

81st GENERAL ASSEMBLY

REGULAR SESSION

MARCH 15, 1979

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of twelve having arrived the Senate will come to  
3. order. Will the guests in our galleries please rise. Prayer  
4. by Rabbi Joshua Goldstein, Temple B'Rith Shalom, Springfield,  
5. Illinois.

6. RABBI GOLDSTEIN:

7. (Prayer by Rabbi Goldstein)

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Thank you, Rabbi. The Chair might comment that the  
10. Knesset, after you're out of order three straight times,  
11. they throw you out of the Chamber. Reading of the Journal.  
12. Senator Johns.

13. SENATOR JOHNS:

14. Mr. President, I move that reading and approval of the  
15. Journal of Wednesday, March the 14th in the year '79 be  
16. postponed, pending arrival of the printed Journal.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Heard the motion. Those in favor indicate by saying Aye.  
19. Those opposed Nay. The Ayes have it. The motion carries. Do  
20. we have leave for still photographs? Leave is granted.  
21. Committee Reports.

22. SECRETARY:

23. Senator Donnewald, Chairman of the Committee on Assignment  
24. of Bills, assigns the following bills to committee:  
25. Agriculture, Conservation and Energy, Senate Bills 240,  
26. 247, 257, 262. Appropriations I, Senate Bill 248.  
27. Appropriations II, Senate Bill 260. Elections and Reapportionment,  
28. Senate Bills 232, 238, 249, 251, and 261. Executive, Senate  
29. Bill 255. Insurance and Licensed Activities, Senate Bills 234,  
30. 236, 241, 242, 243, 252 and 256. Judiciary I, Senate Bill 254.  
31. Labor and Commerce, Senate Bills 246, 253, and 259. Pensions,  
32. Personnel and Veterans Affairs, Senate Bills 250 and 258.  
33. Revenue, Senate Bills 233, 235, 237, 239 and 244. Transportation,  
Senate Bill 245.

1. Senator Carroll, Chairman of Appropriations I Committee,  
2. reports out Senate Bill 160 with the recommendation Do Pass as  
3. amended.

4. Senator Buzbee, Chairman of Appropriations II Committee,  
5. reports out Senate Bill 153 with the recommendation Do Pass.

6. Senator Berman, Chairman of Elementary and Secondary  
7. Education Committee reports out House Bill 242 with  
8. the recommendation Do Pass as amended.

9. Senator Sangmeister, Chairman of Judiciary II, reports  
10. out Senate Bill 72 with the recommendation Do Pass.

11. Senator Merlo, Chairman of Pensions, Personnel and Veterans  
12. Affairs, reports out Senate Bill 178 with the recommendation Do  
13. Not Pass.

14. Senator Chew, Chairman of Transportation Committee, reports  
15. out Senate Bills 110, 111, 129 and 149 with the recommendation  
16. Do Pass. Senate Bills 105, 131, 180, 181, 182 with the  
17. recommendation Do Not Pass. Senate Bill 24 with the  
18. recommendation Do Pass as amended.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Resolutions.

21. SECRETARY:

22. Senate Resolution 70 offered by Senators Walsh, Rock and  
23. all members and it's congratulatory.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Do we have leave for this to go on the Consent Calendar for  
26. today? Leave is granted.

27. SECRETARY:

28. Senate Resolution 71 offered by Senators Mitchler and Berning.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Executive. Senator Mitchler, for what purpose do you arise?

31. SENATOR MITCHLER:

32. Mr. President and members of the Senate, the Senate Resolution  
33. that has just been referred to the Executive Committee, is a

1. resolution that perhaps some of the other members of the Senate  
2. would be interested in joining as cosponsor. This is a resolution  
3. that memorializes Congress to decide to allow the States  
4. to decide the speed limits for State highways in the Interstate  
5. Highway System without loss of Federal highway funding. Now, you  
6. know now they have a threat that if we pass legislation that will  
7. repeal the fifty-five mile an hour speed limit, that we would be  
8. subjected to losing Federal funding. This tells them that we would like  
9. to set our own speed limits and the State of Illinois and other  
10. states without the treat of losing Federal funding for our highway  
11. purposes. If you would like to join in sponsorship of this  
12. resolution that has been referred to the Executive Committee,  
13. please indicate your name to the Secretary of the Senate and I'll  
14. be glad to invite you to cosponsor this legislation.

15. Thank you.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. House Bills, 1st reading.

18. SECRETARY:

19. House Bill 41, Senator Netsch is the Senate sponsor.

20. (Secretary reads title of bill)

21. 1st reading of the bill.

22. House Bill 45, Senator Netsch is the sponsor.

23. (Secretary reads title of bill)

24. 1st reading of the bill.

25. House Bill 58, Senator Netsch is the Senate sponsor.

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. House Bill 186, Senator Regner is the sponsor.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. House Bill 256, Senator Johns is the sponsor.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. House Bill 309, Senator Walsh is the Senate sponsor.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. House Bill 360, Senator Nedza is the sponsor...
5. Senate sponsor.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Introduction of Bills.
10. SECRETARY:
11. Senate Bill 263 introduced by Senators Maragos, Rhoads,
12. Coffey and others.
13. (Secretary reads title of bill)
14. Senate Bill 264 introduced by Senators Wooten, Schaffer
15. and Demuzio.
16. (Secretary reads title of bill)
17. Senate Bill 265 introduced by Senators Coffey, Vadalabene,
18. Davidson and Chew.
19. (Secretary reads title of bill)
20. Senate Bill 266 introduced by Senator Sommer.
21. (Secretary reads title of bill)
22. Senate Bill 267 introduced by the same sponsor.
23. (Secretary reads title of bill)
24. Senate Bill 268 introduced by the same sponsor.
25. (Secretary reads title of bill)
26. Senate Bill 269 introduced by Senator Rock.
27. (Secretary reads title of bill)
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Just a moment. Senator Rock, for what purpose do you arise?
30. SENATOR ROCK:
31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32. The bill which was just introduced as Senate Bill 269, is, I think,
33. a major probate reform proposal calling for the optional independent

1. administration of decedent's estates. This idea has been  
2. discussed at some length in the Illinois and Chicago Bar Association  
3. and I would ask that any who wish to be cosponsors, some members  
4. have indicated they wish to be cosponsors, that they would  
5. certainly...I would certainly welcome any cosponsorship. Senate  
6. Bill 269.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Will those that would desire to be cosponsors would please  
9. advise the Secretary and he will place your names upon that  
10. piece of legislation...or proposed legislation.

11. SECRETARY:

12. Senate Bill 270, introduced by Senator Nimrod.

13. (Secretary reads title of bill)

14. Senate Bill 271, introduced by Senator Coffey.

15. (Secretary reads title of bill)

16. Senate Bill 272, introduced by Senators Bowers,  
17. Sangmeister and Philip.

18. (Secretary reads title of bill)

19. Senate Bill 273, introduced by Senators Gitz, Rock,  
20. Sangmeister and others.

21. (Secretary reads title of bill)

22. Senate Bill 274, introduced by the same sponsors.

23. (Secretary reads title of bill)

24. Senate Bill 275, introduced by the same sponsors.

25. (Secretary reads title of bill)

26. Senate Bill 276, introduced by Senators Gitz, Sangmeister,  
27. and Johns.

28. (Secretary reads title of bill)

29. Senate Bill 277, introduced by Senators Graham, Shapiro,  
30. Weaver, Walsh and Philip.

31. (Secretary reads title of bill)

32. Senate Bill 278, introduced by the same sponsors.

33. (Secretary reads title of bill)

1. Senate Bill 279, introduced by Senators Grotberg, Shapiro,
2. Weaver and others.
3. (Secretary reads title of bill)
4. Senate Bill 280, introduced by Senators Weaver, Shapiro,
5. Walsh and Philip.
6. (Secretary reads title of bill)
7. Senate Bill 281, introduced by Senators Davidson, Shapiro,
8. Walsh and others.
9. (Secretary reads title of bill)
10. Senate Bill 282, introduced by Senator Jerome Joyce.
11. (Secretary reads title of bill)
12. Senate Bill 283, introduced by Senators Bloom and Sommer.
13. (Secretary reads title of bill)
14. Senate Bill 284, introduced by Senator Regner.
15. (Secretary reads title of bill)
16. Senate Bill 285, introduced by Senators Regner, Rhoads,
17. Nimrod.
18. (Secretary reads title of bill)
19. Senate Bill 286, introduced by Senators Regner, Rhoads and
20. Davidson.
21. (Secretary reads title of bill)
22. Senate Bill 287, introduced by Senators Egan, Savickas,
23. Graham and Keats.
24. (Secretary reads title of bill)
25. Senate Bill 288, introduced by Senator Grotberg.
26. (Secretary reads title of bill)
27. Senate Bill 289, introduced by the same sponsor.
28. (Secretary reads title of bill)
29. Senate Bill 290, introduced by Senator Johns.
30. (Secretary reads title of bill)
31. Senate Bill 299...291, introduced by Senator Knüppel.
32. (Secretary reads title of bill)
33. Senate Bill 292, introduced by the same sponsor.
- (Secretary reads title of bill)

1. Senate Bill 293, introduced by Senators McLendon, Merlo and  
2. Rupp.  
3. (Secretary reads title of bill)  
4. Senate Bill 294, introduced by the same sponsors.  
5. (Secretary reads title of bill)  
6. 1st reading of the bills.  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Senator Merlo, for what purpose do you arise?  
9. SENATOR MERLO:  
10. Mr. President, I have a resolution, Resolution 69 that  
11. congratulates Robert Elson, Sr; who, many of us, that go back to the  
12. 1930's and have a few years behind us...  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. Senator, just a moment. I think we would have to have leave of the  
15. Body to go to the Order of...  
16. SENATOR MERLO:  
17. Oh, pardon me.  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. ...Resolutions. Do we have leave? Leave is granted.  
20. SENATOR MERLO:  
21. Then, I ask leave. Okay. As you know, he's had four decades  
22. of broadcasting baseball and many of us that have many years behind  
23. us, remember him very well. He's about to celebrate his seventy-fifth  
24. birthday on March the 22nd. He has also been placed in the Baseball  
25. Hall of Fame. It would please me very much if all of the members  
26. of the Senate would get onto this resolution and it's Resolution  
27. 69. Thank you.  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. I'm advised...Senator, that already is on the Consent Calendar and  
30. your request is to have all Senate members join in the resolution.  
31. Do we have leave?  
32. SENATOR MERLO:  
33. Yes, Mr. President.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Leave is granted. Resolutions. Senator Vadalabene, for what
3. purpose do you arise?
4. SENATOR VADALABENE:
5. Yes, is there any procedure when you want to Table a bill?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. That's...that's a first priority, but not right now.
8. Just...I'll advise you when we're ready for that procedure.
9. SECRETARY:
10. Senate Joint Resolution No. 20 offered by Senator Jerome
11. Joyce.
12. Senate Joint Resolution No. 21 offered by Senators Lemke
13. and Regner.
14. And Senate Joint Resolution No. 22 offered by Senators
15. Nimrod and Shapiro.
16. And...And Senate Resolution 72 offered by Senator Wooten.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Executive. Senator Bruce, for what purpose do you arise?
19. SENATOR BRUCE:
20. Yes, I would like to...leave of the Senate, to be joined
21. as a joint cosponsor of Senate Bill 261. I've spoke with Senator
22. Rock and asked leave to be joined. I was the sponsor of that
23. legislation last year.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is leave granted? Leave is granted. Senator Buzbee, for what
26. purpose do you arise?
27. SENATOR BUZBEE:
28. Mr. President, House Bill 256 which is listed on our Calendar
29. on 1st reading, Senator Johns is shown as the sponsor. I've talked it
30. over with him and I would like to be shown as the principal sponsor
31. with Senator Johns as a cosponsor with me. ...grant me leave.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Do we have leave? Leave is grnated. Senate Bills, 2nd reading.  
Senate Bill 65, Senator J.J. Joyce. Read the bill, Mr. Secretary.



1. I'm sorry. I'm advised that there is a fiscal note request.  
2. We'll have to hold the bill. Senate Bill 74, Senator Sangmeister.  
3. Read the bill, Mr. Secretary.  
4. SECRETARY:  
5. Senate Bill 74.  
6. (Secretary reads title of bill)  
7. 2nd reading of the bill. No committee amendments.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)  
9. Are there amendments from the Floor? Senator Graham.  
10. SECRETARY:  
11. Amendment No. 1 offered by Senator Graham and Geo-Karis.  
12. PRESIDING OFFICER: (SENATOR DONNEWALD)  
13. Senator Graham.  
14. SENATOR GRAHAM:  
15. Mr. President and members of the Senate. This language  
16. incorporated in this amendment answers a question that Senator  
17. Geo-Karis and also Senator Knuppel raised in committee when this bill  
18. was...was heard. In effect, it allows...bill dealing with the use of  
19. convict labor on the highways, only applied to State highways to start  
20. with. We amended it for Senator Knuppel's request and Senator  
21. Sangmeister's agreement to include county, township and  
22. municipal roads. Also, the amendment provides that people who are  
23. ...have been convicted under Class X felonies, murder, habitual  
24. violence, aggravated kidnapping, forceable detention, arson, indecent  
25. liberties with a child, and aggravated...aggravated incest and incest  
26. cannot be considered for...to be a portion of this program for  
27. those who have been incarcerated to work on the highways. I think  
28. it is a good amendment and I'm sure that the sponsor agrees and when  
29. he has made his feelings known, then I would like to move the  
30. adoption.  
31. PRESIDING OFFICER: (SENATOR DONNEWALD)  
32. Senator Sangmeister.  
33. SENATOR SANGMEISTER:

1. Mr. President and members of the Body, what Senator Graham  
2. has represented is accurate and this is what the committee wanted  
3. and we're putting it on.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is shall Amendment  
6. No. 1 to Senate Bill 74 be adopted. Those in favor indicate by saying  
7. Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted.  
8. Are there further amendments?

9. SECRETARY:

10. Amendment No. 2 offered by Senator Sangmeister.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. Amendment No. 2 is being put in to cure the possible problem that  
15. either one of these departments may replace a regular employee  
16. with a prisoner. In order to avoid that, we're putting  
17. the language in...that neither the Department of Corrections or the  
18. Department of Transportation shall replace any regular employee  
19. with a prisoner and that's to take care of labor's problem  
20. on this and I would ask for the adoption of the amendment.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there discussion? Question is shall Amendment No. 2 to  
23. Senate Bill 74 be adopted. Those in favor indicate by saying Aye.  
24. Those opposed. The Ayes have it. Amendment No. 2 is adopted.  
25. Are there further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. 3rd reading. Senate Bill 113, Senator Berning.  
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 113.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Are there amendments from the Floor?
4. SECRETARY:
5. Amendment No. 1 offered by Senators Vadalabene and Berning.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Vadalabene.
8. SENATOR VADALABENE:
9. Yes, I move for the adoption of the amendment. It's a good
10. amendment.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Would you explain the content of the amendment, Senator?
13. SENATOR VADALABENE:
14. Yes, I yield to Senator Berning. He has the amendment in his
15. hand.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Berning.
18. SENATOR BERNING:
19. Thank you, Mr. President. This is the amendment requested by the
20. committee in the committee hearing as now modified at the request
21. of Senator Bruce. We have conferred with Senator Bruce and the staff
22. on both sides. There seems to be now unanimous agreement that the
23. amendment does what the committee wanted done so, therefore, yes,
24. I also move for adoption of the amendment, Mr. President.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is...is there further discussion? Question is shall Amendment
27. No. 1 to Senate Bill 113 be adopted. Those in favor indicate by saying
28. Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted.
29. Are there further amendments?
30. SECRETARY:
31. No further amendments.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. 3rd reading. Senator Graham, for what purpose do you arise?

AB 58  
Bill Number  
8-15-77

1. SENATOR GRAHAM:

2. ...other things and in order to be sure that Senator Berning is  
3. consistent with his usual feelings in the Senate, I'd like for him  
4. to explain what that last amendment had in there we just put on.  
5. We didn't ever get an answer what it did.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Berning. Of course, the amendment is already adopted,  
8. Senator. But if he wishes to...

9. SENATOR GRAHAM:

10. In retrospect, I'd like to know what we've already done  
11. that we shouldn't have done, maybe.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. In retrospect for one minute.

14. SENATOR BERNING:

15. Yes, thank you. I'm sorry, Mr. President and members of the  
16. Senate. The amendment requires that any soliciting organization,  
17. namely, the Veteran's Organizations, the Lions, the Kiwanis  
18. or others must be registered with the Attorney General as a  
19. charitable organization. In other words, this bill now will make it  
20. possible to screen out any then duly registered charitable  
21. organizations. Secondly, it gives the municipality the option of  
22. issuing a permit. The final determination on whether an  
23. organization is going to be allowed to solicit rests with the  
24. authority within the municipality.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. I'm advised that that does suffice for an explanation.  
27. Senate Bills, 3rd reading. Senate Bill 58, Senator Grotberg.  
28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 58.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

1. SENATOR GROTEBERG:

2. Thank you, Mr. President. We've placed an amendment on this  
3. bill last...yesterday, that satisfies the questions that were about  
4. it and...between the Municipal League and the counties and this  
5. bill, if passed, will now take the cloud off of the intergovernmental  
6. agreements that counties initiate with other local units of  
7. government. The Attorney General had ruled that the existing law  
8. did not allow them to do that. The reverse is not true.  
9. Smaller units of government may contract with each other, but there  
10. was a cloud on the counties. This clarifies that. I'll be glad to  
11. answer any questions. It's...everyone's behind it, Local Government  
12. Affairs and counties and villages.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? Senator Netsch.

15. SENATOR NETSCH:

16. Senator Grotberg, the noise around here drowned out the...  
17. most of what you said at the end. Let me ask this question and  
18. if it is repetitive of what you said, I apologize but maybe  
19. you could say it so that we could all hear it then. The  
20. ...why isn't Section 10 of Article VII of the Constitution  
21. sufficient to authorize the intergovernmental cooperation  
22. agreements without the need for enabling legislation  
23. or is this not enabling legislation, but rather restrictive  
24. legislation on the scope of the agreements that otherwise could  
25. be entered into?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Grotberg.

28. SENATOR GROTEBERG:

29. Thank you, Senator Netsch. The...this is clarifying to say the  
30. least. May I read from the legislative history. The  
31. Intergovernmental Cooperation Act which was enacted in  
32. 1972 provides for mutual cooperation between separate units  
33. of local government and public agencies. The need for this bill  
arose out of an Attorney General's opinion that was highly restrictive

1. in regard to counties entering cooperative agreements with  
2. other units of local government so that this bill gives  
3. counties authorization to enter into contractual agreements  
4. with the cemetery district or a township or any other unit of  
5. government with or without specific authority under State law.  
6. So, we wouldn't have to pass a bill for every phase of their  
7. cooperative act. And that the contracting party does have  
8. specific authority to perform the services involved. It  
9. strengthens the contract by clarifying it.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Netsch.

12. SENATOR NETSCH:

13. There should not have to be authorizing legislation  
14. to permit the counties to enter into intergovernmental  
15. cooperation agreements. Either...if I heard you correctly,  
16. either the Attorney General's opinion was, I think, incorrect,  
17. that is read the...the constitutional grant too restrictively,  
18. or else what you are talking about is something that goes just  
19. a little bit beyond that. The question would be for example,  
20. you mentioned the cemetery, let's say that a county does  
21. have the authority to engage in running or operating  
22. or building or whatever, a cemetery and it wants to enter into  
23. an agreement with a cemetery unit of government to do something  
24. related to the operation of a cemetery. Now, it has the authority  
25. without any enabling legislation, to enter into an interlocal  
26. cooperation agreement. It doesn't have the authority, as on the  
27. facts that we've just given, to engage in the cemetery business, if  
28. you will. Does this bill...is it intended to overstep the fact  
29. that there is no authority on the part of the unit of government  
30. to engage in that activity at all?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Grotberg.

33. SENATOR GROTEBERG:

In my reading of the amendment, Senator Netsch, I find that

1. the county may participate in an intergovernmental agreement  
2. under this Act notwithstanding the absence of specific authority  
3. and I think maybe that is the active phrase of this amendment.  
4. Now, I assume that counties can do anything they want to with  
5. cemeteries or county homes or anything under their own Act.  
6. When they get into the cooperative venture, evidently, the  
7. language was grey enough so that the selfish entities that  
8. prevail in these contractual agreements...trying to protect their  
9. turf, could not...the counties could not, by statute, without  
10. some authority, do it. This says with or without.

11. And that's the clarification...that I read it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator...Senator Netsch.

14. SENATOR NETSCH:

15. But the...without specific authority refers to authority to  
16. enter into a cooperation agreement, not the authority to engage in  
17. that activity at all. Again, for example, let's say that a county  
18. all of a sudden wanted to build an atomic energy plant which it did  
19. not have authority to do, it could not acquire the authority  
20. to do that simply by entering into an intergovernmental  
21. cooperation agreement. So, it...it's only the...the interlocal  
22. cooperative part that you are trying to overcome by this Statute.  
23. You are not trying to...to give every unit of local government  
24. extraordinary powers which they don't already possess.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. May I add a word, Senator Netsch? The amendment we put on  
29. yesterday goes on with another sentence that says, and this was the  
30. argument between the Municipal League, could a non-home rule  
31. county with a home rule unit in it, by virtue of contract, acquire  
32. a home rule power? The language says, the authority  
33. of the county shall be limited to the territorial limits of the

1. local government unit with which it contracts. So that that was the  
2. biggest hassle was...be a sneaky way to get into some powers you  
3. don't have. It does not.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Netsch, did...

6. SENATOR NETSCH:

7. I...I think, then, as you answered the prior question,  
8. the...what you are saying is that this was intended simply to  
9. overcome the...the inability to enter into an interlocal agreement  
10. without specific authority in each case, which I agree, would be  
11. very awkward, but it is not intended to supply the power to engage  
12. in substantive powers which are otherwise lacking. And on that  
13. basis, although I'm not convinced it's absolutely essential to do  
14. this by Statute, in order to clarify it, it seems to me it makes  
15. sense. If it did the former, it would be a very dramatic piece  
16. of legislation indeed. But what you are saying it definitely does  
17. not intend to achieve the other goal that I described.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Question of the sponsor, if he will yield.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Indicates he will.

24. SENATOR RHOADS:

25. Senator Grotberg, we do require interstate compacts for  
26. these agreements across State lines. Now, I assume that this does  
27. not encompass agreements of units of local government across  
28. State lines. Is that correct?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Grotberg.

31. SENATOR GROTEBERG:

32. You assume correctly, Senator.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads.



1. SENATOR RHOADS:

2. Then secondly, I'm still confused about what types of  
3. political subdivisions that we're talking about. For example,  
4. would this bill empower a county agreement with the RTA?  
5. Would the RTA be qualified as a...as a political subdivision or  
6. unit of local government under this bill?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Grotberg.

9. SENATOR GROTEBERG:

10. I see no reason why not.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. That's what I was afraid of. Does the bill specify  
15. that these are county to county agreements or are they county to  
16. smaller municipality agreements or what...what...is there any  
17. restriction at all as to the type of subordinate political  
18. subdivisions we're dealing with?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Grotberg.

21. SENATOR GROTEBERG:

22. All I have before me, Senator, is the amendment...  
23. which we can both read, but once more, any county may  
24. participate in an intergovernmental agreement under this  
25. Intergovernmental Act. We're not amending the County Act.  
26. We're amending the Intergovernmental Act. Notwithstanding the  
27. absence, et cetera. Now, your question as to any specific  
28. unit of government, there is all kinds...I don't have the definition...  
29. in front of me, but a local unit of government is standard language  
30. in all the other chapters.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. Well, the...the caution I'm expressing here is...like  
2. Senator Netsch, I'm wondering if we're granting an authority that  
3. doesn't now exist and I can see a potential for mischief here,  
4. particularly with respect to the...the counties in the...in the  
5. ...six counties in the RTA region and I wish there was some  
6. language in there that excluded the RTA as a unit of local government  
7. under the definition of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Grotberg may close.

10. SENATOR GROTBORG:

11. I think it's...it's a needed bill for counties to contract  
12. with other units of government over which there is now an  
13. Attorney General's ruling cloud and two people have to go to the  
14. table to sign these agreements and work out mutual agreements...  
15. the contractual thing. So, I...I can't discount the Senator's  
16. remarks that he made regarding potential for mischief because there is  
17. no more than you and I talking here together and we get into  
18. mischief once in a while. I would just ask for an Aye vote.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Question is shall Senate Bill 58 pass. Those in favor  
21. vote Aye. Those opposed Nay. The voting is open.  
22. Have all those voted who wish? Have all those voted who wish?  
23. Take the record! On that question the Ayes are 35, the Nays are none,  
24. 9 Voting Present. Senate Bill 58 having received a constitutional  
25. majority is declared passed. Senate Bill 59, Senator Grotberg.  
26. House Bills, 1st reading.

27. SECRETARY:

28. House Bill 231, Senator Schaffer is the Senate sponsor.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. House Bill 234, Senator Schaffer is the Senate sponsor.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Resolutions.

3. SECRETARY:

4. Senate Joint Resolution 23 offered by Senator Savickas.

5. (Secretary reads SJR 23)

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Savickas moves for the suspension of the rules for  
8. the immediate adoption of the resolution. Those in favor indicate  
9. by saying Aye. Those opposed. The Ayes have it. Senator Savickas  
10. now moves for the adoption of the resolution. Those in favor  
11. indicate by saying Aye. Those opposed. Nay. The resolution is adopted.  
12. Senator Rock. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, I'd like the record to show that Senator Walter Nega  
15. is absent due to illness and he's in Memorial Hospital yet  
16. and Senator Richard Daley is absent due to illness in the family.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The record will so show. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
21. If I might have your attention. We will shortly adjourn for this  
22. week. I am in receipt of two communications which I wish to  
23. share with you. One is from Mrs. Nelson Rockefeller and she  
24. acknowledges receipt of our death resolution and says that I am  
25. proud of your expression of admiration for Nelson and he...as he would  
26. have been and as I know Nelson, Jr. and Mark will be and I thank  
27. you warmly and gratefully for the sentiments expressed in that  
28. resolution. Sincerely, Happy Rockefeller. It was addressed to my  
29. office on...addressed to all of us. Secondly, the Director of the  
30. Department of Personnel has scheduled a meeting pursuant to our  
31. request to brief the members of the Assembly, the members of the Senate  
32. and any staff interested on the AFSCME contracts which were recently  
33. entered into by the Chief Executive. So, that will be held at  
34. 4:00 o'clock on next Tuesday in Room 114 and I would urge all  
35. interested members to please be in attendance. There's a lengthy

1. memorandum having been prepared which will be distributed, I'm  
2. sure, at that point, but the Director will subject himself to what-  
3. ever questions the members will have. So, that's Tuesday,  
4. March 20 in Room 114 of the Capital Building.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Gitz.

7. SENATOR GITZ:

8. At the House sponsor's request, I would ask leave to be added  
9. with Senator Nash as a hyphenated sponsor of House Bill 360.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. That's joint sponsor. Leave is granted. Introduction of Bills.

12. SECRETARY:

13. Senate Bill 295...Senate Bill 295 introduced by Senator  
14. Hall.

15. (Secretary reads title of bill)

16. Senate Bill 296 introduced by Senator Hall and  
17. Johns.

18. (Secretary reads title of bill)

19. Senate Bill 297 introduced by Senator Hall.

20. (Secretary reads title of bill)

21. Senate Bill 298 introduced by Senators Buzbee, Bruce, Joyce  
22. and others.

23. (Secretary reads title of bill)

24. Senate Bill 299 introduced by Senator Knuppel.

25. (Secretary reads title of bill)

26. 1st reading of the bills.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Geo-Karis, for what purpose do you arise?

29. SENATOR GEO-KARIS:

30. With leave of the House, Mr. President...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. This is the Senate.

33. SENATOR GEO-KARIS:

...sorry. With leave of the Senate, I apologize, would like to be

1. added as a cosponsor to Senator Berning's bill, Senate Bill 149  
2. and I've cleared it with him.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there leave? Leave is granted. Consent Calendar.

5. Are there any objections to Senate Resolutions 67, 68 and  
6. 69 and 70 being added to the Consent Calendar which has  
7. been discussed earlier? Is there leave? Leave is granted.

8. SECRETARY:

9. No objections have been filed.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Motion by Senator Rock to adopt the Consent Calendar as  
12. submitted. Those in favor indicate by saying Aye. Those opposed.  
13. The Ayes have it. The motion carries. Introduction of Bills.

14. SECRETARY:

15. Senate Bill No. 300 introduced by Senators Lemke and Carroll.  
16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Are there further announcements? Senator Rock moves that the  
20. Senate stand adjourned pursuant...just a moment. Senator Vadalbene  
21. moves...just a moment. Senator Mitchler, for what purpose  
22. do you arise?

23. SENATOR MITCHLER:

24. Mr. President, on a point of personal privilege. Mr. President...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. State your point.

27. SENATOR MITCHLER:

28. ...members of the Senate, on your desk is a memorandum  
29. from the Water Resources Commission about a trip that the...  
30. several members of the commission are going to make to Washington  
31. next Tuesday, the 20th. And it outlines in there the purpose of this  
32. trip. Now, normally I...this will be the first time in my fifteen  
33. years that I'm absent myself from a legislation Session to go  
to Washington or elsewhere, except if it was because of illness or

1. something, but this is a very important visit to our congressional  
2. delegation in Washington for some specific programs that we are  
3. trying to finalize for the State and I would like the...ask leave to  
4. have the record show that I will be absent Tuesday, I'll be back  
5. Wednesday for this trip to Washington. Thank you.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there leave? The record will so show. Senator Vadalabene,  
8. for what purpose do you arise?

9. SENATOR VADALABENE:

10. Yes, for the purpose of Tabling Senate Bill 144.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. It's always in order. Senator Vadalabene moves to Table  
13. ...where...where does the bill repose, Senator?

14. SENATOR VADALABENE:

15. Repose?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Where is it? What committee is it in, Senator?

18. SENATOR VADALABENE:

19. Thank you, Mr. President. The bill presently reposes in  
20. ...assignment to Insurance and Licensed Activities.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Vadalabene moves that the Senate on Insurance and  
23. Licensed Activities be discharged as to Senate Bill  
24. 144 for the purpose of Tabling the bill. Is there...is there leave?  
25. Leave is granted. The bill...Senator Vadalabene now moves that  
26. Senate Bill 144 be Tabled. Those in favor indicate by saying Aye.  
27. Those opposed. The bill is now Tabled. Senator Rock now moves  
28. pursuant to the Joint Resolution 23 that the Senate stand adjourned  
29. until Tuesday, twelve noon March the 20th. The Senate  
30. stands adjourned.

31.

32.

33.