. SENATOR HALL:

11. Would the sponsor yield for a question?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Indicates he will yield. Senator Hall.

14. SENATOR KENNETH HALL:

15. Senator Berman, that was, if I'm correct, there was a million
16. dollars placed in this by Representative Barnes. Is that
17. money still in there? Beg your pardon.

18. SENATOR BERMAN:

19. No, the million dollars that you're referring to is in House
20. Bill 2361, the categorical grants. It's not in this bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Further discussion? Senator Buzbee.

23. SENATOR BUZBEE:

24. Thank you, Mr. President. I have been fortunate to be
25. a part of both Conference Committees on both this bill and
26. whatever the number of the other one is, the categorical and
27. operational money for the department or rather the Illinois
28. Office of Education. We've worked very hard. We met for
29. five hours last night until 3:00 a.m. We came back this morning.
30. We started in again and as all of you in this Chamber know, witness
31. our absence from the Floor today. We've been off and on the Floor
32. all day long working on this and quite frankly, as far as I'm
33. concerned, our work has come to naught. Senator Wooten taught me

1. a word the other day that I think very adequately describes
2. what has happened here. The word is posturing. The
3. Governor has been posturing all along with...under the guise
4. of fiscal conservatism which is fine. I accept that. He is
5. a fine politician. I think he's a fine man. I applaud his
6. political posturing. The fact of the matter is that next
7. year he's going to have enough money left over from this
8. year that he's going to come in with a Christmas tree. There
9. will be packages under there for all of us for...for all
10. the special interests...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. I'd be reluctant to put the timer on, but I will. Senator
13. Buzbee, would you conclude.

14. SENATOR BUZBEE:

15. Well, Mr. President, I only ask this, that this is probably...
16. this is only a billion and a half dollars. This is one third of
17. the General Revenue budget. This is the most important thing
18. we are going to vote on this Session. And I would ask that we
19. be allowed to have some debate on it. I understand the time
20. constraints. I'm just as tired as everybody else. This bill
21. passed the House at one billion three hundred four million
22. five hundred thousand dollars. It passed the Senate at one billion
23. three hundred twenty-eight million eight hundred eighty thousand
24. dollars. The Governor's allocation as allotted by the Office
25. of Education was one billion two hundred ninety-four million
26. one hundred thousand dollars. Now we're cutting it back to
27. one billion two hundred ninety thousand dollars and you can
28. add the two million summer school add...add on to all of those
29. figures I have just given you. Now the fact of the matter is
30. I was willing to strike a compromise. I have thought all along
31. that we ought to go somewhere in the vicinity of twenty million
32. over the Governor's recommended level as far as all of school
33. aid was concerned. All of us in this building know that the

1. possibility of...of our passing anything over that amount or
2. anything in the vicinity of what was originally proposed by
3. this side of the aisle was probably not possible. We proposed
4. that with the hope of reaching a compromise. The fact of the
5. matter was that we got outsmarted. I compliment the Governor
6. on that. He kept the bill tied up in the House long enough that
7. it didn't get to the Senate until there was...where we had
8. sufficient time to deal with it and so therefore it got to
9. be midnight of June 30th and he had us up the familiar creek
10. without the sufficient paddles. So, we're to the position
11. now of deciding how much money we're going to distribute. We
12. have been counting votes. You have been counting votes. There
13. will be a verification on the roll call. There had better be
14. thirty-six people here because I'm going to vote No. I would
15. ask all my colleagues to. If we would have struck a compromise
16. of twenty million dollars additional over the Governor's budget
17. and a five point seven billion dollar budget. Don't tell me
18. you can't find twenty million dollars, Ladies and Gentlemen.
19. Twenty million dollars and we could have put seven and a half
20. in the categorical grants which is going to be the next bill
21. coming up. We could have put thirteen and a half or thirteen
22. or somewhere thereabouts in distributive aid. My school
23. districts in my part of the State are going to be extremely
24. unhappy with Governor Thompson. They're going to be extremely
25. unhappy with the Republican Party stance. I am going to vote No.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hickey.

28. SENATOR HICKEY:

29. Thank you, Mr. President. I'd like to ask the sponsor
30. a question and possibly if he can't give me the answer perhaps
31. somebody else on the other side can. Last week I was under the
32. impression that the Governor was ready to go ten million over
33. the seventy-five that he originally talked about. Now, I see

1. we're back down to four million. And I don't know what happened.
2. I'd like to ask the sponsor and as I say, I'd like to hear from
3. somebody from the other side if they can answer that question.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Berman.

6. SENATOR BERMAN:

7. Senator Hickey, I cannot give you an answer but let me give
8. you a little background. For the past several days we have been
9. doing everything within our power short of holding a gun to the
10. Governor to squeeze out a million, two million, five million,
11. ten million, twenty million and these are in reverse, you
12. know, we started at thirty-five as far as the distributive fund
13. was concerned. The bills that we passed out of here. This bill
14. represents all the money that our united effort was able to
15. extract. I am not proud of it. I am not pleased with the level that
16. it is but I can count to thirty-six. I don't have thirty-six.
17. If I had thirty-six votes, no way would this bill be up at this
18. level or I should say down at this level. Now that's a little
19. bit of background as far as our efforts to up the common school
20. fund. I'll defer to the minority leader if he wishes to comment
21. further.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. All right, Senator Hickey.

24. SENATOR HICKEY:

25. Thank you, Senator Berman. I'm particularly anxious to
26. know what happened to the representation which I understood to
27. come from the Governor's Office that he was ready to go ten
28. million more last week. Now you know, maybe I misunderstood that
29. someplace but that was my impression and that's why I'm really
30. shocked at the dipping down to four. And I...and you...I'm...
31. I'm not commenting, Senator Berman, on your efforts. I'm sure you've
32. been working on that but I'm wondering what happened from...from
33. what I understood. Possibly I completely misunderstood but I thought

1. I even read that in a memo.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Wooten.

4. SENATOR WOOTEN:

5. Mr. President and colleagues. I'm glad that I'm not of a
6. suspicious nature and believe what is in front of me that is
7. easy to see. For were I given to suspicion, I would think that
8. we are seeing the last chip played in a poker game. I would
9. see something in the design of what has passed this Chamber,
10. previous bills and the surprising fact that due to circumstances
11. beyond our control, we went passed June 30th with this issue and
12. now find ourselves, to our surprise and dismay forced to come up
13. with thirty-six votes. Were I of a suspicious nature, as I say,
14. I would believe this is the last part of the deal but I am not
15. of a suspicious nature. I am Captain Marvel.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President and **Ladies and Gentlemen** of the Senate. As
20. far as I know the only positive...the positive statement that
21. the Governor made concerning the common schools this year
22. as budgetary requirements are, was that there was seventy-five
23. million available for us to apportion between the categorical
24. aids and the distributive formula. But beyond that I want to
25. point out to everyone that as far as the General State Aid and
26. that's the major portion of the distributive fund, the only
27. other item in there is two million for summer school, is up
28. sixty-five million dollars over a year ago and I present to you
29. that that's just about the amount of money that we have put in
30. ...increase that we have put in in past years. Everyone contends
31. that this is a cut. It's an increase from a one point two two
32. five billion of the fiscal year that we just ended. Up to one
33. point two nine 0 billion, sixty-five million dollars increase.

1. It's that pure and simple. Ninety-five percent of full funding.
2. An increase from eighty-nine percent of FY '77. Next year we will
3. have the distributive formula fully funded. When you take this
4. bill and the bill that we will be considering next, it is two
5. million dollars above what the Governor recommended of seventy-
6. five million and I would urge a Yes vote on...on this vote and
7. the one that follows.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any further discussion? Senator Bruce.

10. SENATOR BRUCE:

11. Thank you, Mr. President and members of the Senate. I stood
12. on the Floor one time to hear Senator Partee after we had had
13. a long and sort of heated debate and we came back the next morning
14. and we were all laughing and smiling and he called the same bill
15. and it passed with nearly no dissension and he made the statement
16. that what a difference a day makes. It's kind of interesting
17. to me to sit here and see what a difference a year makes. I
18. remember the battles of '75 and '76 where...when different
19. circumstances we didn't talk about just three or four million
20. below the Governor's allocation but we're talking about a hundred
21. and twenty-five million dollars than the Governor had put in
22. his budget and we saw the people stand and say that the small
23. school children of the State of Illinois needed the money and they
24. did and everyone was willing to worry about the amount of funding
25. available at a later date but it certainly is a different thing
26. tonight when we see what I consider to be a...an agreement struck
27. between the Democratic and Republican Parties to deny funding to
28. school children throughout the State. I'm surprised and...at
29. the outcome of our negotiations because I felt like that this might
30. be as Senator Wooten has said, the last ship and it is. I am
31. also concerned by what Senator Buzbee said and I agree with him
32. that I think that we are developing a Christmas tree for people
33. next year. I think we've got to realize the only way those presents

1. are going to be available next year to all the power groups and
2. pressure groups is we've got to take it away from the school
3. children of the State of Illinois and I'm not one that's willing to
4. do that. I think that we ought to give every dime we can to the
5. school children and let the other people come in a year from
6. now and let's take a look at the economic situation of the
7. State of Illinois. But to say that the most we can do, I'm told
8. that we're approximately...the figures vary, that we're either
9. four million dollars below the Governor's allocation or two and
10. a half million dollars above and perhaps someone can set the record
11. straight. It doesn't seem to make a great deal of difference.
12. I guess the only thing the observation I would make, Mr. President,
13. is that Richard Nixon one time said that you won't have Richard
14. Nixon to kick around anymore. I guess what I'm asking for is
15. I wish we had Dan Walker to kick around because at least we got
16. more money for the school kids. Thank you.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, I'm not an expert on school finance and I sit here
21. and I listen to the men who talk and I'm going to tell them
22. right to their face here, there's three guys that have talked.
23. I don't trust Bruce, I don't trust Berman, I do trust Buzbee.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Further discussion? Senator Hynes.

26. SENATOR HYNES:

27. Mr. President, members of the Senate. I reluctantly arise
28. to support Senator Berman in his position to adopt this Conference
29. Committee Report and very frankly I do so because I see no alter-
30. native at all before us other than to stay in...in interminable
31. Session. There comes a point when either you have the votes or
32. you do not have the votes and we do not have them to pass based upon
33. the negotiations that have been going on to pass anything beyond

1. this level. I think this is wholly inadequate. I do not think it
2. is going to do the job. I think the State can afford more and should
3. afford more but at this point in time, I do not know what the
4. alternative is. I went to some of the meetings today and yesterday
5. although I was not a member of the Conference Committee and
6. frankly the discussion centered around where the money should
7. be allocated. There did not seem to be any movement of
8. any kind as to amount involved. We have run into a dead end. We
9. are at the end of the road and I think the decision is, do we
10. fund the schools at this level which is admittedly inadequate
11. or do we stay here and attempt to wrestle again to see what can
12. be done. At this point in time, my judgment is that we ought
13. to vote Aye.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Berman may close the debate.

16. SENATOR BERMAN:

17. Roll call, Mr...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Question is shall the Senate adopt the Conference Committee
20. Report on House Bill 689. Those in favor will vote Aye.
21. Those opposed will vote Nay. The voting is open. Have all voted
22. who wish? Have all voted who wish? Take the record. On that
23. question the Ayes are 38, the Nays are 11, none Voting Present.
24. The Senate does adopt the Conference Committee Report on House
25. Bill 689 and the bill having received the required constitutional
26. majority is declared passed and the bill having received the
27. affirmative vote of three-fifths of the members elected is
28. effective immediately upon its becoming a law.

29.

30.

31.

32.

(end of reel)

33.

1.

2. On the Order...Senator Wooten. Senator Buzbee, for what

3. purpose do you arise?

4. SENATOR BUZBEE:

5. To request a verification of the affirmative votes, Mr.

6. President.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. That's already been, thank you, that's already been done.

9. Senator Wooten has requested a verification. Will all the

10. Senate members please be in their seats. Secretary will

11. read the affirmative votes.

12. SECRETARY:

13. The following voted in the affirmative: Berman, Berning,

14. Bloom, Bowers, Carroll, Clewis, Coffey, D'Arco, Daley, Davidson,

15. Donnewald, Glass, Graham, Grotberg, Guidice, Harber Hall, Kosinski,

16. Lemke, McMillan, Maragos, Merlo, Mitchler, Moore, Nimrod, Ozinga,

17. Philip, Regner, Rhoads, Rock, Rupp, Savickas, Schaffer, Shapiro,

18. Sommer, Vadalabene, Walsh, Weaver, Mr. President.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Senator Coffey.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Coffey on the Floor? Take his name from the roll,

25. Mr. Secretary.

26. SENATOR WOOTEN:

27. Senator Rhoads.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Rhoads on the Floor? Take his name from the roll.

30. SENATOR WOOTEN:

31. Well, I don't know...I can't see...was Senator Soper on the...

32. he's not voted. Clewis is here. Was Senator...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The roll has been verified. The Ayes are 36...Senator Wooten.

2. SENATOR WOOTEN:

3. Senator, I was looking at this and I'm at some disadvantage.
4. The only two I wanted to question were Senators Lane and Roe and
5. I'm not certain whether or not they even voted. That's my problem.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Lane did not vote. Senator Roe did not vote.

8. All right. The roll has been verified. The Ayes are 36, the Nays
9. are 11. The Senate does adopt the Conference Committee Report
10. on House Bill 689 and the bill having received the required constitutional

11. majority is declared passed and the bill having received the
12. affirmative vote of three-fifths of the members elected is
13. effective upon its becoming a law. Senator Davidson moves

14. to reconsider the vote by which this Conference Committee was
15. adopted when the bill was passed. Senator Shapiro moves
16. to Table. All in favor signify by saying Aye. All opposed.

17. The Ayes have it. So ordered. On the Order of Conference
18. Committee Reports, House Bills, the Conference Committee on
19. House Bill 2361. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President. This is the appropriation for
22. the categorical grants and IOE operating budget for FY '78. This
23. bill appropriates as the Conference Committee recommends
24. two hundred and ninety million four hundred and twenty-eight
25. thousand six hundred dollars for the various categorical
26. grant programs and operations of IOE. This represents an increase
27. of six million four hundred ninety-six thousand eight hundred
28. dollars over the allocation of the Governor's budget as indicated
29. by the State Board of Education. I'll be glad to indicate the
30. specific levels of any line item, if any of you desire. I suggest
31. an Aye vote.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Senator Kenneth Hall.

1. SENATOR KENNETH HALL:
2. Yes, would the sponsor yield to a question?
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Indicates he will yield. Senator Hall.
5. SENATOR KENNETH HALL:
6. All right. Senator Berman, that was one million dollars
7. for the desegregation money. Is that still in this bill?
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Berman.
10. SENATOR BERMAN:
11. It was in Conference Committee Report No. 1. It is not in
12. Conference Committee Report No. 2.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Hall.
15. SENATOR HALL:
16. In other words, there is no money now for desegregation
17. in this bill.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Berman.
20. SENATOR BERMAN:
21. If I may share with you, Senator Hall, the discussion that
22. was held in the Second Conference Committee. The bill that was
23. the substantive authorization for that program was a bill that
24. was introduced in the House of Representative and died in the
25. House of Representatives. There was discussion and it was pointed
26. out in the subcommittee...in the Conference Committee that there
27. was no new program funded in any of the categorical grants. This
28. was the only proposed new program and as I indicated, had no
29. substantive legislation to even authorize the expenditure of
30. the money. It was taken out by a roll call vote in the Conference
31. Committee.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Further discussion? Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. I was a signatory to the First
3. Conference Committee Report as we see this Second Conference
4. Committee Report with the exception of the one million dollars
5. which was cut out for desegregation. I was a signatory to that
6. report because as I said, we worked till 3:00 this...yesterday
7. morning now working out what we thought were equitable compromises
8. as we came in...back in at 10:00 a.m. this...yesterday morning again
9. we found some information we did not have before. We found
10. some pressures we did not have before and as a result we added
11. four point eight million dollars on top of the categorical grants
12. that we had worked out last night. I think it's important
13. to note that we went from the Senate level last night of approximately nine
14. teen and a half million dollars over the Governor's recommended
15. budgetary level down to approximately one point seven million
16. dollars over the Governor's recommended budgetary level therefore
17. the four point eight that we added back this morning was approximately
18. six and a half or whatever that figure comes out to be. Now,
19. Representative Barnes who is the...who is black, first of all,
20. and is Chairman of the House Appropriations Committee No. 2 made
21. what I thought was a very good point in saying that as Chairman
22. of that committee and in trying to pair down money in the House
23. he had cut one million dollars out of that line item because
24. there was not substantive legislation at the same time he had
25. made cuts in other line items. His feeling was if we were going
26. to add back on some of those other line items that he owed it
27. to his district to add back the one millions dollars for the
28. desegregation money. I indicated to Representative Barnes and
29. the members of that committee that there is only one community
30. in my district that has a major black population, percentage
31. wise and that that community already has an effective desegregation
32. program in force and that therefore there would be not one penny
33. of that money coming to my district. However, I thought

1. he was absolutely right in what he was trying to do. We pass
2. appropriation monies out of here all the time when there is
3. no substantive legislation in anticipation of such legislation
4. coming in the future. I supported him in that effort. Now,
5. as it turns out...as it turns out when we again, I was thinking
6. that we were going to talk about perhaps twenty million dollars total
7. over the Governor's budget, this six or seven million dollars
8. here plus maybe thirteen in distributive. On the Second Conference
9. Committee Report, I voted No when we cut out the one million dollars
10. for desegregation and when it became obvious that there was not
11. going to be any other compromise reached and so I'm going to
12. vote No again on this bill. Thank you, Mr. President.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion. Senator Wooten.

15. SENATOR WOOTEN:

16. Just an observation that this is the way you buy a reelection.
17. It is cynical, it is shameful. I don't believe in peace
18. at any price. If this is statesmanship, I'll take the politics
19. of confrontation any day.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Glass.

22. SENATOR GLASS:

23. Well, Mr. President. Ladies and Gentlemen. We've been
24. sitting here listening to criticism of the Governor's budget and
25. I'm...I'm frankly surprised at the attempts of the speakers to
26. raise the level of funding beyond what the State can afford.
27. We've heard all Session contradictions of the Bureau of the Budget's
28. projections. Well, Ladies and Gentlemen, those projections have
29. been right on the money and if you want to see the State of Illinois
30. overspend then just continue your efforts to spend more money than
31. we have. I would point out to you that education has fared better
32. than almost any other area of spending in State government within
33. the revenues available and further point out that Illinois some

1. four or five years ago was in a very stable fiscal condition
2. having a balance of almost a half a billion dollars and that
3. has practically disappeared and I for one am pleased with
4. the Governor's efforts to get this State back on a sound fiscal
5. basis so I would urge the support of this bill that we pass
6. it as we did the last.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Shapiro.

9. SENATOR SHAPIRO:

10. Mr. President and members of the Senate. Very briefly
11. there are approximately twenty-five line items in this categorical
12. grant appropriation; practically everyone of them have
13. substantial increases over a year ago. A few of them were
14. held at the...same level. I think possibly one of them was
15. reduced slightly and I would urge a Yes vote.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. There any further discussion? Senator Berman may close
18. the debate.

19. SENATOR BERMAN:

20. Roll call.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Question is shall the Senate adopt the Conference Committee
23. Report on House Bill 2361. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Take the record. On that
26. question the Ayes are 39, the Nays are 9, 1 Voting Present. The
27. Senate does adopt the Conference Committee Report on House Bill
28. 2361 and the bill having received the required constitutional
29. majority is declared passed and the bill having received the
30. affirmative vote of three-fifths of the members elected is
31. effective immediately upon its becoming a law. On the Order
32. of Conference Committee Reports, Senate Bills, Senate Bill 752.
33. This, Gentlemen, is on the Fifth Supplemental Calendar, on the

1. Order of Conference Committee Reports, Senate Bills, Senate Bill
2. 752. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President. Members of the Senate. This
5. is the final of the chicken barrels. This is the boards
6. and commissions and I think all those who were interested were
7. aware of which commissions were included. We attempted to include all.
8. I would ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Senator Bloom.

11. SENATOR BLOOM:

12. Well, I'm chirping again. Does this contain the...pardon...
13. does this contain the hundred thousand for the legal fees for
14. members?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Carroll.

17. SENATOR CARROLL:

18. No, it does not. It is my understanding the House receded
19. from that amendment prior to this going to conference.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Walsh.

22. SENATOR WALSH:

23. Will the Gentleman yield?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Indicates he will yield. Senator Walsh.

26. SENATOR WALSH:

27. Senator Carroll, what is the appropriation for the Prosecutor's
28. Advisory Council in this bill?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Carroll.

31. SENATOR CARROLL:

32. It was reduced seventy-five thousand one hundred dollars. I
33. don't recall the original level...a hundred and five thousand GRF,
34. six eighty-eight and the appellate defender.

1. I'm sorry, Senator Walsh.

2. SENATOR WALSH:

3. I missed that, Senator, can you...you say that was reduced...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Carroll.

6. SENATOR CARROLL:

7. I have to have it whispered in my ear again. Wait a
8. minute. A hundred and five General Revenue, five
9. eighty-nine and that appellate defender fund.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? If there's no further discussion, the
12. question is shall the Senate adopt the Conference Committee
13. Report on Senate Bill 752. Those in favor will vote Aye.
14. Those opposed will vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? Take the record. On
16. that question, the Ayes are 44, the Nays are none, none Voting
17. Present. The Senate does adopt the Conference Committee Report
18. on Senate Bill 752 and the bill having received the required
19. constitutional majority is declared passed and the bill having
20. received the affirmative vote of three-fifths of the members
21. elected is effective immediately upon its becoming a law.
22. Message from the House.

23. SECRETARY:

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

25. Mr. President - I am directed to inform the Senate
26. that the House of Representatives has adopted the following
27. Joint Resolution in the adoption of which I am instructed to
28. ask the concurrence of the Senate, to-wit:

29. House Joint Resolution 51

30. Resolved by the House of Representatives, the 80th General
31. Assembly of the State of Illinois, the Senate concurring herein
32. that when the two Houses adjourn on Saturday, July the 2nd, 1977,
33. they stand adjourned until Monday, October the 24th, 1977 at 4:00p.m.

SB 1142
2nd time
7/2/77

1. Adopted by the House, July the 2nd.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President. We have previously adopted a resolution
6. and somehow the signals must have gotten mixed because the
7. House has also adopted the same resolution. This is not, I
8. would caution the membership, adjournment. This is
9. simply the adjournment resolution in advance and I would move
10. to suspend the rules for the immediate consideration and
11. adoption of the resolution.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. You've heard the motion. All those in favor signify by
14. saying Aye. All those opposed. The Ayes it. The rules
15. are suspended. All those in favor of the adoption of this
16. joint resolution indicate by saying Aye. All those opposed.
17. The Ayes have it. The resolution is adopted. Senator Vadalabene.
18. SENATOR VADALABENE:

19. Yes, Mr. President and members of the Senate. I think
20. before we get out of here, let's give our President, Tommy
21. Hynes, a good round of applause for an outstanding job he's done
22. in treating all of us fairly.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. I would...I would point out that there are a number of
25. matters left on the Calendar and some of the members have indicated
26. they wish to call these measures. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Now, how about a hand...round of applause for our Minority
29. Leader, Dave Shapiro.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. That's why Senator Vadalabene gets all his bills out, fellows.
32. All right. On the Sixth Supplemental Calendar, Conference
33. Committee Reports, Senate Bills, Senate Bill 1142. Senator Nimrod.

1. SENATOR NIMROD:

2. Yes, Mr. President and Ladies and Gentlemen of the Senate.
3. In the Second Conference Committee Report on Senate Bill 1142 we
4. have deleted those provisions that were of some concern to
5. some of our members and that this bill as it remains now which
6. deleted any reference to the permissive actions and citing,
7. anything to do with waste control, oil recovery, anything to do
8. with any of the items that were of any concern have been deleted
9. from this Second Conference Committee Report. This bill as it
10. stands now is strictly a transfer of existing authority of the
11. present Division of Energy which has been filled by Executive
12. Order is now a Statutory arrangement under the Division of
13. Mines and I would certainly urge that your concurrence. Be
14. happy to answer any questions pertaining to this Second
15. Conference Committee Report, otherwise, Mr. President, I do
16. move to adopt the Second Conference Committee Report.
17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is there any discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. Well, Mr. President, I was not able to participate in the
21. discussion the last time we considered this matter and it did
22. go down I know and we have deleted, as Senator Nimrod indicated, those
23. offensive type measures. I know there is still some concern
24. perhaps with people who are wondering why it came about at
25. this late date but again I would reiterate that there's been
26. much, much thought and study go into this both on the
27. part of the Energy Resources Commission and on the part of the
28. Office of the Governor and I think we've worked out an equitable
29. compromise. We get this department going properly and at some
30. point in the future we'll probably want to expand their powers
31. and authorities and duties. But right now, I think this is a
32. starter and I think we ought to give affirmative action to this
33. and vote Aye.

PRESIDING OFFICER: (SENATOR ROCK)

1. Any further discussion? The question is...the question is
2. shall the Senate adopt the Conference Committee Report on Senate
3. Bill 1142. Those in favor will vote Aye. Those opposed will
4. vote Nay. The voting is open. Have all voted who wish? Have
5. all voted who wish? Take the record. On that question the
6. Ayes are 37, the Nays are none, 1 Voting Present. The Senate
7. does adopt the Conference Committee Report on Senate Bill 1142
8. and the bill having received the required constitutional majority
9. is declared passed and the bill having received the affirmative
10. vote of three-fifths of the members elected is effective
11. immediately upon its becoming a law. Senator Nimrod, for what
12. purpose do you arise?

13. SENATOR NIMROD:

14. Having voted on the prevailing side...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Nimrod, having voted on the prevailing side moves to
17. reconsider the vote by which Senate...the Conference Committee
18. Report on Senate Bill 1142 was adopted. Senator Harber Hall
19. moves to lie...lay that motion upon the Table. All those in favor
20. signify by saying Aye. All those opposed. The Ayes have it.
21. So ordered. Gentlemen, we have been through Eight Supplemental
22. Calendars. Does any member have a Conference Committee Report
23. we have somehow skipped or overlooked? Senator Graham, for what
24. purpose do you rise?

25. SENATOR GRAHAM:

26. To get the caucus out from in front of my chair.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Yes.

29. SENATOR GRAHAM:

30. Mr. President, I presume that you are going to deal with
31. the resolutions on the Consent Calendar before we get out of here.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. That is correct.

SENATOR GRAHAM:

1. Thank you, very much.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Resolutions.

4. SECRETARY:

5. Senate Resolution 215 offered by Senator Newhouse. It's

6. congratulatory.

7. Senate Resolution 216 offered by Senator Carroll and it's

8. congratulatory.

9. Senate Resolution 217 offered by Senators Savickas, Daley, Lemke

10. and Hynes and it's congratulatory.

11. Senate Resolution 218 offered by Senator Mitchler and it's

12. congratulatory.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Is there leave to place those four resolutions on the

15. Consent Calendar? Leave is granted. Resolutions. Messages

16. from the House.

17. SECRETARY:

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

19. Mr. President - I am directed to inform the Senate

20. that the House of Representatives has adopted the following

21. Joint Resolution in the adoption of which I am instructed to

22. ask the concurrence of the Senate, to-wit:

23. House Joint Resolution 24

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Executive.

26. SECRETARY:

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

28. Mr. President - I am directed to inform the Senate

29. that the House of Representatives has passed House Joint Resolution

30. Constitutional Amendment with the following title in the passage

31. of which I am instructed to ask the concurrence of the Senate,

32. to-wit:

33. House Joint Resolution 29 Constitutional Amendment

34. PRESIDING OFFICER: (SENATOR ROCK)

1. Executive Resolutions Consent Calendar. Senator Hynes,
2. for what purpose do you arise?

3. SENATOR HYNES:

4. Mr. President and members of the Senate. While there is
5. a momentary lull, I would...and before many of the members
6. escape, I would like to say to each and every one of the members
7. of this Body what a pleasure it has been working with you this Session
8. and I want to thank everyone here for the cooperation and hard
9. work that has been put in. I think we have turned out an
10. enormous amount of work and I think the dedication of the members
11. has shown to the Session has really been something to
12. comprehend and to behold and I am very grateful for all the
13. cooperation from both sides of the aisle that...that I've received.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bruce.

16. SENATOR BRUCE:

17. Yeah, point of personal privilege, Mr. President.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right. Will the Senators get in their seats. Senator
20. Bruce. State your point.

21. SENATOR BRUCE:

22. Before everyone leaves, I would...I would not want them to
23. think having taken all the...home for the colleges and
24. all the other projects that we'd want you to be apprised of the
25. fact that in the House, Senate Bill 830 which was the rate changes
26. for the community colleges throughout the State of Illinois is
27. at the present time more abundant and for those of you who do not
28. reside within the confines of the City of Chicago that means that
29. you have lost in the neighborhood of ten million dollars to your
30. community colleges and I would point out that you ought maybe to
31. contact the Governor and do whatever you can. My own community
32. college this evening lost three hundred and ninety-four thousand
33. dollars out of a two million four hundred thousand budget by the

1. action of the House. Nothing was done in this Senate that
2. prohibited that bill from passing and I congratulate all the
3. members of this Body for trying to involve ourselves in
4. getting a community college funding program that is fair
5. and equitable to everyone. By the House action everyone of us
6. outside the City have lost a very large sum of money and that
7. will mean that many of your community colleges won't even be
8. able to continue the programs they presently have. Thank you,
9. Mr. President.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Resolution...Can we adopt the Consent Calendar so Senator
12. Graham can relax. Okay. All right. Resolutions Consent
13. Calendar, Mr. Secretary, have there been any objections to
14. any of these Resolutions on the Consent Calendar?

15. SECRETARY:

16. No objections, Mr. President.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. May we have leave to adopt the Resolutions placed upon
19. the Consent Calendar which I'm informed has been distributed.
20. All those in favor signify by saying Aye. All those opposed.
21. The Ayes have it. The Resolutions are adopted. Senator Shapiro.

22. SENATOR SHAPIRO:

23. Well, Mr. President...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. w..and Ladies and Gentlemen of the Senate. I want to
28. take this opportunity to compliment the President for the
29. wonderful Session that we had and his conduct and his relation-
30. ship with me in the negotiations that went on throughout the
31. Session. I think he did a very commendable job. Above that and
32. beyond that I want to compliment the stalwarts on this side of
33. the aisle who voted consistently with good principle and just did

1. a terrific job. I want to end up by saying that the Governor
2. still has his invitation open to us for that reception at the
3. Mansion the moment we adjourn.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. God bless you and him. And you, too. Senator Graham.

6. SENATOR GRAHAM:

7. Mr. President. I...I think we perhaps forgot to say a kind word about
8. the staff. I think they deserve those kind words and they worked
9. exceptionally hard. I think I can say this without fear of
10. contradiction and be supported in this statement by everyone here.
11. I believe that this year we have had the finest bunch of Pages
12. in the history of this Senate and certainly as long as I've
13. been and they're a great bunch of kids and they have a good hand
14. coming.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Hynes, I understand that you have some announcement
17. about House action and then you will be privileged to place the
18. motion that all of us have been awaiting.

19. SENATOR HYNES:

20. Mr. President and members of the Senate. I am informed that
21. the House of Representatives has in fact adjourned and if there
22. is no objection from the Body, I would like to defer to Senator
23. Vadalabene who extracted a commitment from me back in February
24. that he wanted to make the motion. Is Senator Vadalabene on
25. the Floor? Senator Vadalabene has waived his rights and I would
26. move that the Senate stand adjourned until October 24th , 4:00 p.m.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. You've heard the motion. All those in favor signify by
29. saying Aye. All those opposed. The Ayes have it. The Senate
30. stands adjourned.

31.

32.

33.