

81st GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1979

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of nine having arrived, the Senate will come to order.

3. The prayer by the Reverend Eugene Frost, Cherry Hills Baptist

4. Church, Springfield. Will our guests in the galleries please rise.

5. REVEREND FROST:

6. (Prayer by Reverend Frost)

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Reading of the Journal. Senator Johns.

9. SENATOR JOHNS:

10. Mr. President, I move that reading and approval of the Journals

11. of Friday, May the 18th, and Monday, May the 21st in the year

12. 1979 be postponed pending arrival of the printed Journals.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Heard the motion. Is there discussion? All in favor say Aye.

15. Opposed Nay. The Ayes have it. The motion prevails. Committee

16. Reports.

17. SECRETARY:

18. Senator Donnewald, Chairman of the Assignment of Bills Committee,

19. assigns the following House Bills to committee: Agriculture,

20. Conservation and Energy, 516, 764, 1094, 1096, 1135, 2321, 2322,

21. and 2332. Appropriations I, 529. Elementary and Secondary

22. Education, 608, 1008, 1026, 1041, 1042, 1233, 1708. Higher

23. Education, 420 and 1148. Elections and Reapportionment, 753,

24. 756, 2472 and 2540. Executive, 563, 1196, 2331, 2375, and 2634.

25. Executive Appointments and Administration, 1308. Insurance and

26. Licensed Activities, 886, 2390. Judiciary I, 785, 786 and 930.

27. Judiciary II, 292, 456 and 1010. Labor and Commerce, 851 and

28. 853. Local Government, 444, 824, 847, 1005 and 1165. Pensions,

29. Personnel and Veteran's Affairs, 319, 665, 727, 730, 731, 732,

30. 733, 734, 924, 995, 1251, 1956 and 1958. Public Health, Welfare

31. and Corrections, 185, 189, 192, 191, 547, 625 and 986.

32. Reorganization of State Government, 222. Revenue, 573,

33. 676, 1947, 1948, 1977. Transportation, 385 and 1000.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. A Message from the House.
3. SECRETARY:
4. A Message from the House by Mr. O'Brien, Clerk.
5. Mr. President - I am directed to inform the
6. Senate that the House of Representatives has passed bills with the
7. following titles in the passage of which I am instructed to ask
8. the concurrence of the Senate, to-wit:
9. House Bill 8, 389, 445, 702, 752, 1038, 1134,
10. 1158, 1168, 1170, 1205, 1235, 1236, 1468, 1477, 1499, 1595, 1630,
11. 1639, 1641, 1645, 1648, 1652, 1656, 1686, 1690, 1693, 1758, 1770,
12. 1776, 1901, 1902, 1937, 1949, 1953, 1954, 1981, 2146, 2176,
13. 2180, 2202, 2212, 2234, 2426, 2436, 2446, 2450, 2462, 2487,
14. 2508, 2577, 2578, 2597, 2618, 2652, and 2680.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Resolutions.
17. SECRETARY:
18. Senate Resolution 173 offered by Senator Newhouse, it's
19. congratulatory.
20. Senate Resolution 174 offered by Senators Berman, Keats,
21. and all Senators and it's congratulatory.
22. Senate Joint Resolution 50 offered by Senators Maragos,
23. Geo-Karis, Nash, Rock and all Senators and it's congratulatory.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. For what purpose does Senator Rhoads arise?
26. SENATOR RHOADS:
27. Mr. President, I've waited years to do this. I have a motion.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Hold it just a minute.
30. SENATOR RHOADS:
31. Okay.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. On those resolutions, Consent Calendar. Further resolutions?

Agreed Bill List
JB1232
5-22-79 JB1276

1. SECRETARY:
2. Senate...Senate Joint Resolution 51 by Senator Buzbee.
3. Senate Joint Resolution 52, by Senator Mitchler.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Executive Committee. I thought...Senator Rhoads, for what
6. purpose do you arise?
7. SENATOR RHOADS:
8. Mr. President, I move that the reading and approval of the
9. Journals of Friday, May 18th and Monday, May 21st, in the year
10. 1979 be postponed pending arrival of the printed Journals.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator, that motion was already made by Senator Johns
13. and carried unanimously.
14. SENATOR RHOADS:
15. Having voted on the prevailing side, I move to reconsider the
16. vote...sorry, Mr. President. I didn't know it had been made. He
17. gave it to me.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. No, Senator, but tomorrow morning, if you are here, we
20. promise you that you will get to make that motion.
21. SENATOR RHOADS:
22. Tomorrow morning.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. And you receive a double per diem for making that motion
25. everyday. For what purpose does Senator Vadalabene arise?
26. SENATOR VADALABENE:
27. Yes, on my right in the rear, is the class of the Lakeview
28. Christian Academy School at Granite City, Illinois and I would like
29. for them to rise and be recognized.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Would our guests please rise and be recognized. Leave to go
32. to the Order of the Agreed Bill List on page 29, 30, 31, 32, 33, 34,
33. 35 and 36 on the Calendar? Leave is granted. We will go to that Order

*Agreed Bill
List 5/22/79
SB 1158 + SB 1162*

1. of business. On Friday of last week we distributed a list of
2. suggested bills to be placed on the Agreed Bill List. Several
3. bills were removed under procedure which we outlined and
4. which any five Senators could object to the presence of any bill.
5. The Agreed Bill List as printed on the Calendar today
6. accurately reflects that list as amended by...by the removal
7. of bills objected to. We have agreed that any Senator who wishes to
8. vote No on any of the bills on the Agreed Bill List may do so
9. by indicating his list of bills and submitting those in writing
10. to the Secretary of the Senate...of the Senate which should have
11. been done at this point. The procedure that we will now follow
12. is that the Secretary of the Senate will read all the bills a
13. third time at which we will take one roll call and each Senator
14. will be recorded according to how he is voted on the Floor
15. with the exception of those Senators who have submitted lists of
16. negative votes with the Secretary of the Senate or who wish to have
17. been voted Present. The procedure outlined was agreed to by the
18. Senate without objection. The Secretary of the Senate will now call those
19. bills on the Agreed Bill List for a third time.

20. ACTING SECRETARY: (MR. FERNANDES)
21. Senate Bill 12.
22. (Secretary reads title of bill)
23. Senate Bill 63.
24. (Secretary reads title of bill)
25. 293.
26. (Secretary reads title of bill)
27. 294.
28. (Secretary reads title of bill)
29. 304.
30. (Secretary reads title of bill)
31. 431.
32. (Secretary reads title of bill)
33. 459.
(Secretary reads title of bill)

1. 529.
2. (Secretary reads title of bill)
3. 573.
4. (Secretary reads title of bill)
5. 593.
6. (Secretary reads title of bill)
7. 617.
8. (Secretary reads title of bill)
9. 625.
10. (Secretary reads title of bill)
11. 626.
12. (Secretary reads title of bill)
13. 627.
14. (Secretary reads title of bill)
15. 628.
16. (Secretary reads title of bill)
17. 632.
18. (Secretary reads title of bill)
19. 636.
20. (Secretary reads title of bill)
21. 637.
22. (Secretary reads title of bill)
23. 638.
24. (Secretary reads title of bill)
25. 644.
26. (Secretary reads title of bill)
27. 687.
28. (Secretary reads title of bill)
29. 693.
30. (Secretary reads title of bill)
31. 700.
32. (Secretary reads title of bill)
33. 710.
(Secretary reads title of bill)

1. 711.
2. (Secretary reads title of bill)
3. 712.
4. (Secretary reads title of bill)
5. 713.
6. (Secretary reads title of bill)
7. 715.
8. (Secretary reads title of bill)
9. 716.
10. (Secretary reads title of bill)
11. 717.
12. (Secretary reads title of bill)
13. 755.
14. (Secretary reads title of bill)
15. 760.
16. (Secretary reads title of bill)
17. 762.
18. (Secretary reads title of bill)
19. 770.
20. (Secretary reads title of bill)
21. 796.
22. (Secretary reads title of bill)
23. 797.
24. (Secretary reads title of bill)
25. 798.
26. (Secretary reads title of bill)
27. 801.
28. (Secretary reads title of bill)
29. 802.
30. (Secretary reads title of bill)
31. 809.
32. (Secretary reads title of bill)
33. 854.
(Secretary reads title of bill)

1. 857.
2. (Secretary reads title of bill)
3. 862.
4. (Secretary reads title of bill)
5. 886.
6. (Secretary reads title of bill)
7. 893.
8. (Secretary reads title of bill)
9. 909.
10. (Secretary reads title of bill)
11. 918.
12. (Secretary reads title of bill)
13. 930.
14. (Secretary reads title of bill)
15. 933.
16. (Secretary reads title of bill)
17. 955.
18. (Secretary reads title of bill)
19. 957.
20. (Secretary reads title of bill)
21. 964.
22. (Secretary reads title of bill)
23. 966.
24. (Secretary reads title of bill)
25. 990.
26. (Secretary reads title of bill)
27. 1229.
28. (Secretary reads title of bill)
29. 1030.
30. (Secretary reads title of bill)
31. 1049.
32. (Secretary reads title of bill)
33. 1068.
(Secretary reads title of bill)

28/158
5/22/79

1. 1089.
2. (Secretary reads title of bill)
3. 1099.
4. (Secretary reads title of bill)
5. 1108.
6. (Secretary reads title of bill)
7. 1109.
8. (Secretary reads title of bill)
9. 1113.
10. (Secretary reads title of bill)
11. 1114.
12. (Secretary reads title of bill)
13. 1115.
14. (Secretary reads title of bill)
15. 1116.
16. (Secretary reads title of bill)
17. 1123.
18. (Secretary reads title of bill)
19. 1124.
20. (Secretary reads title of bill)
21. 1125.
22. (Secretary reads title of bill)
23. 1142.
24. (Secretary reads title of bill)
25. 1145.
26. (Secretary reads title of bill)
27. 1157.
28. (Secretary reads title of bill)
29. 1158.
30. (Secretary reads title of bill)
31. 1159.
32. (Secretary reads title of bill)
33. 1160.
(Secretary reads title of bill)

AB 1162
3rd Reading
5-22-99

1. 1161.
2. (Secretary reads title of bill)
3. 1162.
4. (Secretary reads title of bill)
5. 1163.
6. (Secretary reads title of bill)
7. 1167.
8. (Secretary reads title of bill)
9. 1161.
10. (Secretary reads title of bill)
11. 1182.
12. (Secretary reads title of bill)
13. 1183.
14. (Secretary reads title of bill)
15. 1184.
16. (Secretary reads title of bill)
17. 1190.
18. (Secretary reads title of bill)
19. 1203.
20. (Secretary reads title of bill)
21. 1220.
22. (Secretary reads title of bill)
23. 1228...1228.
24. (Secretary reads title of bill)
25. 1232.
26. (Secretary reads title of bill)
27. 1242.
28. (Secretary reads title of bill)
29. 1245.
30. (Secretary reads title of bill)
31. 1247.
32. (Secretary reads title of bill)
33. 1268.
(Secretary reads title of bill)

SB 1276
3rd Reading

- 1. 1274.
- 2. (Secretary reads title of bill)
- 3. 1276.
- 4. (Secretary reads title of bill)
- 5. 1334.
- 6. (Secretary reads title of bill)
- 7. 1341.
- 8. (Secretary reads title of bill)
- 9. 1344.
- 10. (Secretary reads title of bill)
- 11. 1354.
- 12. (Secretary reads title of bill)
- 13. 1368.
- 14. (Secretary reads title of bill)
- 15. 1378.
- 16. (Secretary reads title of bill)
- 17. 1393.
- 18. (Secretary reads title of bill)
- 19. 1411.
- 20. (Secretary reads title of bill)
- 21. 1424.
- 22. (Secretary reads title of bill)
- 23. 1426.
- 24. (Secretary reads title of bill)
- 25. 1433.
- 26. (Secretary reads title of bill)

27. 3rd reading of the bills.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The next roll call will be on the final passage of the bills
30. just read by the Secretary. Is there any discussion? The
31. question is shall this series of bills pass. Those in favor vote
32. Aye. Opposed Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Take the record. On

1. these bills, the votes are 55 Ayes, the Nays as recorded in the office
2. of the Secretary of the Senate and none Voting Present. This
3. series of bills having receiving a constitutional majority by
4. record vote is declared passed. The record vote of the Ayes and
5. Nays for each bill passed shall be entered in the Journal.
6. House Bills, 1st reading.
7. SECRETARY:
8. House Bill 202, Senator Savickas is the Senate sponsor.
9. (Secretary reads title of bill)
10. House Bill 24...243, Senator Sangmeister is the Senate sponsor.
11. (Secretary reads title of bill)
12. House Bill 797, Senator Gitz is the Senate sponsor.
13. (Secretary reads title of bill)
14. House Bill 857, Senator Maitland is the Senate sponsor.
15. (Secretary reads title of bill)
16. House Bill 869, Senator Bruce is the Senate sponsor.
17. (Secretary reads title of bill)
18. House Bill 872, Senator D'Arco is the Senate sponsor.
19. (Secretary reads title of bill)
20. House Bill 1074, Senator Coffey is the Senate sponsor.
21. (Secretary reads title of bill)
22. House Bill 1075, by the same sponsor.
23. (Secretary reads title of bill)
24. House...House Bill 1138, Senator Lemke is the Senate sponsor.
25. (Secretary reads title of bill)
26. House Bill 1297, Senator Grotberg is the Senate sponsor.
27. (Secretary reads title of bill)
28. House Bill 1362, Senator Davidson is the Senate sponsor.
29. (Secretary reads title of bill)
30. House Bill 1588, Senator Hall is the Senate sponsor.
31. (Secretary reads title of bill)
32. House Bill 1767, Senator McLendon is the Senate sponsor.
33. (Secretary reads title of bill)

1. House Bill 1769, by the same sponsor.
2. (Secretary reads title of bill)
3. House Bill 1771, Senate...by the same sponsor.
4. (Secretary reads title of bill)
5. House Bill 1655, Senator Bloom is the Senate sponsor.
6. (Secretary reads title of bill)
7. House Bill 1908, Senator Rupp is the Senate sponsor.
8. (Secretary reads title of bill) . .
9. House Bill 1979, Senator Rhoads is the Senate sponsor.
10. (Secretary reads title of bill)
11. House Bill 1982, Senator Coffey is the Senate sponsor.
12. (Secretary reads title of bill)
13. House Bill 2632, Senator Schaffer is the Senate sponsor.
14. (Secretary reads title of bill)
15. 1st reading of the bills.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Rock.
18. SENATOR ROCK:
19. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
20. In an attempt, at least, to afford all the members an opportunity
21. to have the Body address their legislation, I would suggest and I
22. have spoken with the Minority Leader, that we proceed on Senate
23. Bills, 3rd reading, today, commencing at the top of page 19 with
24. Senate Bill 973 and attempt, at least, to go right through to the end.
25. There are thirty-one amendments currently filed with the Secretary
26. with respect to 3rd bills that will have to be recalled and there are
27. some forty-four bills on 2nd, some of which are...have to move and
28. others, apparently, will not. But my suggestion is that
29. we would hold those off until first thing tomorrow morning and call
30. back those that have to be called back and...and move those from
31. 2nd to 3rd. As you will recall, the Minority has requested a caucus
32. to be held at 11:30 tomorrow morning. So, we'll come in at
33. 9:00 and attempt, at least, to get rid of as much as we can

1. on 2nd and recalls and then we will break for respective caucuses
2. and come back and attempt to address the Governor's Road Program.
3. So, my suggestion, Mr. President, with leave of the Body,
4. is that we go now to the Order of Senate Bills, 3rd reading, top
5. of page 19, and proceed.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Leave to go to the Order of Senate Bills, 3rd reading? Leave
8. is granted. We concluded our business yesterday and are ready to
9. proceed with Senate Bill 973 on the top of page 19. Senate Bill
10. 973, Senator Buzbee. Senate Bill 974. Senate Bill 975, Senator
11. Weaver. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 975.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. Senate Bill 975 does just as the Calendar
20. states, it establishes a special fund for the Attorney General
21. to receive gifts and grants for environmental purposes.
22. The amendment adds that all of these funds must be appropriated
23. by the General Assembly. If anyone has any question, I'd be
24. happy to try to answer it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? The question is shall Senate Bill 975
27. pass. Those in favor vote Aye. Those opposed vote Nay.
28. The voting is open. Have all voted who wish? Have all voted
29. who wish? Take the record. On that question the Ayes are 49, the
30. Nays are 2, none Voting Present. Senate Bill 975 having
31. received a required constitutional majority is declared passed.

32. Senate Bill 977, Senator Egan. Read the bill, Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 977.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Egan.
6. SENATOR EGAN:
7. Thank you, Mr. President and members of the Senate. Senate
8. Bill 977 is the package of changes in the Pension Code for the
9. Municipal Retirement Fund that are principally administrative
10. in nature. They came in with their proposals at least a year
11. ago to the Pension Laws Commission. They presented them. They
12. are totally consistent in their...in the way they handled bills.
13. If the Pension Laws Commission doesn't approve their proposals,
14. they withdraw them. They don't introduce them. These were all presented
15. to the commission. They were voted on favorably. They then put them
16. into bill shape and asked me to sponsor them. I'll answer
17. any questions, but they...they have the...the approval of the
18. commission. They passed the committee six votes to none and
19. I ask for your favorable consideration if there are no questions.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Is there discussion? Senator Berning.
22. SENATOR BERNING:
23. Just rise in support of this bill and suggest to the members
24. on our side to vote Aye.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Further discussion? Senator Graham.
27. SENATOR GRAHAM:
28. Senator Egan, please. A question.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Indicates that he will yield. Senator Graham. Can we have some
31. order, please, Gentlemen?
32. SENATOR GRAHAM:
33. ...a little order, you might be able to hear me.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Graham.
3. SENATOR GRAHAM:
4. Many of us have had a lot of correspondence from some of
5. our firemen and policemen regarding some proposals. That's
6. not embodied in this bill, is it? Thank you.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Egan, just for the record.
9. SENATOR EGAN:
10. Well, Senator Graham, just to keep you current, those letters
11. were relative to a different bill which has been completely revised
12. through an amendment and now has the approval of the fire and the
13. police. So, check it out.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Further discussion? Senator Wooten.
16. SENATOR WOOTEN:
17. Yes, thank you, Mr. President. A question about chronic
18. alcoholism. That is...is there a provision in here that indicates
19. chronic alcoholism is...is not...is not a bar to receiving benefits
20. only if you're under treatment?
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Egan.
23. SENATOR EGAN:
24. It merely removes the alcoholism as a disqualification for
25. disability benefits.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Wooten.
28. SENATOR WOOTEN:
29. How does that work then? In other words, if a fellow is
30. a chronic alcoholic, then he can go on disability because he is a
31. chronic alcoholic and stay there for that reason, is...is
32. that the way it would work?
33. PRESIDING OFFICER: (SENATOR BRUCE)
Senator Egan.

1. SENATOR EGAN:

2. Well, he has to be medically certified and having been medically
3. certified, he stays on the disability rolls until he is rehabilitated.
4. Or found unrehabilitatable, I guess.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Wooten.

7. SENATOR WOOTEN:

8. Well, I **guess** that's my question. You know, simply to be a
9. chronic alcoholic that could keep a guy on, I suppose, for the
10. rest of his life. But is there, in fact, some...at some point
11. in which you would determine that the guy just can't be rehabilitated
12. or isn't making some effort? I just wonder if we make...if we
13. hedge that around in any way, Senator.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Egan.

16. SENATOR EGAN:

17. Yeah, I think that the answer lies in the certification by
18. the medical profession. If a doctor will certify you as being
19. disabled, the alcoholism is not a...is now within the category of
20. those disabilities that are certifiable medically. And so if you're
21. ...if you're attending to your problem, medically, I would...
22. I would think that...that there's no question about your
23. disability. If you leave the medical...the sphere, if you don't
24. follow your doctor's directions, I'm sure you couldn't be certified.
25. And consequently, not be compensated.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Wooten.

28. SENATOR WOOTEN:

29. Well, that was my concern, I didn't see any language that
30. specifically said that you had to be under the doctor's care.
31. I'm just hoping and assuming that it's in the whole body of law
32. and use and practice. Otherwise, I think that would be a real
33. ...a real question as to whether that ought to be admitted as a cause
of disability.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? The question is shall Senate...Senator
3. Egan, did you wish to close? Senator Egan.

4. SENATOR EGAN:

5. Thank you. All I ask for is your favorable consideration.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is shall Senate Bill 977 pass. Those in favor
8. vote Aye. Those opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take the record. On
10. that question the Ayes are 55, the Nays are none, none Voting
11. Present. Senate Bill 977 having received a constitutional
12. majority is declared passed. Senate Bill 983, Senator Nimrod.
13. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 983.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. Senate Bill 983 is comprised with the Federal Energy Conservation
23. Act of 1975...79 and of course, is intended to promote increased
24. efficiency and utilization of energy resources. As a part of this
25. effort, our State Energy Conservation Program has been established
26. and in order for us to continue to receive the approximately
27. two million dollars in Federal funds, we must indicate our
28. intentions legislatively covering some five areas. Three of these
29. areas are already, in fact, in law and what happened is this bill
30. was amended in order to win the support of the Municipal League
31. which they have no objections and what the amendment did, of course,
32. was to provide that the technical assistance in the development of
33. local coal for thermal efficiency and lighting efficiency are on
a voluntary basis and directs the Institute to provide this assistance.

1. This, I think, is a good bill to meet the requirements without
2. legislating or mandating any kind of a specific program and it is
3. important for us to do this in order to continue to receive these funds.
4. I'd be happy to answer any questions. If not, I would ask for
5. a favorable roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is shall Senate Bill 983
8. pass. Those in favor vote Aye. Those opposed vote Nay. The
9. voting is open. Have all voted who wish? Have all voted who wish?
10. Take the record. On that question the Ayes are 49, the Nays
11. are 3, 1 Voting Present. Senate Bill 983 having received the required
12. constitutional majority is declared passed. Senate Bill 999...Senate
13. Bill 991, Senator Egan. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 991.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Egan.

20. SENATOR EGAN:

21. Thank you, Mr. President and members of the Senate. Senate
22. Bill 991 is a Scholarship Commission Bill introduced at their
23. request. It expands their authority under the Illinois Designated
24. Account Purchase Program, purchase loans from lenders. It...it...
25. what it does is fiscally broadens the ability of the commission to
26. obtain enough money so they can lend it to the students.
27. And I ask for your favorable consideration.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? The question is shall Senate Bill 991
30. pass. Those in favor vote Aye. Those opposed vote Nay. The
31. voting is open. Have all voted who wish? Have all voted who wish?
32. Take the record. On that question the Ayes are 49, the Nays are
33. 3, 2 Voting Present. Senate Bill 991 having received the required
constitutional majority is declared passed. Senate Bill 994,

1. Senator Grotberg. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 994.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Grotberg.
8. SENATOR GROTBORG:
9. Thank you, Mr. President and members of the Senate. Senate Bill
10. 994 places into the Marriage and Marriage Dissolution Act
11. that was reworked a couple of years ago, the specific contempt
12. provisions, some of which are available to the court in other
13. sections, but there has been a reluctance of the judges to
14. stray from some of these specific penalties unless they are in the
15. Statute. We have researched the Michigan Statutes which have one
16. of the more successful ones, but this provides the judge with the
17. power to get child support from errant spouses, could be husbands
18. or wives, and as a penalty to sentence them to periodic imprisonment,
19. et cetera. But they can go to work, they can go to school, they
20. can do all those things and I'd be glad to answer questions. It's
21. a relatively simple concept, much talked about but never done much
22. about. It's under...it adds a section to the contempt penalties
23. under Section 505. The failure of either parent to comply with an
24. order to base support shall be punishable as in other cases of
25. contempt. In addition to other penalties provided by law, the
26. court may, after finding the parent guilty of contempt, order
27. that the parent be sentenced to a periodic imprisonment for a period
28. not to exceed six months provided that the court may permit the
29. parent to be released for periods of time during the day or night,
30. to work, to conduct a business, other self-employed occupations.
31. The court may further order any part or all of the earnings of a
32. parent during a sentence of periodic imprisonment, paid to the clerk
33. of court or to the parent having custody or to the guardian

1. having custody of the minor children of said sentenced parent.
2. And this, then, gets at one of the problems where because of lack
3. of child support, Public Aid gets in, then we have to put the
4. skip tracers on through Public Aid. We would hope that you would
5. have a favorable response to legislation like this. I
6. would be glad to ask questions...answer questions if I find it
7. within my purview. We've given it a lot of study and I recommend
8. it for an Aye vote from this Body to help strengthen the support problem
9. that is found with so many of our single parents.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? The following Senators have sought
12. recognition: Senators Berman, Hall, Knuppel, Lemke.
13. Senator Berman.

14. SENATOR BERMAN:

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

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates that he will yield.

18. SENATOR BERMAN:

19. How does this bill differ from the authority that the court has
20. now under their civil contempt powers?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Not that much, Senator, but the judges that we have talked
25. to would prefer to see it in the Marriage Act so it gets dealt
26. with by all parties in...in court. There's a reluctance to use
27. the general contempt chapter. I think judges now have enough
28. latitude really, in that area.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman. Senator Hall.

31. SENATOR HALL:

32. Will the sponsor yield for a question?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates that he will yield. Senator Hall.

2. SENATOR HALL:

3. Senator, I...one part of my question, Senator Berman,
4. is ask now, on the other part, that this means that now you
5. may be sent to jail for one year, correct?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. No, not to exceed six months and they can...they can do that now,
10. but there's...you can't make any money. You can't...you can't
11. solve a support problem by just going to jail. This sets
12. the freedom to do that.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator...Senator Hall.

15. SENATOR HALL:

16. Well, that was part of my question. In other words, what you're
17. trying...you're trying to get to is that if a person has been ordered
18. to pay, I can see that the court can already do that, but I
19. was wondering if you were going to place them away for a long time,
20. you would be stopping his earnings.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Does just the opposite, Senator Hall. It lets him pay the
25. penalty...it gives the judge complete freedom to let the spouse
26. earn money, run his business or her business, whatever.
27. And that specific language is what the courts have been looking for.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Knuppel.

30. SENATOR KNUPPEL:

31. Well, does it allow this..house on that probation, Senator,
32. will it allow that house confinement? Now, if those two bills
33. were together, we just lock them in their bathrooms at home every
night at 5:00 o'clock and let them out the next morning, it might

1. work, but we don't have any jails to put them in and here's another
2. bill to lock everybody up and boy, if you lock up all the fellows
3. that don't support their ex-spouses and their children, we...we don't
4. even have prisons enough to start locking up the...the criminals,
5. let alone locking up...the errant husband, so if we can use that,
6. well, I'll support it. But we'll lock them all in the bathroom
7. and let them work in the daytime, lock them in the bathroom at
8. night.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Geo-Karis. Further discussion?
11. Senator Grotberg may close.

12. SENATOR GROTBORG:

13. Thank you. Only to say that this is a better way of doing it
14. than those means available to the court now, to just sentence...
15. they never do it hardly anymore to sent an errant spouse to jail.
16. This would allow them to put enough of that penalty on them, but
17. yet make enough money to pay that child support to get at the economic
18. problems and the errant spouses that are behind in their payments
19. and give them a chance to have it both ways, to make money and
20. to pay the penalty and/or pay the penalty and certainly the house
21. arrest concept under another Statute is available for a contempt
22. proceeding at the same. I recommend an Aye vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall Senate Bill 994 pass. Those in favor
25. vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Have all voted who wish? Take the record.
27. On that question the Ayes are 54, the Nays are 1, none Voting
28. Present. Senate Bill 994 having received the required constitutional
29. majority is declared passed. Senate Bill 996, Senator Lemke.
30. Senate Bill 997, Senator Lemke. Read the bill, Mr. Secretary, please.

31. SECRETARY:

32. Senate Bill 997.

33. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Lemke.
3. SENATOR LEMKE:
4. This is a bill that we worked out with the department and was in
5. a subcommittee. What it does is try to correct the Bingo Act
6. to regulate some of the abuses by bingo powers. I ask for its
7. favorable adoption.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Is there discussion? Senator Wooten.
10. SENATOR WOOTEN:
11. Yes, Senator Lemke, I...I can't sort out my mail on this. I
12. get people objecting to it and people for it. You...did you amend
13. this bill? I think there's...yeah...what...what changes in the bill
14. does the amendment make, Senator?
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator...Senator Lemke.
17. SENATOR LEMKE:
18. Well, number one, the one amendment calls for a...an audit
19. which wasn't in the other bill. The other bill...the other amendment
20. takes out the...the thing where it increases the three bingo
21. games. It takes that line out and it protects charities such as
22. Little City that run more than one bingo during the week.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Wooten.
25. SENATOR WOOTEN:
26. There's a line on page three, new language, no person, firm
27. or corporation holding such license, I gather that's a bingo
28. license, may rent or provide premises for the conducting of bingo.
29. Is...is that the holder of a regular bingo license, Senator?
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Lemke.
32. SENATOR LEMKE:
33. No, that's the holder of a...what they call a promoter, a man

1. that rents the equipment in the halls. What he does is he rents
2. out the equipment, seventeen, eighteen different places,
3. gets all kinds of rent and you have bingo where they have limited
4. the attendance to two hundred and fifteen people and each...
5. and each person has to pay thirty dollars to get in, which is not
6. the intent of the Bingo Act. The Bingo Act was to allow
7. little grandmothers to pay and buy one card if they choose
8. or buy as many cards as they want. But not to restrict
9. entrance because they won't buy...they won't...pay the thirty
10. dollars to get in. This is not the intent of the bingo and it's
11. not the intent to have promoters make money. If these people
12. that rent from these people can rent from other bingo licensees,
13. they have a proprietor interest in their premises such as churches
14. and veterans groups or fraternal groups. But it's not...the intent
15. of the Bingo Act was not intended so promoters could create
16. these big bingo palaces and give out all kinds of prizes and
17. confusion.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. Okay. I guess my specific concern is if an organization
22. wanted to raise money for its own purpose, charitable, educational
23. or whatever, as long as it's in that field, could they go to
24. someone who has a hall or a bingo license and rent that hall, have
25. a bingo game to raise money, would that activity still be
26. permitted?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Providing the owner of the hall was not a bingo promoter.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten.

33. SENATOR WOOTEN:

Then what is a bingo promoter, then? Just so I'm clear.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Lemke.

3. SENATOR LEMKE:

4. That's a guy that sells supplies and...and other things. You
5. can rent a hall if you have a permanent base. I mean if you...if
6. you want to set up a site and you're going to have a bingo there for
7. fifty-two weeks or you enter into a yearly lease, you can do it,
8. but what this bill does is prevents these...these bingo palaces
9. from leasing it for the hour or day to various people. They three
10. or four bingo games a day in the twenty-four hour period.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Collins.

13. SENATOR COLLINS:

14. Same line of questioning on Senator Lemke... 'cause I remember
15. this bill in committee and that was the hangup that I had. Now,
16. you did say you amended the bill. What specific changes did the amendment
17. make in reference to the three games a week? The question, in
18. committee was that a non-profit organization could hold a bingo
19. license and had a hall, but other non-profit organizations in
20. that area, may have a license but do not have the facility
21. but they rent from that particular non-profit organization that
22. has a facility. How does the amendment change that at this point?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Lemke.

25. SENATOR LEMKE:

26. The amendment allows them to rent from another non-profit
27. organization. But it doesn't allow them to rent from a private
28. owner who is not a charitable or fraternal group or a church or
29. whatever it meant to be.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Collins. Senator Mitchler.

32. SENATOR COLLINS:

33. I'm still not clear on what he's saying.

PRESIDING OFFICER: (SENATOR BRUCE)

End of reel.

1. SENATOR MITCHLER:

2. I have a question of the sponsor. Under the amendments
3. that you put on here, Senator Lemke, I notice that you have
4. specifically defined not-for-profit, charitable, educational,
5. religious, fraternal, veterans, labor. Now, those are specifically
6. defined and those groups that fall within the category of those
7. that I have just named are eligible to apply for a license. Here-
8. tofore, the Department of Revenue that is the administering
9. agency for the Illinois Bingo Act has issued a license merely
10. on an application being submitted to the department and
11. consequently many Bingo licenses have been issued in the State
12. of Illinois to people who did not qualify under the original
13. Bingo Act and many of them have had to be revoked. Now, I
14. have no problem with defining this, but let's take a case. Let's
15. say that the Elks Club in Aurora has a legitimate reason under
16. the fraternal qualifications here to have a Bingo license. They
17. operate their Bingo game on Wednesday night for the Aurora Elks
18. Club. Now, a not-for-profit organization, as described as an
19. organization or institution organized and conducted on a not-for-
20. profit basis with no personal property insuring...I think you
21. have a misspelled word there...to anyone as a result of the
22. operation wants to rent out the Aurora Elks facility for a
23. Bingo operation on Thursday night. Can that be done now under
24. this Act? Yes or no.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke.

27. SENATOR LEMKE:

28. It can be done not...under the present Act, no, but it can
29. be done with this amendment legally. It's being done. It's
30. just that this legalizes it because the...director of the depart-
31. ment, Zagel, doesn't want to go putting legitimate charities and
32. not...and veterans groups in out...out of business, but with this
33. ...this would allow them as long as they...they have a proprietor

1. interest and as long as they...they have...they're a not-for-
2. profit organization and they're not in the business of selling bingo
3. supplies and promoting.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Then another question to further expand on that. Let's
8. say a veterans organization or a labor organization or one of
9. these other classifications, religious, charitable, education
10. wanted to operate a Bingo at the Aurora Elks Club on a Friday
11. night, how many nights can the Aurora Elks Club operate their
12. Bingo, like on Wednesday night and then rent it out to some-
13. body else, under your amendment if this bill passes?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. As many times as they wish.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. Senator Mitchler, your time has expired.

20. SENATOR MITCHLER:

21. Then...well, we have...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well...

24. SENATOR MITCHLER:

25. ...some questions here, Mr. Chairman. I ask for leave.
26. The...then they could operate...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there leave?

29. SENATOR MITCHLER:

30. ...seven nights a week...seven nights a week at the Aurora
31. Elks Club for different organizations using their facility.

32. PRESIDING OFFICER: (SENATOR BRUCE).

33. Senator Lemke.

1. SENATOR LEMKE:

2. I would assume if they qualify under the...those sections
3. of fraternal, charitable, educational and so forth, they could.
4. Senator DeAngelis helped draft the amendment 'cause he was in
5. the subcommittee.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Well, Senator Mitchler, you...you have the privilege of
8. speaking a second time. Senator Mitchler.

9. SENATOR MITCHLER:

10. Just one sentence in closing. Then I think this expands
11. the Bingo so that you're going to put a notice on the original
12. Bingo Act because you're going to open it wide open to Bingo
13. games being run seven days a week out of all of these different
14. places and in these towns it's just not profitable and the...
15. the big winners are going to take over and move out the little
16. guy. I have some...some problems with this Act and I'm...I'm
17. forced to vote a negative vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Sangmeister. Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Mr. President and member of the Senate. As a joint sponsor
22. of this bill, I'd like to point out two things that it does.
23. First of all, Senator Mitchler, currently they can play seven
24. days a week, so there's no difference in that. It does not
25. expand the amount of time that Bingo is played. This bill was...
26. was designed to do two things. First of all, it removed those
27. so-called not-for-profit scantily clad so-called charitable
28. organizations from functioning. Let me give you an example.
29. Right now, the Society for the Education of Mosquitoes could
30. apply for a Bingo license, turn around and conduct Bingo, take
31. the proceeds and run...and run far flung trips throughout the
32. continent and across the continent and use that money for
33. educational purposes in determining the validity of mosquitoes.

1. These people have hurt good, charitable organizations and in
2. putting in the...the tightening of what these organizations
3. should be, we close the gap on that. The second one, which
4. is the most important part allows the Department of Revenue
5. to seek an audited financial statement from every organization
6. holding a Bingo license, which does two things. One, determines
7. its legitimacy, two, determines where the proceeds of that Bingo
8. are going. There has been a tremendous amount of abuse of the
9. Bingo rules and laws in the State of Illinois. Good charitable
10. organizations have been hurt and the only thing this bill really
11. does is tightens up who's going to get the license, secondly,
12. allows the policing of those after they get a license and the
13. third thing it does, is it allows the good legitimate operators
14. to continue to stay in business. I ask for your favorable
15. support on this.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Berman.

18. SENATOR BERMAN:

19. A question of the sponsor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. He indicates he will yield. Senator Berman.

22. SENATOR BERMAN:

23. Was there any change made on page 6 of this bill by the
24. amendment?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke.

27. SENATOR LEMKE:

28. I yield to Senator DeAngelis 'cause he was on the sub-
29. committee that drafted the amendment. Did we change page 6?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator DeAngelis.

32. SENATOR DeANGELIS:

33. Yes, Senator Berman. The only change we made was that the

1. certified public accounting firm be an Illinois firm.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Berman.

4. SENATOR BERMAN:

5. That's the only change that the amendment made?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator DeAngelis.

8. SENATOR DeANGELIS:

9. I'm sorry. Page 6 was not changed. I'm sorry.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berman.

12. SENATOR BERMAN:

13. Well, then I...I have problems. Then I think many of us

14. do with what this bill is ultimately going to do. We've heard

15. this...the comments regarding these Bingo palaces. I've got

16. one of these places located in my district. The neighbors have

17. some complaints from time to time, but I'll tell you this. I

18. see all these little old ladies and these little old men pull

19. up with buses and they have a hell of a good time. That's

20. their action. They're not disturbing anybody. There are

21. charities that are making some money from these...games and

22. I'm not sure what this bill is going to do to those kind of

23. people because I think it's the intent to close up those

24. operations. That's a...that's a Bingo palace and there are

25. groups that are operating out of there and they're making money

26. for their charities and if this bill is going to put those Bingo

27. palaces out of business, I'm not sure we're doing anybody any

28. favors, but let me tell you what another specific objection...is

29. on this bill and I want to read this. Violations of the Bingo

30. Act are in derogation of public policy, welfare and interest

31. and the department may revoke without notice or hearing the

32. license of any licensed organization which violates this Act

33. and then it goes on...after they revoke they can grant the hearing.

1. I have not heard that kind of language that I'm aware of in
2. any kind of civil type of legislation. Why should we grant the
3. department the right to revoke a license without a hearing? Could
4. you...could you explain that to me, Senator DeAngelis?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator, well...Senator, since that is not part of the
7. amendment, it might more appropriately be directed to Senator
8. Lemke, who is sponsor of the bill. Senator...Senator DeAngelis.

9. SENATOR DeANGELIS:

10. The reason...Senator, one of the reasons...first of all
11. they do have to violate the Act. Okay. I mean it's not that
12. you can promiscuously...well, I think they're really...they're
13. relating to the fact that when they conduct this audited state-
14. ment, if they find some irregularity that they, in fact, will
15. close them down or revoke their license. What you're talking
16. about here and let me give you an example how it occurred my area.
17. We had a Bingo operator who took three churches and gave the
18. ministers a hundred bucks a week to use their licenses. These
19. games were bringing in fifteen to twenty thousand dollars a
20. night. All right. Now, if you allow these people to operate
21. and you wait for a hearing and you do all of this, in the
22. meantime, hundreds of thousands of dollars have been gone away
23. from legitimate operators. Now, the director of the Department
24. of Revenue, Jim Zagel, we talked about this considerably, the
25. State of Illinois is not interested in destroying a revenue
26. source. It is not interested in diminishing the interest in
27. Bingo, but what they are trying to do is get the bad people out
28. of the business because these are the ones that hurt the good
29. people. They hurt the churches, they hurt the...the unions,
30. they hurt the educational organizations, they hurt the charitable
31. organizations and if they cannot move quickly...let me give you
32. an example. We filed a complaint on November 24th regarding
33. these organizations, do you know that as of May these places have

1. not had their license revoked yet.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator...Senator Berman.

4. SENATOR BERMAN:

5. Yes, just as a follow up to my question. I can think of
6. hundreds of regulatory laws and criminal laws that we have on
7. the books and to my knowledge there is nothing including
8. murder, sale of dope, et cetera, that gives unbridled authority
9. and I think those are much more heinous types of crimes...Sales
10. Tax involves millions of dollars and we don't give that kind of
11. authority. Why should we give the authority to the department
12. to...automatically revoke? If there's a serious problem, they
13. can run in and get an injunction overnight, but you're allowing
14. revocation without hearing with that kind of provision. I can't
15. support this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Lemke may close.

18. SENATOR LEMKE:

19. I think what we're doing here is giving the department
20. some codification to stop the unauthorized and illegal operation
21. by private individuals of operating Bingo palaces for profits.
22. In the...I have talked to the various groups, churches, veterans
23. groups, fraternal groups and they're all in favor of this bill
24. because what it does is...they're not completely happy with it,
25. but what it does, it does give the department the means to close
26. up private businessmen from making a profit off of Bingo. By
27. using licenses or creating some society just for the
28. purpose of Bingo and to make profits and make huge profits
29. through rent and management and I think this is needed. What
30. happens right now, is it gives the department some...leverage.
31. They could do it probably now, but they would have to go through
32. court to do it...and that time these...these profiteers would
33. be making fifteen, twenty thousand dollars a week and who cares

1. if they lose off. It's like the guy with the digital watch,
2. after he had all the money and it was gone, you don't put it
3. back in the people's pocket, so I think the bill is necessary
4. and needed and I ask for its favorable adoption.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is, shall Senate Bill 997 pass. Those in
7. favor vote Aye. Those opposed vote Nay. The voting is open.
8. Have all voted who wish? Have all voted who wish? Have all
9. voted who wish? Take the record. On that question, the Ayes
10. are 29, the Nays are 13, 6 Voting Present...the sponsor asks
11. that further consideration of Senate Bill 997 be postponed.
12. The bill will be placed on the Order of Postponed Consideration.
13. Senate Bill 998, Senator Berman...Secretary...

14. ACTING SECRETARY: (MR. FERNANDES)

15. Senate Bill 998.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. Senate Bill 998 increases the limits recoverable under
23. the Illinois Dram Shop Act. The Act was last changed in 1956.
24. That's twenty-three years ago. It...this bill after amendment,
25. which amended the limits downward increases the limits from
26. fifteen thousand and twenty thousand to twenty-five thousand and
27. thirty thousand. Be glad to respond to any questions. Ask
28. for your favorable vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further...Is there discussion? Senator Grotberg.

31. SENATOR GROTBORG:

32. Thank you, Mr. President. What I would prefer this bill
33. did, would be...to repeal the Dram Shop Act, which is probably

1. the lousiest Act we've got on the books in the State of Illinois
2. and to sweeten the pot and raise those insurance premiums, I
3. know the Senator has a good motive in this to...in these...these
4. days of inflation, but I submit to this Body that anything we
5. do to make the Dram Shop Act any better is a gross injustice to
6. the equity involved in the problem of alcohol, in general, and
7. putting the monkey on the back of that honorable distributor of
8. spirits for those who cannot or will not contain themselves in
9. the trough and it is a bad law to begin with. To improve it, I
10. seriously object to make it any better. I would urge everybody
11. with any common sense to, maybe, if we leave it there for the
12. next twenty years, Senator Berman, it will be worthwhile to
13. repeal it, but that's my attitude. I'm going to vote No on the
14. bill and I would urge each and every one of you to think in
15. those terms. Thank you.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, I'm, as you know, probably anti-alcoholic if...if I
20. could have prohibition I would have it, but this is literally
21. a bad bill for somebody, at least, that...that practices in
22. trial work and sees what happens. What happens is...you raise
23. the limits, it makes it more difficult and more expensive to
24. get and more and more people don't bother to carry it, so if
25. you keep it where it's at, you probably will get a higher rate
26. of compliance, a wider spectrum of people will be protected.
27. The way it is today you can't afford to run a tavern unless you
28. either...you incorporate, drop your Dram Shop and then nobody can
29. go through the corporate veil so they're nailed anyway. So, I...
30. I just think it's a step in the wrong direction. As I say, I...
31. I'd be for prohibition if I could get it, but if you're going to
32. let people drink and get out on the roads and hurt and kill other
33. people, I'd rather they had some insurance than no insurance and

1. I think that's what the result of this is going to be.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. I have to comment similarly to
6. Senator Grotberg. It would appear to me that while the efforts
7. may be laudable in attempting to protect a segment of society,
8. what we are doing whether we recognize it or not is discriminating
9. against a legitimate business activity. There isn't another
10. business in the State of Illinois other than the tavern business
11. that is required to protect its customers from their own wrong-
12. doing. Now, I submit Ladies and Gentlemen of the Senate, that if
13. we stop to recognize that the vast majority of highway related
14. accidents and deaths are in some way involved with someone who
15. has been drinking, then what we ought to do, is raise the benefits
16. to about a quarter of a million dollars, if it's going to be of
17. any advantage. On the other hand, anyone of us or members of our
18. family who have any interest in our own estate and our families
19. certainly ought to carry our own insurance, an adequate amount,
20. to provide for such eventuality as death on the highway or any
21. other way and if we are interested in protecting ourselves, then
22. we don't need this kind of punitive action, which for all intents
23. and purposes does nothing but discriminate...discriminate against
24. one segment. One segment of our business community. It is gross
25. discrimination and in my opinion, unjustified and indefensible.
26. I would suggest that, yes, we ought to consider what Senator
27. Grotberg already proposed, that we should eliminate this Dram
28. Shop Act and put these people on an equal footing with everyone
29. else. They cannot control their customers.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Bowers.

32. SENATOR BOWERS:

33. Would the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. He indicates he will yield. Senator Bowers.

3. SENATOR BOWERS:

4. Senator Berning, there was...Berman, there was a statement
5. made on the Floor that it would cause people to drop their
6. Dram Shop insurance. My impression was that you can't have a license
7. unless you file with the department...proof that you have Dram
8. Shop insurance. Isn't that correct?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berning...Berman.

11. SENATOR BERMAN:

12. I'm...I'm not sure. I know that most of the time when you
13. ...when you lease a store, the requirements in the lease requires
14. Dram Shop insurance. I don't know if it's a requirement of
15. licensure.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Vadalabene, for what purpose do you arise?

18. SENATOR VADALABENE:

19. Yes, the...there's such a thing as a Dram Shop Act,
20. Senator Bowers, but that doesn't mean that you have to have
21. Dram Shop insurance, but the Act is so...so...the Act...the
22. Act has such a power over the tavern owner that if he has any
23. type of property or owns anything, he'd better carry insurance.
24. He better carry it because they can wipe him out. Now, he
25. doesn't have to unless he wants to, but Senator Berman, is
26. correct. The landlord who owns a building where he rents it
27. almost insists in his lease that he carries Dram Shop insurance.
28. I am not for this bill, however, he doesn't have to carry it
29. unless he wants to, but he's taking his life in his hands if
30. he doesn't carry it and you ought to try to pay for these
31. premiums today. They're getting completely out of hands and if
32. you raise the limits they're going to wipe them completely out
33. of business. One of the best revenue producing industries in the

1. State of Illinois.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Thank you, Doctor Vadalabene. Senator Bowers.

4. SENATOR BOWERS:

5. I'd like to pursue it just a little more. Then, do the

6. local authorities, Senator Berman or Senator Vadalabene, have

7. the power to require Dram Shop insurance?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berman.

10. SENATOR BERMAN:

11. I didn't hear the question.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bowers, would you repeat the question?

14. SENATOR BOWERS:

15. Do the local authorities have the power to require Dram

16. Shop insurance? The reason I asked the question is, that if

17. you try to get Dram...a license in...in my locality, anyway,

18. you've got to furnish proof of insurance to get it and I'm

19. trying to find out what the source of that requirement is.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berman.

22. SENATOR BERMAN:

23. No, I don't think it's the requirement of the law. Again,

24. it's a...it's a commercial interest between a landlord and tenant

25. is usually the only leverage aside from a desire to protect

26. yourself.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Bowers.

29. SENATOR BOWERS:

30. Well, Mr. President, I...I repeat that, at least, in my

31. locality when you try to get a license, you have to show proof

32. of Dram Shop insurance in order to get that license. Whether

33. it's a local requirement, I assume it must be a local requirement

1. and whether it's valid or not, I don't know, but that's the
2. requirement. I just want to suggest to the Body that what we
3. have to consider is the theory of the Dram Shop insurance. The
4. theory says, that...that drinking caused problems and that as
5. long as it causes problems, those who drink have to support this
6. particular type of insurance. Now, you can...you can bleed about
7. the poor tavern owner and that's fine. The simple fact is, that
8. those of us who go there and buy a drink pay it. The cost of
9. the drink goes up and so what society has said to us or what we
10. have said, as a matter of policy is that drinking causes problems
11. and those...those particular problems should be relieved or
12. alleviated by this particular type of an action. I think it's
13. a good bill and I would like to see the Body support it. Thank
14. you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Lemke.

17. SENATOR LEMKE:

18. Well, being a trial lawyer, I should be for this bill, but
19. I'm against it on the basic principle...if you're a owner of a
20. building and you happen to have a tavern in there and you enter
21. into a lease and you require that tavern owner to have Dram Shop
22. insurance. Okay. Someplace along the line the guy doesn't pay
23. the premiums. The policy is cancelled. Under this Act you are
24. liable for that...for the damages under the Dram Shop if there's
25. no insurance. They take your property and off you go and you
26. have no control over it and you try to collect it from a tavern
27. owner and it goes out of business. What you're finding out is,
28. tavern owners can't afford the additional insurance. I think
29. there is also a problem in getting people to write Dram Shop
30. insurance. Companies will not write Dram Shop insurance. There's
31. only very...there's only a handful of companies that write Dram
32. Shop insurance. Most of them have gone broke because it's not
33. a profitable line of business, if it's not written the way it should

1. be and I...I think that the bill should not be passed and I
2. think the bill should be left here and...and worked on some
3. more, so we can protect the property owner so he doesn't have
4. to worry about getting...getting...losing his property because
5. he just happens to have a tavern that he rents in his building.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, just briefly. I don't know of any insurance that you
10. can buy anywhere in the State of Illinois where the wrongdoer...
11. the person who goes out and gets drunk drives over a cliff, breaks
12. an arm, breaks a leg, comes back and his wife sues for loss of
13. means of support, gets a check and he goes out and gets drunk
14. again. I don't think that we want to raise the...the limits on
15. a wrongdoer who will be compensated. I don't know of any insurance
16. company or any other insurance you can buy where you do a wrong
17. and then get money for it. This is a bad bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, this is the second time, but Senator Bowers raised
22. some questions. The law is very explicit that there is no require-
23. ment that you have to have insurance and the only lever they
24. said is the lever the landlord puts on the tenant but many, many
25. times no one will rent for tavern use and as a result, the
26. guy that's running the tavern buys some rundown place, he incorporates
27. because he can buy the place and incorporate cheaper than he can
28. pay the premiums and then somebody gets in his place and that's the
29. kind of operator that let's them get drunk and they get out on
30. the road and run over somebody and as a result he has no insurance.
31. There's no recovery and the responsible people are the people
32. that are going to get hurt by this bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? Senator Berman may close.
2. Senator Vadalabene, were you seeking recognition? Senator
3. Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President. I think it's interesting that
6. what we have heard on the Floor is defense of the people that
7. are in the...in a profit making business. The landlord rents
8. his store for a profit. The tavern owner is...sells his liquor
9. for a profit. The Dram Shop Act has been passed and has been
10. on the books with a very laudable purpose and that is, to
11. protect the innocent public. If you're walking across a street,
12. get hit by a drunk driver that was served liquor in a tavern
13. and became intoxicated in that tavern, you've got a right to
14. go against that tavern and it was the policy of the State of
15. Illinois by passing a Dram Shop Act that determined that
16. the people that are making money out of this operation are
17. better able to carry the burden than the innocent person that
18. gets hurt as the result of the action of a drunken person. Now,
19. since 1956, I'd say the cost of living index has probably
20. tripled. All we're doing by this Act is increasing the limits
21. for those people that are innocently...innocently hurt as the
22. result of the wrongful act of a drunk. From fifteen thousand
23. and twenty thousand limit to twenty-five and thirty. Now, let
24. me point out to you as you all recognize when we start weeping
25. tears about the cost of this insurance. Let's look at your own
26. automobile coverage for a minute. The most expensive part of
27. your coverage is when you first buy your ten thousand...twenty
28. thousand initial coverage. That's the most expensive. You can
29. go to twenty-five...fifty and fifty and a hundred for a small
30. increase in the dollars because it's the basic coverage that is
31. your highest cost. It's the same thing with Dram Shop. The
32. amount of increase by increasing the limits as called for in
33. this bill will be a very small increase in the Dram Shop coverage.

1. Statistics have shown that there are not a lot of awards made
2. under the Dram Shop Act. It is not a big payout to widows and
3. children that are hurt as a result of this. It will be a small
4. increase in premiums and certainly to protect the innocent person.
5. It's certainly called for after twenty-three years of no increase
6. in coverage. I urge your Aye vote on this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is, shall Senate Bill 998 pass. Those in
9. favor vote Aye. Those opposed vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish? Take the
11. record. On that question, the Ayes are 21, the Nays are 27,
12. 2 Voting Present. Senate Bill 998 having failed to received the
13. constitutional majority is declared lost. Senate Bill 1000,
14. Senator Berman. Senate Bill 1003, Senator Netsch. Read the
15. bill, Mr. Secretary, please.

16. ACTING SECRETARY: (MR. FERNANDES)

17. Senate Bill 1003.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. President. This adds a...basically changes
24. some definitions and adds a paragraph to an existing law, which
25. is known as the Violation of Building Codes Act. The principal
26. purpose...most of the rest of it is just supportive of that, is
27. to require prompt inspection once a notice of a Building Code
28. violation is filed, as amended not as originally introduced, but
29. as amended after consultation with Senator Nash and others on the
30. committee. The bill now provides that once a notice is filed
31. the building must be inspected within twenty-one days after the
32. receipt of the complaint and as I indicated the rest of the changes
33. basically, are supportive of that by further definition. The...the

1. point is very simple. It is that where you have a neighborhood
2. that is perhaps going through troubled times, that prompt action
3. often is absolutely critical to preserving not only the
4. particular building, but also ultimately the entire neighbor-
5. hood. The bill was recommended and written by a number of
6. community groups who have found that prompt inspection is
7. critical to their purposes. I would be happy to answer questions.
8. If not, I would solicit your support.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? The question is, shall Senate Bill 1003
11. pass. Those in favor vote Aye. Those opposed vote Nay. The
12. voting is open.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Have all those voted who wish? Have all those voted who
15. wish? Take the record. On that question, the Ayes are 44,
16. the Nays are 4. Senate Bill 1003 having received the
17. constitutional majority is declared passed. Senate Bill 1011,
18. Senator Carroll. Read the bill, Mr. Secretary.

19. ACTING SECRETARY:

20. Senate Bill 1011.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President and Ladies and...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Would the...would the caucus immediately behind the speaker
29. retreat or quit?

30. SENATOR CARROLL:

31. Would you ask the Assistant Leader to have his caucus else-
32. where?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. I just did.

2. SENATOR CARROLL:

3. Okay. I couldn't hear you from all the noise. You know...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. I understand.

6. SENATOR CARROLL:

7. Thank you, Mr. President and Ladies and Gentlemen of the
8. Senate. This bill you'll note is the hyphenated sponsorship of
9. myself and Senator Buzbee because through the amendment there
10. are really two parts to this bill. My biggie part is the
11. repealing of the Illinois State Horticultural Society. This
12. was part of the Governor's task force recommendation and a
13. savings to the State of eight thousand dollars per year. I would
14. hand it off to Senator Buzbee to explain about the Apple and
15. Peach Marketing Act that was amended onto it. Senator Buzbee.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. In the repealing of the Horti-
20. cultural Society Act there was a grant made by the Department of
21. Agriculture to these folks over the years for the continuation
22. of their society and with...with the repealing of that, the
23. peach and apple growers in Southern Illinois want to continue
24. to be able to market their product and to be able to continue
25. their society and in so doing, they have requested the ability
26. to tax themselves. This would be enabling legislation for peach
27. and...and apple marketing programs, which wasn't passed...passed
28. in 1971. No program, however, had been established because of
29. failure to pass a referendum. This amendment would decrease
30. the percentage of approval required to pass a referendum and the
31. peach and apple growers have requested this because they do
32. intend to have the election again. They think they can pass it
33. this time and they want to tax themselves and I would ask for

1. your favorable consideration.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there discussion? Senator Wooten.

4. SENATOR WOOTEN:

5. No. No.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Would you turn off your light please?

8. SENATOR BUZBEE:

9. Would you turn off my light please, too?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

12. Senate Bill 1011 pass. Those in favor vote Aye. Those opposed

13. Nay. The voting is open. (Machine cutoff) who wish? Have all

14. those voted who wish? Take the record. On that question, the

15. Ayes are 50, the Nays are 1. Senate Bill 1011 having received

16. the constitutional majority is declared passed. Senate Bill

17. 1017, Senator Newhouse. Senate Bill 1018, Senator Lemke.

18. Did you wish it called, Senator? Senate Bill 1019, Senator

19. Lemke. Read the bill, Mr. Secretary.

20. ACTING SECRETARY:

21. Senate Bill 1019.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Lemke.

26. SENATOR LEMKE:

27. What this bill does is...is calls for a summary administration

28. of estates. It...what it does is permits the surviving spouse to

29. receive a disputation in thirty days after her petition is filed

30. as opposed to the present procedure, which requires much longer

31. period. It...it's an estates less than fifty thousand dollars

32. and it's a good bill because it will allow the widows and the

33. widowers to get their money out of their savings accounts and

1. stocks and transferred over and still not have to get tied up
2. in long...in long administration of estates. I...I think the
3. bill should be adopted.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there discussion? Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. Will the sponsor yield for a question, Mr. President?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He indicates he will.

10. SENATOR GEO-KARIS:

11. What about if there are debts against the estate?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Lemke.

14. SENATOR LEMKE:

15. What this does is...is...you can't administer the estate,
16. you put up a bond. You still have to go...the bonding requirement
17. is not the thing. The bond is there for up to fifty thousand
18. dollars for whatever...if that's what the estate's value is
19. and the bond is put up and the bond is usually one and a half
20. times the estate value.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Geo-Karis.

23. SENATOR GEO-KARIS:

24. Then...Senator Lemke, you are saying, in effect, that all
25. goes to the...widow or widower will be receiving the proceeds
26. of the estate under fifty thousand dollars. There will be a
27. bond posted. You did not eliminate that so that if anything
28. goes wrong there will be someone liable for those bonds with
29. some of those proceeds. Right?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Lemke.

32. SENATOR LEMKE:

33. That's correct and this bill is also optional on the surviving

1. spouse. She doesn't have to do it if she don't want. She
2. can go the long way if she wants.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. I rise in support of Senate Bill 1019. This is an-
8. other option that has afforded the beneficiaries of an estate
9. under fifty thousand dollars and it provides for summary
10. administration. It will reduce the costs of the beneficiaries
11. and it will reduce probate fees and I think it's something that
12. can and should be supported by all of us and I'd urge an Aye
13. vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? The question is, shall Senate
16. Bill...Senator Egan.

17. SENATOR EGAN:

18. Yes, thank you, Mr. President. I...I question whether or
19. not this is going to be a...a cheaper method of administration.
20. That's my only problem. How is it cheaper than the present
21. situation?...you know...when you have to start paying fees
22. for bonds, you might just as well pay the lawyer.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Lemke.

25. SENATOR LEMKE:

26. Well, no I...that's not true. This is much cheaper because you
27. don't have the court costs. You don't have the other problems
28. involved. If the man has...he can...he can put up his own if
29. he owns...if she owns property or he owns property they can put
30. up their house as a bond. They don't have to go to a bonding
31. company. They can meet certain requirements to post their...
32. their bond, but the bond is going to be equal to the fifty
33. thousand dollars or whatever they figure it is. All this does is

1. allow an option to the widow or the widower to get his money
2. and not get tied up in estates and this is after the petition is
3. filed and I think it's much cheaper because what happens is
4. people are forced to go out to borrow money until their money
5. is released 'cause of the administration and I think this will
6. result in costs...in the cut of costs. It will also
7. cut down the docket in the courthouse because what's...what the
8. problem in the courthouse is these small estates never get closed
9. and they have to be closed and...and the court has to go through
10. an expensive procedure to close the estates and the attorneys
11. and the people just forget about it once they get the money
12. and no final accounts are filed, so this is a good bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate.
17. Although I am a lawyer and it might be in conflict, I think
18. this is a good bill. It will save some aggravation and costs
19. and the...the bond that is posted usually can be a surety bond
20. by other people who are solvent and with enough assets to make
21. the difference of...to double the bond...it's a personal
22. bond and the insurance bond is...I think one and a half times
23. the amount of the estate. I think we need some relief because
24. we have overdone it and I think if we can save people some money
25. and particularly the wear and tear and aggravation of getting
26. into their funds when they need them, I think we should do it
27. and I speak in support of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Lemke may close if he wishes.

30. SENATOR LEMKE:

31. I ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The question is, shall Senate Bill 1019 pass. Those in

1. favor vote Aye. Those opposed Nay. The voting is open. Have
2. all those voted who wish? Take the record. On that question,
3. the Ayes are 56. Senate Bill 1019 having received the
4. constitutional majority is declared passed. Senate Bill 1021,
5. Senator Maragos. Do you wish to call the bill? Read the bill,
6. Mr. Secretary. Would the parties in front of Senator Maragos
7. please...

8. ACTING SECRETARY:

9. Senate Bill 1021.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Maragos.

14. SENATOR MARAGOS:

15. Mr. President and members of the Senate. Senate Bill 1021
16. makes an exception in the Workmen's Compensation Act that
17. states that any recoveries are made by...that have been made
18. by an individual under the...under the Products Liability Act
19. shall not be a lien on the Workmen's Compensation portions
20. that have been paid to the employee and thereby releasing
21. the employer from having to collect that money from the
22. employee when the workman...when the manufacturer or any...one
23. else in the line is found guilty of the...Workmen's...Products
24. Liability. The fact is that many of these cases where there
25. has been recovery the workmen's, I mean the Products Liability
26. is...the one with either the manufacturer or whoever or the jobber
27. who is found at fault has been found at fault and has to pay a
28. pretty large sum normally to the party that was injured. Because
29. of the nature of that injury the employer should not have to go
30. collect again from his employee any benefits he gave him under
31. the Workmen's Compensation Act. This protects the employer as
32. well as the employee from the actions of a manufacturer after
33. they're found guilty...of neglect or willful and wanton

1. actions, so therefore, I think it's a good law to make an
2. exception in this case from recovery for repayment under the
3. Workmen's Compensation Act and I ask for your support.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Keats.

6. SENATOR KEATS:

7. Will the sponsor yield for a question?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He indicates he will.

10. SENATOR KEATS:

11. I have some question in terms of the overall impact of
12. this Act. Would this allow the actual employer...the manufacturer
13. to escape a lawsuit? Right now, the guy gets hurt on the job.
14. He's covered by Workmen's Comp. It's a no fault. Under Product
15. Liability he then turns around and sues not his employer, but
16. the manufacturer of machinery, but the manufacturer of the
17. machinery can at a later date turn around and sue the guy's
18. employer saying, look, there was nothing the matter with our
19. machine, the problem was your poor installation. Does this
20. now allow the manufacturer to escape that lawsuit for not
21. correctly taking care of his own machinery?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. No. Your...you're making an assumption there, Senator Keats,
26. that is not correct when...when the finding is against the
27. manufacturer. The finding...that works...the Products Liability
28. findings states that the manufacturer or someone else besides
29. the employer was at fault. Normally in these actions the...
30. the employer is also made a part of the suit, but if the finding is
31. against the employer, I mean against the manufacturer that he
32. was at fault, then he can...he has no right to go back to the
33. employer and say, just because you have to redress me to a

1. certain extent and you paid the...that I...that you paid the
2. employer and therefore I want that money back, so it's protecting
3. the...the...the employer as well as the employee in this
4. particular situation because if the finding is against the
5. employer then the...there would be no case by the...by the
6. manufacturer to come back against the employer.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Keats.

9. SENATOR KEATS:

10. What we're talking about I'd...I appreciate your answer
11. and while your answer is correct, I'm not sure that was my
12. question and I'm not trying to give you a hard time, but what
13. I'm saying is, the guy...the employer...you know and I know
14. and most people are aware...the injuries under what would be
15. called Products Liability suits are quite often not the
16. manufacturer of the machine, it's quite often not the machine
17. that's at fault, it is the actual employer, the manufacturer
18. who did not install it correctly or simply did not maintain
19. that machine and what I'm wondering, I just want to make sure
20. that those who fail to maintain their machinery and those who
21. are perhaps not installing it correctly to make sure they don't...
22. escape that second lawsuit.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Maragos.

25. SENATOR MARAGOS:

26. Mr. President, Senator Keats, what happens here is the...
27. the jury's findings or the court's findings that the manufacturer
28. was at fault. It's not...in your situation would you say, then
29. the findings would be that the or the employer who had installed
30. it or that uses the machine was at fault but with...in the...in
31. a situation where there's a finding by the jury or the court
32. that the manufacturer or jobber other than the employer was at
33. fault then they cannot come back and say to the employee you have

1. to reimburse us for part of this action even though it was not
2. the employers fault.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Keats.

5. SENATOR KEATS:

6. That follows up another question. Who is the present lien
7. protecting? What's the point of having that lien?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Maragos.

10. SENATOR MARAGOS:

11. The purpose of the lien was to protect the...the employee
12. I...I mean to protect the employer if he was sued or his
13. insurance company by a...another...person wrongdoing, then he
14. ...he cannot go...then he has to be given the money. The point
15. is this protects the employer...employer from having to go
16. collect that money when he is not at fault.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Keats.

19. SENATOR KEATS:

20. Your response to my question there is the response I wanted
21. in the first two. Now, under Workmen's Compensation when a
22. worker is injured on the job, he or she may not sue their own
23. employer. After all, it is a no fault insurance. You have
24. given up your right for tort action under Workmen's Compensation.
25. Okay. If you have Workmen's Comp you can't sue your employer.
26. Now, what this lien does, is it allows the employer who has been
27. negligent to get out from underneath his own negligence and taking
28. away this lien, I don't see how it is really benefiting...anyone
29. other than the negligent individual.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos. Your...your time, Senator Keats, has expired.

32. SENATOR MARAGOS:

33. No, I think you misunderstand the thrust of this, Senator

1. Keats. The point is, we are trying to protect the employer or
2. the employee from being...have to reimburse the manufacturer
3. when the manufacturer of the job is at fault. That's the
4. situation we're trying to do by this Act. That's why it's
5. unique in that...than that other experience. It was a finding
6. against the employer, I mean against the manufacturer or the
7. jobber other than the employer and then they don't have a
8. right to come back and say to the employer or the employee,
9. you've got to reimburse me for the parts that you've overcome
10. on your Workmen's Compensation and therefore, increase the
11. premiums of the employer who had nothing to do with the injury.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. All right. Senator Keats.

14. SENATOR KEATS:

15. Okay. Senator Maragos, I understand the thrust of the bill,
16. but I just don't think it's going to do what you think. I,
17. personally, intend to vote Present because I think what we're
18. going to end up doing is allowing the negligent party to get
19. out from underneath their own negligence.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Washington.

22. SENATOR WASHINGTON:

23. Mr...I think Senator Maragos cleared it up, but just so I
24. understand it thoroughly, Senator Maragos, you're saying that the
25. lien was designed for the protection of the employer, but since
26. the suit is against the manufacturer who didn't contribute to
27. the insurance in the first place, there's no point in giving him
28. the benefit of that lien. Is that what you're saying?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. That is exactly correct, Senator Washington.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Washington.

2. SENATOR WASHINGTON:

3. It couldn't be clearer. I think it's a good bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. ...Senator Lemke.

6. SENATOR LEMKE:

7. I think the...the bill is a good concept. The only people

8. that recover after the Workmen's Comp is paid out is the

9. insurance industry. There's no rebate given back to the

10. employer. He's paying a premium. He's charged for the premium,

11. yet why somebody takes credit for it and the only people that

12. take credit for it are the insurance industry and I think this

13. is a good bill because I think it allows a employee to recover.

14. It also...protects the employer and everybody is protected and

15. the only guy that's going to be left out holding the bag is

16. going to be the insurance company. They're not going to be

17. able to collect their lien anymore. That's as simple...what's

18. happening.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Nimrod. Senator Berning.

21. SENATOR BERNING:

22. A question of the sponsor, please.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. He indicates he will yield.

25. SENATOR BERNING:

26. Senator, I may not be interpreting this correctly, so my

27. question is, does this now then with this bill allow an

28. individual...an employee to collect twice?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. The answer is no.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berning.

2. SENATOR BERNING:

3. Well, I appreciate your answer. Let me then just phrase
4. it...a little different way. Under Product Liability, is not
5. an employee who may be injured or who is killed eligible for
6. benefits under Product Liability and then at the same time, is
7. he still not eligible under Workmen's Compensation? What...what
8. I think I read in here is that he would be eligible for both
9. claims and there would be no offset of one against the other.
10. Is that not true?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Maragos.

13. SENATOR MARAGOS:

14. No, Senator Berning, it is not true. When he has his claim
15. against the employer at the job, it's one for the...under the
16. Workmen's Compensation Act and therefore, if this is an injury
17. that he has because of the negligence of the manufacturer. It
18. has nothing to do...why should the manufacturer get the...get
19. the benefit of any benefits he got from Workmen's Compensation
20. when it was the manufacturer's fault and the employer has to go
21. collect that, so that...he recovers on two different actions...
22. not on the same actions and therefore, it's not...getting double
23. jeopardy.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Berning.

26. SENATOR BERNING:

27. Well, now I think you said what I thought was the case.
28. You said he...can recover under two separate actions. Is that
29. not true?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. In certain cases, yes.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Berning.
3. SENATOR BERNING:
4. Mr. President and members of the Senate. That is what I
5. thought this bill would provide. Regardless of any other
6. interpretation, if an injured individual is able to recover
7. twice, someone is in double jeopardy, whether it's the insurance
8. company, the employer or anyone else and I don't think there is
9. any stretch of the imagination that can justify you or I or
10. anyone else recovering twice for the same injury and that's what
11. is at stake here in my opinion and I...I suggest this is an
12. indefensible approach and the bill ought to be defeated.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Is there further discussion? Senator...Maragos may close
15. if he wishes.
16. SENATOR MARAGOS:
17. Mr...President and members of the Senate...
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. I'm sorry...Senator Bowers, did you...Oh, all right. The
20. question is, shall Senate Bill 1021 pass. Those in favor
21. vote Aye. Those opposed Nay. The voting is open. Have all
22. those voted who wish? Have all those voted who wish? Have
23. all those voted who wish? Take the record. On that question,
24. the Ayes are 27, the Nays are 17, 4 Voting Present. Senate
25. Bill...1021 not having received the...the motion is to postpone
26. consideration. Consideration is postponed. Senate Bill 1024,
27. Senator Bowers. Read the bill, Mr. Secretary.
28. ACTING SECRETARY: (MR. FERNANDES)
29. Senate Bill 1024.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Bowers.

1. SENATOR BOWERS:

2. Thank you, Mr. President. Senate Bill 1024 as amended
3. does exactly what the Calendar says. I think I should also
4. state that it emanates from the Criminal Sentencing Commission
5. and tell you what it does not do. It does not in any way affect
6. the right to challenge a juror for cause. It does affect the
7. preemptory challenges and reduces those from and I'd better
8. read them..."where the State has requested the death penalty. It
9. reduces them from ten to six. In other felony cases it reduces
10. them from five to three and where there's joint defendants
11. there's a reduction from six to four." Now, we had before the
12. committee testimony from Judge Benevinga from Cook County and
13. he indicated that there would be a tremendous savings to the
14. county, that the privilege was being abused and at that point
15. I would answer any questions, but urge your favorable consideration.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? Senator Washington.

18. SENATOR WASHINGTON:

19. No discussion, but a brief comment. The question here is
20. not costs in any way and it should not be a factor what the
21. State or county will save. The question is, will this curtail
22. due process in criminal matters? I'm afraid, Senator Bowers,
23. it does. Now, if you cut the preemptory challenges and it's
24. not a true figure no matter where you place it, if you've
25. cut the preemptory challenges, you're in a sense, hamstringing
26. of defense lawyer and a defendant from adequately defending
27. themselves. You see, for cause is not always, as you know,
28. possible to prove to demonstrate before a trial court judge,
29. but yet as a trial lawyer you know you've sat there many times
30. and you've looked at a juror en voir dire and you know darn well
31. that you're dealing with a person who has an attitude about your
32. client. You just got that feeling...it's a gut feeling which
33. experienced trial lawyers get and yet and still if you cut the

1. preemptory challenges you might run into a situation where
2. he...he's just lost. Suppose he...he's got half the voir dire
3. there lined up and he's got only one or two challenges left.
4. He's got to be very circumspect with how he uses it. My
5. attitude would be, really to expand it, but I don't think
6. that's feasible, but to curtail it, I think will do substantial
7. injustice and it will curtail the whole due process question.
8. It's a tacky thing. If one hasn't had that experience, you
9. might not even relate to what I'm saying, but if you've had
10. it you know what I'm talking about. It's a very, very serious
11. matter. I think it's a bad bill. The best I could say is that
12. you go back to the drawing board with some more consideration,
13. but...but it simply won't do the job and I think that the net
14. result is you will not do anything for the administration of
15. the criminal process.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Bowers, you may
18. close if you wish.

19. SENATOR BOWERS:

20. Thank you, Mr. President. While in short response to
21. Senator Washington, let me just say that I realize that some-
22. times the defense bar feels that they're being picked
23. on, but I would point out that in testimony before the committee
24. Judge Benevinga stated that he had taken this matter up with a
25. number of members of the defense bar and they had no objection
26. to it as long as the State's preemptory challenges were reduced
27. which, of course, this bill does. Again, it's a matter of...of
28. abuse that we're trying to get at. I might point out that Illinois
29. has one of the highest number of preemptory challenges in the
30. nation and we're really trying to bring this more in line with
31. other industrial states and I think to...to more or less help
32. the criminal justice system in Cook County. We all know that
33. it's somewhat bogged down and this is just one step in the right

1. direction. Again it emanates from the Criminal Sentencing
2. Commission. I would appreciate a favorable roll call.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. The question is, shall Senate Bill 1024 pass. Those in
5. favor vote Aye. Those opposed Nay. The voting is open. Have
6. all those voted who wish? Have all those voted who wish? Take
7. the record. On that question, the Ayes are 30, the Nays are 13,
8. 1 Voting Present. Senate Bill 1024 having received the
9. constitutional majority is declared passed. Senator Washington,
10. for what purpose do you arise?

11. SENATOR WASHINGTON:

12. I know we've got a Calendar, but I insist on a verification.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. A request for a...a verification on the part of the positives,
15. I presume? The Secretary will call the roll of those voting in...
16. in the affirmative.

17. ACTING SECRETARY:

18. The following...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Will the Senators...just a moment. Just a moment. Senator
21. Rhoads, for what purpose do you arise?

22. SENATOR RHOADS:

23. Just a request of the Chair to explain once again
24. the new procedure so we don't have this confusion again.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. I will do that very thing. The Senators will be in their
27. seats and when their name is called will indicate their presence.
28. Senator...Senator Grotberg. Senator Grotberg, you should remain
29. on the Floor. The Secretary will call the affirmative votes.

30. ACTING SECRETARY:

31. The following voted in the affirmative: Becker, Berning,
32. Bloom, Bowers, Coffee, Davidson, DeAngelis, Donnewald, Egan,
33. Geo-Karis, Graham, Grotberg, Keats, Maitland, Martin, McLendon,

SB 1034
Sen. Vadalabene
5-22-79

- 1. I'm sorry...McMillan, Mitchler, Moore, Nimrod, Ozinga, Philip,
- 2. Regner, Rhoads, Rupp, Sangmeister, Schaffer, Shapiro, Sommer,
- 3. Walsh, Weaver.
- 4. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 5. Senator Washington.
- 6. SENATOR WASHINGTON:
- 7. Is Don Moore present?
- 8. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 9. Is Senator Moore on the Floor? Is Senator Moore on the
- 10. Floor? Remove his...remove his name from the roll. On that
- 11. question, the Ayes are 29, the Nays are 13, 1 Voting Present.
- 12. Senate...Senator Bowers requests that consideration be postponed.
- 13. Consideration will be postponed. Senate Bill 1025, Senator
- 14. Bowers. Senator Bowers.
- 15. SENATOR BOWERS:
- 16. Mr. President, that will have to be called back. They're
- 17. calling those tomorrow morning as I understand.
- 18. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 19. Senate Bill 1034, Senator Vadalabene. Read the bill, Mr.
- 20. Secretary.
- 21. ACTING SECRETARY:
- 22. Senate Bill 1034.
- 23. (Secretary reads title of bill)
- 24. 3rd reading of the bill.
- 25. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 26. Senator Vadalabene.
- 27. SENATOR VADALABENE:
- 28. Yes, thank you, Mr. President and members of the Senate.
- 29. Senate Bill 1034 requires the county board of each county under
- 30. township organization to adopt by January 1, 1980 a plan to
- 31. change township boundaries to ensure that each township has
- 32. an equalized assessed valuation of not less than ten million
- 33. dollars. It also requires the county board to submit the question

1. to each township that would be affected by change. Such submission
2. must occur at a regular or special election held prior to the
3. General Election of 1980 and if approved by the electors, the
4. change would become effective on the date of the township
5. election in April of 1980. This is supported by the Illinois
6. Township Officials Organization and the Illinois Farm Bureau
7. and I would appreciate a favorable vote.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there discussion? The question is...Oh, Senator Nimrod.
10. SENATOR NIMROD:

11. Yeah. Mr. President, I would ask to seek leave to be shown
12. as a cosponsor and this is a good bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The record will so show. The question is, shall
15. Senate Bill 1034 pass. Those in favor vote Aye. Those opposed
16. Nay. The voting is open. Have all those voted who wish? Have
17. all those voted who wish? Take the record. On that question,
18. the Ayes are 41, the Nays are 6, 1 Voting Present. Senate Bill
19. 1034 having received the constitutional majority is declared
20. passed.

21.

22. (END OF REEL)

23.

24.

25.

26.

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32.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. ...Senate Bill 1037, Senator Rhoads. Senate Bill 1039,
3. Senator Maragos. Read the bill, Mr. Secretary.
4. ACTING SECRETARY: (MR. FERNANDES)
5. Senate Bill 1039.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Maragos.
10. SENATOR MARAGOS:
11. Mr. President, members of the Senate. Senate Bill 1039
12. is a simple bill. It states that anyone who works over ten
13. hours any certain day should be paid time and a half, rather
14. than accumulate in forty hours at any one week. I think it's
15. an...bill in the right direction to correct some abuses in
16. this area, and I ask for your favorable support.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Mitchler.
19. SENATOR MITCHLER:
20. A question of the sponsor, Mr. President.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. He indicates he will yield.
23. SENATOR MITCHLER:
24. Senator Maragos, is this provided for in the Federal
25. Minimum Wage Act?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Maragos.
28. SENATOR MARAGOS:
29. I don't know if it provides for the...in the...to my
30. knowledge, it does not.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Mitchler.
33. SENATOR MITCHLER:

1. Then why are we putting it in the Illinois Act?

2. We seem to conform to our Illinois Act to the federal Act,
3. so that there is no discrepancy out amongst the employers that
4. are covered by both or, sometimes, by one or the other act.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Maragos.

7. SENATOR MARAGOS:

8. I should point out that this bill is inconsistent with
9. the federal policies, but I think we can do it in our own state
10. sometimes, on our Home Rule...our own State Rule powers that
11. we can do what we wish. I think we can protect our workers
12. better than the Federal Government can. It merely states
13. that if over ten hours, instead of somebody working for twelve
14. hours a day or fourteen hours a day in order to get the forty
15. hour accumulation in any one week, you should be allowed no
16. more than ten hours any...for certain days, and that's the
purpose...the gist of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Well in many of these locations where we have employees
21. earning the minimum wage, they're in a more or less of a trainee
22. type of a position. They're working for a drive-in or one
23. of these McDonald Hamburgers or something on a temporary basis,
24. in many cases, and at times, they're required to work in excess
25. of the normal eight hours, and they are allowed to accumulate
26. this. Not that they are getting overworked. In many cases,
27. they like to pinch-hit for an employee that wants to get off
28. early. It's a different type of employee-employer relationship,
29. than you would have with a regular employer or employee. For
30. example, at Caterpillar or other large industries. And for
31. that reason, I don't think that we should get into mandating
32. the time-and-a-half after ten hours, and we should just sort
33. of let it go and let them be in this trainee type of program,

1. because to have this would be jeopardizing the opportunities
2. that the employee would have, because the employer would
3. be forced to say rather than pay them time-and-a-half, I'll
4. let you go, instead of letting that employee work that
5. extra hour and gain that few dollars minimum wage that they
6. would like to have, and I don't think it's working a hard-
7. ship on them. As I say, most of them are in a trainee type
8. of program, and they're learning and they're a temporary
9. employee because the minimum wage today is not something
10. that someone can be employed at to support their family and
11. as a gainful type of employment, so I rather question,
12. Senator Maragos. And in as much as it doesn't conform to
13. the federal, I'd like to keep the two- the federal and our
14. State of Illinois Minimum Wage Law as nearly compatible as
15. we possibly can.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Regner.

18. SENATOR REGNER:

19. A question of the sponsor.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. He indicates he will respond.

22. SENATOR REGNER:

23. Senator Maragos, the way I read this and if I understand
24. it right, that over ten hours a day will mandate time-and-a-half.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Maragos.

27. SENATOR MARAGOS:

28. That is correct, Senator Regner.

29. SENATOR REGNER:

30. Okay, and I'll tell you what the problem with that is,
31. and Sentex Industrial Park in my area. There are many, many
32. plants that go on a short work week, and many times at the
33. request of the employee, and they will work ten, eleven, twelve
hour days at the request of the employee, and if this would

1. happen, if this bill passes, they're mandated to pay overtime,
2. and you'll take some of the convenience away from the employee
3. under short work week number of days, because there are days
4. that they'll work over ten hours a day, and unless that's
5. cleared up, I cannot support this legislation. I would suggest
6. that it is bad legislation, and it does harm employer-employee
7. relationships in many areas.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Keats.

10. SENATOR KEATS:

11. Thank you, Mr. President, Ladies and Gentlemen of the
12. Senate. This bill is a classic example of killing people with
13. kindness. What you are doing while alleging to raise their
14. wage rate is in reality cutting the total amount of money they
15. can make. If you tell an employer that he must pay overtime for
16. over ten hours, he's not going to let his workers go over ten
17. hours. And Senator Regner brought up what's the key point-
18. you have a lot of people, some during the summer, some during
19. particular vacation periods, they'll go into the boss and say,
20. "Look, I want to take a four-day weekend. The wife, kids and
21. I are going to X," and the boss says "Fine. Put in your
22. forty hours or whatever, and you can go." And the guy comes
23. in and he puts in twelve or fourteen hours. What you're saying
24. is this...you are limiting this individual's options, both for
25. the amount of money he can make because the employer won't
26. let him work those...hours, and at the same time, you are limiting
27. his options in terms of his work schedule. So while you're
28. allegedly attempting to help people, what you are in reality
29. doing is limiting the options available to that working man or
30. woman. With more friends like you, they need no enemies. You've
31. got to sit down and ask yourself why are you setting standards
32. for working men and women that they themselves do not accept,
33. don't want, don't agree with, and didn't ask for? I would
appreciate people not supporting this particularly bad piece

1. of legislation.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Coffey.

4. SENATOR COFFEY:

5. A question of the sponsor.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. He indicates he will yield.

8. SENATOR COFFEY:

9. Does this pertain only to hourly employees? How about

10. salaried?...such as Fire Departments?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Maragos.

13. SENATOR MARAGOS:

14. These are primarily for salaried employees.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Coffey.

17. SENATOR COFFEY:

18. Are you saying then, this would not effect for instance,

19. like Fire Departments, which are on twenty-four, off thirty-

20. six hours?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Maragos.

23. SENATOR MARAGOS:

24. No...Mr. President, members...Senator Coffey, those

25. individuals are exempted by Statute at the present. They're

26. not bound by minimum hours...maximum hours.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Okay. And another question, maybe it shouldn't be a question

31. but a point. I'm in a university community. We have a lot

32. of students that work. They have Thursdays off, they have

33. Fridays off, or certain days, and they try to pick up enough

...enough money where they can work maybe fourteen, sixteen

1. hours in one day, and then maybe don't work the rest of
2. the week, and that might be their only day of work. Is that...
3. this would preclude this from happening in this situation?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. No, Senator Coffey. This would not preclude them from
8. working as many hours as they want, provided that they get
9. paid...time-and-a-half after ten hours. The point is what
10. it does if the employer doesn't want to pay the time-and-a-
11. half, there is another student who could get that work and
12. put some time in. That's the thing.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Coffey.

15. SENATOR COFFEY:

16. Well, then just to speak to the bill, you know, if a
17. student can only get in sixteen hours in a day, that's not
18. like robbing, I think, other students of work, and I think
19. he ought to be allowed to pick up the...a few hours to send
20. himself through school, and I think this is a bad piece of
21. legislation and I'd ask that you vote against this type.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Grotberg. Just a moment, we have a series of
24. members that wish to address themselves to this issue, and
25. I'm sure that we'll not be repetitive...repetitious. Senator
26. Grotberg.

27. SENATOR GROTBORG:

28. A question of the sponsor that has not been asked. Senator
29. Maragos, is this only minimum wage? This is everybody, am I
30. correct?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Maragos.

33. SENATOR MARAGOS:

This says a minimum wage law to provide no employer may

1. employ any employee...the minimum wage.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. Not to question your voracity, it addresses the Minimum
6. Wage Law, but if this law were to pass, everybody that makes
7. more than minimum wage is still under it, am I correct?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Maragos.

10. SENATOR MARAGOS:

11. Senator Grotberg, as you look around today, all the
12. high-salaried individuals always make time-and-a-half after
13. eight hours because that's the rate...the way they do
14. with their strong unions and nothing else. I'm trying to
15. protect the poor people who don't have the unions behind
16. them and who are trying to work like the waitresses, the
17. dishwashers or whatever it may be, the busboys, and I'm trying
18. to protect that they get time-and-a-half. Why should they
19. be abused because they don't have strong union support behind
20. them?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. To the bill, Mr. President. While the sponsor of this
25. bill says that he is going to protect...he is going to protect
26. so damn many people out of work that it's almost insane that
27. we should be even dealing with a concept like this. I do not
28. understand the voracity with which we are attacking the only
29. means left to make a living for a lot of people at the entry
30. level work in the State of Illinois that businessmen and employers
31. are such ogres they can always close their store and provide
32. no employment. I just do not understand for the life of me
33. what the hell is going on in the State of Illinois with
distinguished sponsors like that, claiming to be doing something

1. on behalf of the working man, when he is not only destroying
2. the working man, he is destroying what makes the job and
3. creates the job and the only avenue for thousands of people
4. in the State of Illinois. It lacks sense, it lacks economic
5. sense, it lacks every kind of sense there is, and I pray to
6. God you would kill it.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Savickas.

9. SENATOR SAVICKAS:

10. Yes, Mr. President. I'm listening to all these great
11. speeches, but it's all relative. Here we have as Senator
12. Maragos stated, a bill that would allow people making
13. the minimum wage that have no representation down here, that
14. are not represented by the UAW, the Steelworkers, the big
15. electrical unions, that can come out here and get salaries
16. of ten and twelve dollars an hour and any hours work over
17. eight hours get time-and-a-half. Those lobbyists for those
18. unions that could reach these Senators and explain their positions
19. to them through private meetings or what not, those unions
20. are satisfied. They make ten dollars and twelve dollars an
21. hour now as their basic rate. We're talking here about men
22. and women of limited educations that are working in motels
23. and in theaters, trying to make their living on a minimum wage,
24. two-forty, two-fifty an hour, and they are scared to give
25. them time-and-a-half or overtime. Where are these great, great
26. leaders when all these contractors come in and they settle
27. for two and three-dollar-an-hour wage increases, these great
28. Republican contractors that hire all these union employees
29. and give them two and three-dollar increases an hour, pay
30. their overtime, gladly out time-and-a-half and double-time,
31. put them on seven days a week, ten hours a day, glad to pay
32. that time-and-a-half overtime, but when the little person,
33. the uneducated need, their livelihood depends on two-fifty an
hour, and they're as scared to give them an extra dollar an

1. hour so they can earn a living, and there's equity in here?
2. I say this bill would hurt no one. It would allow those
3. people, allow those people some dignity in their earnings,
4. and would keep them off those welfare rolls. I would support
5. this bill and its passage.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Sangmeister. Just a moment...
8. SENATOR SANGMEISTER:
9. Mr. President...
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Just a moment...We're pretty noisy. Proceed.
12. SENATOR SANGMEISTER:
13. Thank you, Mr. President. Well, I think a word just
14. needs to be said from this side of the aisle. I think there's
15. a lot of hysteria coming out over this bill, but I too feel
16. for the waitresses and for the busboys, but I also feel for
17. that waitress and busboy who may just not get that employment
18. because of what we're doing here. I cannot help but agree more
19. and I'm not going to repeat everything that is said, but this
20. is another case of an overkill, simple and plain. The bill
21. ought to be defeated.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator DeAngelis.
24. SENATOR DeANGELIS:
25. Senator Maragos, there's an old song called "You Always
26. Hurt The One You Love", and I think you should have that in
27. your enacting clause on this bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Wooten. Senator Nimrod.
30. SENATOR NIMROD:
31. Mr. President, I would just like to call attention to
32. the Senators on page 1, on lines 13 through lines 17, what
33. we are in fact doing is deleting those exceptions that we
made not long ago to allow for those restaurant people and

1. the movie operators for the motion picture operator, the employees
2. of theirs, to give them the extra time so they can work
3. there, and now this bill deletes those provisions, so it
4. seems to me that one year we're coming agreeing to something
5. and making that exception for a reason, and suddenly we're
6. coming...so they can get employment and here we are taking
7. it away. I think we're doing the wrong kind of job, and it's
8. a bad concept.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Maragos may close
11. if he so desires.

12. SENATOR MARAGOS:

13. Mr. President, members. This bill has been thoroughly
14. discussed. I ask for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. The question is shall Senate Bill 1039 pass. Those in
17. favor vote Aye, those opposed vote Nay. The voting is open.
18. Have all those voted who wish? Have all those voted who wish?
19. Take the record. On that question, the Ayes are 16, the Nays
20. are 33, 1 voting Present. Senate Bill 1039, not having
21. received the constitutional majority, is declared lost.
22. Senate Bill 1040, Senator Maragos. Senate Bill 1041, Senator
23. Philip. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1041.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Philip.

30. SENATOR PHILIP:

31. Thank you, Mr. President, Ladies and Gentlemen of the
32. Senate. Senate Bill 1041 as amended, amends the State Employees
33. Group Insurance Act, provides optimal insurance programs to
be available to employees in these three areas: life insurance,

1. accidental death, and dependent life. There is absolutely
2. no cost to the State of Illinois. It's one hundred percent
3. paid by state employees, and the Department of Personnel has
4. no opposition. I'll be happy to answer any questions.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Is there discussion? Senator Rhoads.
7. SENATOR RHOADS:
8. A question of the sponsor.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. He indicates he will respond.
11. SENATOR RHOADS:
12. Senator, could you explain for me again the statement
13. that it has no cost to the State of Illinois? I...don't follow.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Philip.
16. SENATOR PHILIP:
17. This is optional, completely, to the state employees. If
18. they want additional coverage, they have to pay for it themselves.
19. It doesn't cost the State of Illinois one cent.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Do we have leave for TV pictures? Leave is granted...but
22. no longer speeches...Senator Bruce.
23. SENATOR BRUCE:
24. I would just rise in support of this legislation as it
25. has been amended. The impact is minimal. It allows four times
26. your optional amount, which is one-half your salary. There
27. is no cost to the State of Illinois program. We experience
28. rate, both the optional program and the state program, so if
29. there is any surplus or deficit occurring in either of those
30. two, it carries its own weight. If the Department supports
31. the bill, as does the Commission, I would...urge a favorable
32. vote.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
34. Is there further discussion? Senator Philip may close.

1. ...The question is shall Senate Bill 1041 pass. Those in
2. favor vote Aye, those opposed Nay. The voting is open. Have
3. all those voted who wish? Have all those voted who wish? Take
4. the record. On that question, the Ayes are 56, the Nays are
5. none. Senate Bill 1041, having received the constitutional
6. majority, is declared passed. Senate Bill 1045, Senator Philip.
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1045.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Philip.

14. SENATOR PHILIP:

15. Thank you, Mr. President, Ladies and Gentlemen of the
16. Senate. This is the Space Needs Commission's budget. It
17. amounts to: Operating Budget- one hundred and three thousand
18. eight hundred and eighty-one dollars, for land acquisition-
19. some two million dollars. I'll be happy to answer any questions.
20. To my knowledge, there is no opposition.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Mitchler...Senator Mitchler.

23. SENATOR MITCHLER:

24. I would like to answer the sponsor a question.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will respond.

27. SENATOR MITCHLER:

28. Is this Space Needs Commission in that list of commissions
29. that you are proposing to abolish?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Philip.

32. SENATOR PHILIP:

33. Senator Mitchler, this is one of the good commissions. I
will say this- on that list are about three other commissions

1. that I am on that are not on the list to save, but this is
2. one I think is...has provided a valuable service for...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? The question is shall...
5. Senator Egan.

6. SENATOR EGAN:

7. Thank you, Mr. President. I...may I ask a question of
8. the sponsor?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. You may. He indicates he will respond, also.

11. SENATOR EGAN:

12. I very much appreciate your including or excluding the
13. Pension Laws Commission from that other bill, but I'd like
14. to ask you what the current status is, because you did not
15. exclude the Criminal Sentencing Commission, which I think is
16. extremely important, also, and I'd just like to get you view
17. on it.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Well, just a moment. We're not on that particular piece
20. of legislation, Senator Egan. We're on the Space Needs appropriation.

21. SENATOR EGAN:

22. I understand that, but I just want to find out from the
23. sponsor how he feels about the...whole structure here.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Why don't you go over and ask him? The question is shall
26. Senate Bill 1045 pass. Those in favor vote Aye, those opposed
27. Nay. The voting is open. Have all those voted who wish?
28. Have all those voted who wish? Take the record. On that question,
29. the Ayes are 48, the Nays are 6. 2 voting Present. Senate
30. Bill 1045, having received the constitutional majority, is
31. declared passed. Senate Bill 1047, Senator Carroll. Read
32. the bill, Mr. Secretary.

33. SECRETARY:

Senate Bill 1047.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Carroll.
5. SENATOR CARROLL:
6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. Senator Regner and I caused this bill to be intro-
8. duced after results of both the Mirage Investigation, the
9. hearings here in the General Assembly, the debates in various
10. committees, and in part, the Governor's Task Force recommendations
11. on improving state government. What in fact this bill will do
12. is allows the State Liquor Control Commission and the local
13. Liquor Control Commission the authority to fine any licensee
14. in addition to the powers they now have to revoke or suspend
15. such license. It was felt there were many instances where a
16. fine was the appropriate source of remedy by the Liquor Control
17. Commission, either state or local. Still within this, of
18. course, if you are before a local Liquor Commission, you have
19. the right to appeal to the state if you are not happy with
20. the decision at the local level. Additionally, this legislation
21. would authorize the state commission to notify the Illinois
22. Department of Law Enforcement of any complaints, so that the
23. Illinois Department of Law Enforcement can investigate those
24. complaints and see if there are in fact any criminal violations.
25. This is new to the law. Prior to this, the Liquor Control
26. Commission was its own investigative officer. It was felt
27. that it was better to give that power to the state's Law
28. Enforcement Department, so that those properly designated Law
29. Enforcement officers can go out and actually help with the
30. enforcement of this act and bring about any criminal charges
31. that ought to be brought. I would urge a favorable roll call,
32. and be willing to answer questions.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator DeAngelis.

1. SENATOR DeANGELIS:
2. I have a question of the sponsor.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. He indicates he will respond.
5. SENATOR DeANGELIS:
6. Senator Carroll, did this bill go through committee,
7. and if it did, which committee did it go through, and what
8. was the vote on that committee?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Carroll.
11. SENATOR CARROLL:
12. The bill went through Insurance and Licensed Activities,
13. I don't recall the vote. As far as I knew, there was no
14. opposition to the bill in committee...Eleven-zero. I'm sorry,
15. the vote was eleven to nothing.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator DeAngelis.
18. SENATOR DeANGELIS:
19. I have no recollection of this coming before that committee.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Rock.
22. SENATOR ROCK:
23. Pardon me, Mr. President, Ladies and Gentlemen of the
24. Senate. A question of the sponsor if he will yield.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Indicates he will.
27. SENATOR ROCK:
28. Senator, I am in accord that the commission ought to have
29. this kind of authority, that is the authority to impose a fine
30. as opposed to suspension or revocation which is rather drastic.
31. My question is was there any discussion as to the amount of
32. the fine or an upper limit or a floor or something?
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator...Carroll.

1. SENATOR CARROLL:

2. The...file should reflect an amendment which set the
3. limit at five hundred dollars. Mr. Secretary, it doesn't
4. show it on the calendar. The amendment...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. The Secretary indicates there is not a...

7. SENATOR CARROLL:

8. I'm sorry...then the bill...there is an amendment there
9. that I thought was adopted. I have a copy in my files if it
10. had been adopted. Would we take it out of the record now and
11. see if you can find that amendment?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Take it out of the record. I'm advised, Senator Carroll,
14. that that bill is in for a recall, which would happen by...tomorrow.
15. Senate Bill 1053, Senator Mitchler. Senator McMillan, and
16. Senator Regner. Senator McMillan has made the request that
17. he be...removed as a co-principal sponsor of Senate Bill 1053.
18. Do we have leave? Leave is granted. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1053.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Mr. President, members of the Senate. Senate Bill...1053
27. amends the Illinois Income Tax as it pertains to the calculation
28. of base income for individuals and corporations. The Illinois
29. Tax Purposes, Senate Bill 1053, allows corporate and individual
30. taxpayers to deduct from base income the amount of wages added
31. back onto gross income as a result of participating in one of
32. two federal programs. Senate Bill 1053 has an effective date-
33. immediately, and applies to tax years beginning in nineteen
seventy-nine and thereafter. I'd be glad to answer any questions,

1. and ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there discussion? Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President. A question of the sponsor.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. He indicates he will respond.

8. SENATOR ROCK:

9. If you are making it applicable to seventy-nine and forward,

10. what is the cost to the State of Illinois?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Let me refer to the file here, see if I have a figure.

15. Senator Rock, according to my file, an estimate of the cost

16. on Senate Bill 1053 is not yet available from the staff. I

17. do not have that figure for you, sir.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR ROCK:

21. Well, we had a similar bill, I recall, in the Eightieth

22. General Assembly, and it was vetoed, my recollection is, because

23. it was going to cost roughly eight or nine million dollars annually.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Senator Rock, that could very well be that there would

28. be a cost to the state, through the Department of Revenue in

29. the collection of the tax, but this would have a...an effect

30. of not collecting that tax from the individual or corporation,

31. and as I've said before, the cost of government will always

32. rise to meet whatever tax funds are available. The only way

33. to reduce the cost of government is to reduce taxes, and this

would be tax relief, if you want to put it in that category, but

1. basically what it's doing, it's correcting something that
2. should be corrected in the way...because under the federal
3. law, the taxpayers participating in the Targeted Jobs Tax Credit
4. and Work Incentive Program are allowed a federal tax credit,
5. and that's based on certain wages paid to qualified participants,
6. and however, if they take the tax credit, they cannot also
7. take a deduction for payment of those wages. Therefore, those
8. wages are added back to income for tax purposes. Now this
9. is clearing up that inequity, and if you want to think about
10. it, it does give some tax relief to individuals and corporations.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator Regner.

13. SENATOR REGNER:

14. Senator Mitchler, this is the bill that we had talked
15. about last week one day, about possibly bringing back to
16. 2nd reading for an amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Mitchler. Senator Mitchler.

19. SENATOR MITCHLER:

20. Senator Regner has brought my attention to a...at this
21. point, I'll...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Do you wish to take it out of the record, Senator?

24. SENATOR MITCHLER:

25. Let's see...I'm checking my notes here...Take this out
26. of the record.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Take it out of the record. Senate Bill 1069, Senator
29. Maitland. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1069.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Maitland.

2. SENATOR MAITLAND:

3. Thank you, Mr. President, Ladies and Gentlemen of the
4. Senate. This is a bill similar to one that was debated on
5. the Floor yesterday. Slightly different, however, in that
6. it exempts only farm machinery and I elect not to comment
7. further on some of the things that Senator Johns mentioned,
8. but I'd like to add a few additional ones, if I might.
9. Currently, there are a tremendous amount of sales being
10. lost along state lines, and currently, Indiana and Wisconsin
11. do exempt farm machinery from sales tax, and it appears to
12. me that...we're losing these sales across these state lines.
13. Let me give you perhaps something that's happened in recent
14. years, that I think needs to be mentioned today. About six
15. years ago, a combine that was purchased in Illinois cost in
16. the neighborhood of twenty-five thousand dollars. Presently, that
17. same combine costs the farmer in the neighborhood of seventy-five
18. thousand dollars. I believe you can see that this is a difference
19. of two thousand dollars in sales tax. These sales are being
20. lost to these two states in particular. Jobs are being lost.
21. Farm machinery dealers are closing down. There is no question
22. about this at all. I think in addition to this, this appears
23. to me to be a logical extension of last year's legislation
24. that exempted manufacturing goods. I think this once again
25. is an attempt to improve the business climate in the State
26. of Illinois. I think it's an attempt to preserve jobs in
27. the State of Illinois, and I submit to you, like Senator
28. Johns' bill yesterday, this is a good piece of legislation,
29. and I bring it to you this morning for your favorable con-
sideration.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is shall
32. Senate Bill 1069 pass. Those in favor vote Aye, those opposed
33. Nay. The voting is open. Have all those voted who wish? Have

1. all those voted who wish? Take the record. On that question,
2. the Ayes are 49, the Nays are 3. 1 voting Present. Senate
3. Bill 1069, having received the constitutional majority, is
4. declared passed. Senate Bill 1070, Senator Egan. Read the
5. bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 1070.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Egan.
12. SENATOR EGAN:
13. Thank you, Mr. President and members of the Senate. Senate
14. Bill 1070 basically does two things. It helps St. Martha's
15. Elementary School in Mt. Prospect and it helps another school
16. in Franklin Park, and that's all it does, and I ask for your
17. favorable consideration.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there further discussion? The question is shall Senate
20. Bill 1070 pass. Those in favor vote Aye, those opposed Nay.
21. The voting is open. Have all those voted who wish? Have
22. all those voted who wish? Take the record. On that question,
23. the Ayes are 46, the Nays are 2. 2 voting Present. Senate
24. Bill 1070, having received the constitutional majority, is
25. declared passed. Senate Bill 1072, Senator Bloom. Senate
26. Bill 1080, Senator Grotberg. Do you wish the bill called?
27. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1080.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Grotberg.
SENATOR GROTBORG:

1. Thank you, Mr. President. Senate Bill 1080 raises
2. from petty offense to a Class C misdemeanor any willful
3. neglect by either party, the employer or the employee,
4. under the Workmen's Compensation Act, any willful neglect,
5. refusal or failure to do the things required done by any
6. sectioned clause, etc. There's been a penalty clause all
7. along. This increases it to a Class C misdemeanor. The
8. Attorney General and the State's Attorney of each county,
9. upon the request of the Industrial Commission, shall enforce
10. the penalties set forth in the Act. I ask for your favorable
11. consideration.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there discussion? Senator Kenneth Hall.

14. SENATOR HALL:

15. Will the sponsor yield to a question?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. He indicates he will.

18. SENATOR HALL:

19. Senator, what's the penalty right now?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Grotberg.

22. SENATOR GROTBORG:

23. Petty offense.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Hall. Senator Hall.

26. SENATOR HALL:

27. All right. I finally got on. Is...what I wanted to ask,
28. this would go into a Class III misdemeanor, now. Right?

29. ...A Class C, I meant to say.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. Right.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Kenneth Hall.

2. SENATOR HALL:

3. For my edification, would you tell me what a Class
4. C misdemeanor is?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. I thought everybody knew that. I don't have the misdemeanor
9. chart. I have felonies, but I don't have misdemeanors...I
10. think it's worse than a petty offense, Senator Hall, whatever
11. that is. I don't know where the hell this bill came from. If
12. you think I'm all hung up on it, you're wrong.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President, Ladies and Gentlemen of the
17. Senate. This is obviously one of those bills without a
18. turtle inside, and I think it ought to get the fate it deserves
19. in a resounding No vote.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

22. SENATOR GROTBORG:

23. I'll go one step further. I'll Table the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The motion is...the motion is to Table Senate Bill 1080.
26. Those in favor indicate by saying Aye. Those opposed. The Ayes
27. have it. Senate Bill 1080 is Tabled. Senate Bill 1084, Senator
28. Geo-Karis. Read the bill, Mr. Secretary. Just a moment. Senator
29. Geo-Karis.

30. SENATOR GEO-KARIS:

31. Mr. President, there's an amendment that is going to
32. be put on it tomorrow.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senate Bill...that will be considered tomorrow. Senate

1. Bill 1085, Senator Schaffer. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1085.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. Mr. President, members of the Senate. This bill simply
10. requires the Department of Public Health to notify the Licensing
11. Agency, the local licensing agent, when they have proceedings
12. to revoke or suspend the license of a nursing home under their
13. jurisdiction. The bill was amended at Senator Netsch's request,
14. and we have had many times when we find the Department of Public
15. Health moving against the facility and the local authorities
16. are unaware of it. The bill has the support, I believe, of
17. the Department of Public Health, and I think it's a good idea.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there discussion? The question is shall Senate Bill
20. 1085 pass. Those in favor vote Aye, those opposed Nay. The
21. voting is open. Have all those voted who wish? Have all those
22. voted who wish? Take the record. On that question, the Ayes
23. are 52, the Nays are none. Senate Bill 1085, having received
24. the constitutional majority, is declared passed. Senate Bill
25. 1086, Senator Schaffer. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1086.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Mr. President, members of the Senate. This bill actually

1. repeals a legislative committee. It repeals the legislative
2. committee that was established to develop a cost relationship
3. plan for nursing homes. The committee was to report on March
4. thirty-first...thirtieth of nineteen seventy-seven. I think
5. this should be abolished. I think this is in fact a legitimate
6. function of the legislative committee on Public Aid.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? The question is shall Senate Bill
9. 1086 pass. Those in favor vote Aye, those opposed Nay. The
10. voting is open. Have all those voted who wish? Have all
11. those voted who wish? Take the record. On that question,
12. the Ayes are 51, the Nays are none. Senate Bill 1086, having
13. received a constitutional majority, is declared passed. Senate
14. Bill 1087, Senator Demuzio. Senate Bill 1093, Senator Gitz.
15. Senator Gitz, do you wish the bill called? Read the bill,
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1093.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Gitz.

23. SENATOR GITZ:

24. Thank you. Mr. President and members of the Senate.
25. Senate Bill 1093 is not an anti or a pro-nuclear bill. Senate
26. Bill 1093 is a popular sovereignty bill. Senate Bill 1093
27. simply gives voters in the county of a projected site for a
28. nuclear facility a right to a voice in the determination of
29. what happens in their community. The present situation works
30. something like this. The individual resident, the rate payer,
31. has the right to pay an ever-increasing utility rate, whether
32. they want it or not, regardless of the energy source. They
33. also, as we have seen all too vividly in the course of
Pennsylvania's events, they have the right to endure a certain

1. amount of calculated risk. I would command to your attention
2. that there are a number of bills that have been presented
3. before this Assembly. I would hope that no one would
4. look at this bill as merely a blatant attempt to stop
5. nuclear construction. That is not the purpose, and point
6. of fact, there are two nuclear power plants under construction
7. in Byron. I rather doubt that the voters of that county,
8. given the impact of the assessed valuation, given the influx
9. of employment in the community, a number of years ago, in nineteen
10. seventy-two when this was presented to the Illinois Commerce
11. Commission would have resisted and voted it down. I think
12. they would have approved it.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion?

15. SENATOR GITZ:

16. I would merely close by saying that this bill will
17. affect future construction, and more particularly, it will
18. affect Carroll County in my home area among others. I think
19. that people have every right to have a vote and their
20. determination. In Carroll County today, there are people
21. on both sides of the question- farmers one way, farmers another
22. way, banks on one side, banks that are not so certain. The
23. one thing they are in complete agreement is that they ought
24. to have some type of voice in what happens in their community,
25. and that is the reason for Senate Bill 1093.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Jerome Joyce.

28. SENATOR JEROME JOYCE:

29. Thank you, Mr. President. I concur in what Senator Gitz
30. has said. I think that it would give the people in an area
31. where a nuclear site is to be put a voice in not only determining
32. whether or not that site would be there, but at least it would...
33. preclude...there would be hearings and so forth in that area,
and people would have some input into what happened around

1. that site, as well as just being on that site. I know from
2. past experience that it is very, very difficult to get the
3. ear of the utility that is going to be putting a site in a
4. community. They're much more concerned with getting their
5. permits in Washington than they are in dealing with the
6. people that they will be directly involved with, and that's
7. right close to this...site, so I would urge an Aye vote on
8. this bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Grotberg.

11. SENATOR GROTBORG:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he will yield.

15. SENATOR GROTBORG:

16. Who pays for the referendum?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Gitz.

19. SENATOR GITZ:

20. I presume that would be carried out by the local election
21. authorities, the County Clerk.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Grotberg.

24. SENATOR GROTBORG:

25. I appreciate your presumption, but it's not articulated
26. in the bill, Senator. The other question is...I have one of
27. the larger counties in the state, Livingston County, for instance,
28. and I don't know that there ever will be a nuclear power station
29. there, but if you get down in one corner of it, most of the
30. people in the county, they might well pass such a referendum,
31. but it would be adjacent to the county line of another county,
32. where there's a major population. Who solves that issue?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz.

1. SENATOR GITZ:

2. Well, right now you could argue that because the
3. power accrues to the entire facility or region, that they
4. ought to share in the assessed valuation, but they don't.
5. That accrues to the county asiding. This bill has been
6. chosen for the county asiding, however large or however
7. small for a very simple reason. I think that's the most
8. workable election district. I could easily foresee a situation
9. in my home area, where perhaps the county of direct siting.
10. would vote Aye or Nay. If you had an entire region, where
11. would you draw the line? The workability problems on that
12. become very, very large. For example, Carroll County is
13. not that far from Wisconsin, particularly the wind drifts.
14. Are we going to cut in the people of Madison? That's kind
15. of awkward, too. So we've had to restrict this bill to
16. what is really workable.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Grotberg.

19. SENATOR GROTBORG:

20. To the bill, Mr. President, members of the General Assembly.
21. I think again it's a knee-jerk reaction to what's been going
22. on for the last few months in the nuclear field. The sponsor's
23. attempt to correct that situation is an honorable one, but
24. it's...absolutely unworkable. One of the reasons we have the
25. Federal Power Commission, the Interstate Commerce Commission, the
26. Federal Nuclear Agency is to solve some of these problems, and
27. I'm sure that their pencils are sharper after the experience
28. of Three Mile Island than they've ever been. I do not think
29. this bill can work in any sense of the word. It would be the
30. end of nuclear construction, for one thing, but the placement
31. of future nuclear power plants are going to have the perview
32. of some of the most expert people in the United States, and
33. the people will not settle for anything less, and I recommend
the defeat of this bill. It's a burden on local government, it's

1. a chance for the people to speak, yes, and as people are
2. speaking loud and clear, but in a rather unsophisticated manner.
3. on a subject of such technological expertise that is needed.
4. We've not heard the end of those debates. I just recommend
5. a No vote for this bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Thank you, Mr. President, Ladies and Gentlemen of the
10. Senate. It might very well be that this bill is not an anti-
11. nuclear bill, but the net result is that it will probably
12. prevent the construction of any nuclear plant in...for the
13. State of Illinois for as long as a bill of this type would exist.
14. At a time when we are hearing about the reports and the safety
15. reports, in fact Senator Gitz and Senator Joyce are both...in
16. fact Senator Joyce is the Chairman of the committee that's out
17. doing a study on the safety conditions now pertaining to
18. nuclear plants. Before these reports are in, before we do it,
19. we should not be taking action that would be independent of
20. that. In fact, there have been exhaustive studies going on on
21. power plant siting, to make a one stop siting. I'm sure that
22. most of us are aware that it takes anywhere from eight to twelve
23. years now to get approval after hearings, public hearings and
24. consultations and discussions with the local community, as
25. well as within the states. At a time when the federal govern-
26. ment and the state are trying to come up with some answers
27. and even this legislature is trying to come up with an answer,
28. it would be wrong for us to, at this time, take some action
29. that would prevent or could deter or affect those particular
30. results in those particular reports. I think it's wise for
31. us to wait until those reports are in, and then make those
32. kinds of decisions. This is an untimely bill, and I would
33. urge its defeat.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. There are six more Senators that wish to speak
2. on this bill. The next is Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Let it be known that the
5. utilities in the State of Illinois are alive and well. Any
6. legislation that has come about this session to give the
7. public input into the regulation of nuclear power plants in
8. particular, has been summarily either defeated or legislation
9. that may have passed one House is being held in the other House
10. and not even being given a chance at a fair hearing. I think
11. that's very unfortunate, because I think the one thing that
12. the public is most upset about...at governmental officials
13. about is the fact that they have, they feel almost no chance
14. for input. This kind of legislation would allow them that
15. chance for input. It would allow the voter in Monroe County,
16. Illinois as an example, if somebody decided they wanted to
17. build a nuclear power plant in Monroe County in my district,
18. it would allow them to say whether they want that possible
19. threat or that possible asset, whichever way you want to look
20. at it, in their county. I think that this is a good legislation.
21. I think it is restrictive, as Senator Gitz pointed out, in
22. that if there were a power plant located, a nuclear power
23. plant located in any of these counties, those are not the only
24. possible recipients of any fallout, or any cloud that may come
25. from that plant, because the winds and so forth would carry
26. any...potential hazard to people in other counties. But at
27. least it would give those folks who are in the immediate vicinity
28. a chance to have a say, and I think it's a...I think this is
29. a true people bill. I think it's the sort of legislation that we
30. need to give favorable consideration to, and I would urge favorable
31. ...I would urge your support.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Demuzio, if I can see through the can over there.
 SENATOR DEMUZIO:

1. Well, thank you, Mr. President. I'm just going
2. to be very brief, also. There are three prospective sites
3. located in my Senatorial district for nuclear power plants.
4. The Central Illinois Public Service Company is purchasing
5. ground in Greene County, and the Commonwealth Edison has
6. filed potential sites in Morgan and Pike in my district
7. as well. I think that this bill is certainly worthy
8. of support by the Senate, simply because of the fact that
9. this would allow for a public debate in those various areas
10. about the benefits or the pros or cons on nuclear power, and
11. although I know that there are those that have spoken, have
12. argued the opposite this morning, but I truly believe that
13. those individuals in those communities ought to have the
14. opportunity to express themselves, either positively or
15. negatively, toward a system or a source of energy that is
16. going to affect not only themselves but their grandchildren
17. and those who live after them, and I think by a public debate
18. on a referendum such as Senator Gitz has proposed, is certainly
19. a worthy idea, and is worthy of support by the General Assembly.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. President and members of the Body, it's interesting
24. to me that the same people who introduced legislation that's
25. contra-utility rates, who want lower utility rates and all
26. these things would be the same people in this Body who would
27. stifle the development of nuclear power. Now I'm not to
28. say that nuclear power should be developed willy-nilly, but
29. certainly neither this Body as in Senator Demuzio's bill, nor
30. the local people are fully capable of deciding this feature.
31. I would say that in this kind of an instance, every county
32. would vote No, put it in someone else's county, but the
33. fact is, as Senator Buzbee says and that's why we have so
many of these bills, this is good people legislation. Yes,

1. this is good politics. You go back and tell the people, you
2. know, I tried, you know, but you don't tell the people that
3. you're for developing more expensive utility rates. You tell
4. them, well I'm against higher utility rates, but if you don't
5. generate it with nuclear, if you don't generate it with coal,
6. and we can't burn our coal, then you're going to generate it
7. with oil and gas, with which there is now...of which there
8. is now a shortage. These people talk solar energy, but they
9. know in Illinois that solar energy is not the total answer. We
10. have to develop a round, a full hand, a rounded picture with
11. respect to power, and I realize and I think and I'm going to
12. say this honestly to the members on this side who have spoken,
13. this is good people legislation. This is good politics. This
14. will get you re-elected. I'm not a candidate for re-election,
15. and I don't intend to be, and one time when the good Senator
16. from Pekin came back to Illinois to speak, he told three
17. different groups of people something they didn't want to
18. hear, and he got editorials out of every Chicago newspaper
19. because they said finally, he's not afraid. Finally, he can
20. say it the way it is. Finally, he's a statesman. He's
21. not sucking around for somebody's vote back home, when he
22. knows it's wrong, and playing both sides of the fence where
23. he tells them he's for lower utility rates but he's against
24. development of nuclear energy. Certainly we need somebody
25. to control nuclear energy, but I'll guarantee you the people
26. in precincts aren't able to decide that issue, because they
27. get too much media stuff, you know. The other day, there
28. were some cows died next to the Three Mile Island. It was
29. decided that they didn't have...didn't have a damn thing to
30. do with Three Mile Island, but the headlines in the media was
31. "Probably not connected." This guy that's head of HEW comes on,
32. says "there may be, there may be one more cancer death." Scares
33. the hell out of everybody. Well let me tell you, there isn't
a person in this room, there isn't a person in this room who

1. isn't terminally ill. Every one of us is going to die some-
2. time. We're going to die of cancer, we're going to die of
3. heart disease, or we're going to get killed on the highway,
4. and a hell of lot more of us are going to get hit...killed
5. on the highway than die of cancer or heart disease. You know...
6. Let's get with the people. Let's be honest with them.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. We still have six or seven more to speak on this issue.
9. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President, Ladies and Gentlemen of the
12. sponsor. A question of the sponsor, if he'll yield.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he will.

15. SENATOR ROCK:

16. Senator, I am frankly not sufficiently familiar with
17. the issuance of Certificates of Public Convenience and Necessity,
18. but for instance with respect to those three sites to which
19. Senator Demuzio alluded, have in fact certificates already
20. been issued with respect to those sites and others, and I
21. guess by the point of my question is, does this legislation
22. in any way affect certificates now in existence?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Gitz.

25. SENATOR GITZ:

26. To answer the last one first, all of the construction
27. that is presently underway, the Certificate of Convenience and
28. Necessity is one of the first documents sought, or at least it
29. was in the case of the Byron facility. There are certain licenses
30. which the Byron facility in Northern Illinois, which is presently
31. under construction, still have to acquire, but the very first
32. one they acquired was in December, nineteen seventy-two. Now
33. in relation to the other question, I cannot speak to Senator
Demuzio's district. I can speak to one which is one the drawing

1. boards in Carroll County in my area. There, the Certificate
2. of Convenience and Necessity has not yet been acquired from
3. the Illinois Commerce Commission. They have acquired land.
4. They've purchased the land. They have certain surveys that
5. are going on now. Officials from the Nuclear Regulatory
6. Commission have been in the county. I would assume the same
7. is the case in Senator Demuzio's area.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Well, is it possible to get a...handle on or find out
12. the number of applications pending for this type of certificate,
13. or do we know that?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Gitz.

16. SENATOR GITZ:

17. The Commerce Commission indicated to me that they
18. have no present Certificates of Convenience pending.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mitchler. Do you wish to speak on this issue,
21. Senator Mitchler?

22. SENATOR MITCHLER:

23. Thank you, Mr. President and members of the Senate. Very
24. briefly. This bill really is premature, Senator Gitz, for
25. what you want to accomplish. We've had nuclear power in the
26. State of Illinois for many years, and there is a process by
27. which they go through to get their licensing and the power
28. that's generated is very essential for the economic growth
29. and the employment and everything connected with the State
30. of Illinois. It...Illinois is in the forefront of being able
31. to have the needed power. Now you say this is not directed
32. towards anti-nuclear. Well, if you...if this bill did pass,
33. and you had a county-wide referendum in any of the counties
of the state, with the existence of the large anti-nuclear

1. group as evidenced by a recent rally in the state...in
2. Washington, D.C., you know full well that whatever county
3. had a referendum of this type, it would be turned into chaos
4. by these anti-nuclear groups and individuals and organizations.
5. Maybe not at your selection, Senator Gitz, but they would
6. come in, and you would have just nothing but chaos, disrupting
7. what is now in existence a regulatory plan for licensing
8. and giving what you have in your Certificate of Public Convenience
9. and Necessity for the utilities to construct and produce the
10. generating facilities. Had not we had the Three Mile incident,
11. this legislation would've not occurred. It just would not
12. be here, but we see it popping up all over, and it's premature.
13. It's not necessary. If it was in the best interest, fine. And
14. I ask you, why not have a county referendum if you want to
15. construct a coal mine, because I want to remind you- more
16. deaths and more permanent injuries and temporary injuries have
17. occurred through coal mines, that was in energy-producing,
18. and still is, and a type of energy-producing facility that's
19. being enlarged upon. There is more hazard...connected with
20. that industry, the coal industry, than the nuclear industry.
21. I want to point out that more people were killed in the back
22. seat of President Kennedy's car down in Dallas than have ever
23. been killed in a nuclear incident. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Kenneth Hall.

26. SENATOR HALL:

27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. We're talking about something here that means lives.
29. You know, there's a famous saying- everybody wants to go to
30. Heaven, but no one wants to die. So the point is this- is
31. that when you're talking about nuclear energy, and you're
32. talking about where a disaster can happen, I think the people
33. that are surrounding this area, I know that if I was close
to Three Mile Island, I'd be very upset, and like many people

1. are, and this is something that doesn't show up right away.
2. It's easy to say something about whether these cattle were
3. affected by it. You know, we have, as President Roosevelt
4. once said, that many people pushing up daisies in cemeteries
5. now because of...by some of these people who were famous
6. authorities and reknowned and have all the answers. I
7. think this is a good idea. I'm going to support this bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Egan.

10. SENATOR EGAN:

11. Thank you, Mr. President, members of the Senate. After
12. sifting through all of the..you know what I mean, it occurs
13. to me that there are two very significant facts of life. One
14. of which is we don't even do this for sites for prisons, and
15. the other is we spend billions upon billions of dollars to
16. create Interstate Highways that kill more people than nuclear
17. energy, I think, will ever kill. It's with us. It's going
18. to be with us for a long time. It may be the ultimate destruction
19. of us all, but in the meantime, the thing to do is not to
20. eliminate it, just to make it safer, and if we concentrate
21. on making it safer instead of scaring everybody that lives
22. near them, I think we will have done each other a great deal
23. of good, and I'm going to support the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Graham.

26. Senator Newhouse.

27. SENATOR NEWHOUSE:

28. Thank you, Mr. President, Senators. I think this is a
29. very important bill, and it's a very important bill because
30. it involves people's lives, but it also involves an element
31. of trust--an element of trust in government, an element of
32. trust in the kinds of information that are disseminated. I
33. think the Senators who got up previously and said had it
not been for Three Mile Island, this bill wouldn't be here,

1. and that is probably correct, but there was a Three Mile
2. Island. There was a Three Mile Island that we were assured
3. could not possibly happen. Now there's a question of
4. credibility here involved that I think we ought to look at.
5. There's a noted scientist named C.P. Snow, who not only is
6. a noted scientist, but is a noted historian and political
7. scientist. Snow's theory is that the political scientists
8. and the pure scientists aren't even talking to each other,
9. so that while we have the technology available presently
10. to solve all the problems of mankind- how to feed, how to
11. clothe, how to shelter, but rather than using them for con-
12. structive purposes, we're using them for destructive purposes.
13. If you watched the television reports the other day, the
14. complaint about those folks from the area surrounding Three
15. Mile Island is not simply that the accident happened, but that
16. they were lied to in the process, and the mayor of the town
17. found out that there had been a nuclear accident by virtue
18. of a television station calling him. Nobody from government
19. gave the answer, and that's a serious problem. The people
20. who have tried to make these decisions in the past have
21. not been given the full information. Those who have had
22. the inside information have apparently used it to further
23. their own purposes. In the light of that, how is it possible
24. that we wouldn't suggest that people who now know that there
25. is a Three Mile Island have the right to select their own choice
26. of whether or not they prefer to live in such an atmosphere.
27. This differs substantially from the coal mine, in which one
28. consciously takes the risk of going down there to do the work
29. on the basis of being paid for a risky job. The people who live
30. near a site such as this aren't being paid for a risky job.
31. They are ordinary, everyday people who are trying to raise their
32. children and raise a family and exist through a normal life span.
33.

1. It's very possible that this may not happen. It's too early,
2. it's too early to tell what the consequences of these kinds
3. of accidents are going to be, so I would submit to you that
4. the matter of a simple referendum to decide whether or not
5. a facility does have potential for danger ought to be erected as
6. a rational one. I would support the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Further discussion.

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2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Well, Mr. President, Ladies and Gentlemen of the Senate.

5. Last week we had a similar bill in nature, only it was expanded
6. to cover the State of Illinois. As I said then, I'll say now,
7. we had two committees to investigate this. I might add that I
8. voted for this bill in committee because I think I was hyperactive
9. too. But now that I think about it, I do feel it's important
10. to have complete investigation by two committees which Senator
11. Joyce is cosponsor...cochairman of the Senate - House Committee and
12. is Chairman of the special Senate Committee on Nuclear Safety.
13. I think we should get the facts and the truth first and then make
14. our decision. In the meantime, we know that the Nuclear
15. Regulatory Commission, whether we like it or not, still has
16. the preemptive power over us, so on that basis, I'm going to
17. vote Present on the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Davidson...Senator Davidson moves the previous
20. question, but before he does, we have one, two, three, we have
21. Senator Bruce, Johns, Egan and Berning yet to speak. Senator
22. Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr. President and members of the Senate. We're
25. talking in this legislation about a very simple concept which is
26. new to this Legislature and that is giving the right of the public
27. to speak and vote on issues of public health, and that is about
28. what we are to decide here today. We give the county voters many
29. options, and people many options to vote. We allow them to vote
30. on whether or not they are going to increase taxes, to establish
31. mosquito abatement districts, whether or not we're going to have
32. a water district, a park district and all those things each time
33. we raise their taxes, we stand on this Floor and say we're not going

1. to do that unless they have a right of a referendum.
2. We say when we create mass transit districts, there has to be
3. a vote, for RTA or any mass transit district, they have a chance
4. to go to the polls and say whether or not they want to increase
5. their taxes and be involved in a new taxing body. When we adopted
6. a new Constitution in 1971, we said they had a right to review those
7. changes, the document which will rule this State for many years and
8. decide on it. Not only that, they get a chance to vote on
9. amendments and they're oftentimes important. Maybe not as important
10. as public health. They get a chance to decide on branch banking and
11. they get a shot at deciding what the size of this legislative body
12. is. What we're saying in this bill is the extension of that right
13. to vote on issues of importance. It just says if you're going to
14. locate a nuclear facility in your county, you have a chance to
15. speak about it. I don't think that's unusual or ought to be unpopular.
16. We ought to extend to them that right. I wouldn't want to have one
17. in my farm. I think that there are many other people that feel the
18. same way. We've heard talk that somehow this is good people
19. legislation. Well, for some reason the big Room 212 says be it
20. resolved by the people of the State of Illinois represented in the
21. General Assembly. I'm down here to represent my people. Happens
22. to make good political sense. I don't see any...anyone clamoring
23. to the defense of the utility companies and the problems they've
24. created. So if it's good people legislation, it's good politics,
25. it seems to me it makes good sense and I plan to support this
26. legislation.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Johns.

29. SENATOR JOHNS:

30. Thank you, Mr. President. I think while I have your attention
31. that I wouldn't want you to leave this day and this Body with
32. a conception that nuclear energy is the only answer and that it's
33. the cheapest. Coal is by far and away the best answer, it's the

1. cheapest, even with scrubbers attached. We do not have to
2. rely on nuclear, even though I think it's an answer in the...
3. in part to the energy problem. I just want you to remember that,
4. coal is the answer, not necessarily nuclear.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President and members of the Senate. This
9. issue before us is rather difficult for many of us and for me
10. particularly and I want to explain why. We, in Lake County, do have
11. a large nuclear reactor, the Zion Nuclear Reactor. We are
12. exporting power to other areas. We're not only supplying our own
13. needs in Lake County, but we are supplying the needs in other
14. adjacent counties. Now, the bill before us would give other
15. counties the option of precluding similar installations and
16. partly because they can point to Lake County and say, well,
17. we're getting plenty of electricity from up in Lake County.
18. Let those people live with that threat, live under the cloud
19. of apprehension as to whether or not we are safe in Lake
20. County. While I appreciate the objectives of the sponsor and
21. I recognize the concerns of all citizens and we have them among
22. the citizens in Lake County, I want to assure you. At the
23. same time there are very few of us who would say I'll be glad to get
24. along with half of the electrical energy that I am used to using
25. or I'll be glad to shut down my air conditioner for the summer
26. or I'll turn off all my lights for the balance of the year in
27. order to save energy. No, we won't do that. We have become accustomed
28. to a way of life which is very comfortable, very enjoyable. We depend
29. on electric power and we have come to rely on nuclear energy for
30. the majority of that electric power in many of our areas.
31. As I said initially, this is a rather difficult bill to vote on.
32. I wouldn't like necessarily to deny any of our citizens the right
33. to express themselves, but you know as well as I do, that there
would never be another nuclear reactor plant other than those now

1. functioning and I think this would be a discriminatory
2. situation to place my Lake County citizens in and therefore,
3. I will have to reluctantly oppose Senate Bill 1093.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, thank you, Mr. President. For those of you who I'm
8. sure think that I can't even...I can't even convince myself, I
9. suffixed my remarks by saying that I was in support of the bill
10. and that was diametrically opposed to the truth and I'm now going
11. to be honest with you and tell you that I'm absolutely against the
12. bill and that's what I meant to say.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Gitz may close the debate.

15. SENATOR GITZ:

16. Mr. President and members of the Senate. I've listened with
17. great interest over the past four months to a number of bills on
18. this Floor and I've had the distinct interesting position of
19. listening to a great deal of debate with any Agriculture, Energy
20. and Conservation Committee to name but one. Now, in the course of
21. the last four months, every single bill which affected utilities
22. has gone down in flames. We have voted down bills which would have
23. given the Commerce Commission the power to regulate certain kinds of
24. advertisement, no good. Done. We have voted down bills to give
25. the General Assembly some input on this. No, we're irresponsible.
26. That can't be done either. We voted down bills to go back to a
27. tradition where the rate payer didn't pay for construction until
28. the facility went on line. No, that's too much of an imposition.
29. As a matter of fact, one witness said it would be unfair to the
30. shareholders because of the inflation and never failing to say what
31. does it do to the ratepayers. And now we come down to a bill which
32. the most basic argument is this and I hope that every member who is
33. presently in their seat or carrying on a conversation will listen
very carefully because whether you push a green light or a red light

1. on this bill, may come back in future years to be a very key
2. decision that people ask you about. I have been very struck with the
3. fact that virtually every opponent in this Chamber has taken
4. this bill to task as being anti-nuclear power. They prefer to close
5. it in those terms rather than coming back to the central issue of
6. what is the role of the people. Now, I have heard all kinds of
7. arguments on this. Some of the more interesting were that it's
8. a knee jerk reaction. We require referendums and quite a few
9. things around here. As a matter of fact, Senator Sangmeister would
10. like to have referendums on RTA. I submit that's not nearly the
11. ominous situation that we face with this energy. We have been told
12. that there are Federal officials to regulate but where have the
13. regulators been? Has there ever been one construction permit
14. denied by the Nuclear Regulatory Commission? Or, my friends, let
15. me slow down and ask you one other question. Are you aware of
16. how many hearings, just simple public hearings, were ever held in
17. Northern Illinois in that construction permit? I will tell you
18. how many hearings, none. Zero. There was no input by local people.
19. In my home community today there is an eighteen percent rate increase
20. pending in the Illinois Commerce Commission. The same Commerce
21. Commission is asking questions about a Byron Nuclear Facility already
22. constructed, under construction, which will not be impacted by this
23. bill, saying they have so much excess capacity, they
24. question whether they should have the facility. Throughout the
25. country there are utilities cancelling their orders left and right.
26. Not only because of safety questions, but because of sheer
27. economics. The Ohio Energy Director said that they thought the
28. State of Illinois was crazy giving their coal reserves from
29. barking in this policy. Now, my friends, this is belated legislation.
30. The comment that is premature is rather silly on the surface of it.
31. We've been building facilities for the last fifteen years and now
32. we come back to the simple question. When there are more questions
33. than ever before about ever spiraling energy cost. When these
costs are passed on to the ratepayer and he has no recourse and no

1. voice and when your lives and your families lives and your land is
2. affected, when you want a voice in it, you are told by this Body
3. if we are to believe the opponents, No. I will close on this
4. note, when you vote No on this bill, you aren't voting No on the
5. question of a moratorium, No on the question of development
6. of energy. Let's be honest. The people who took the public
7. to task did it on two bases. They insinuated that the public
8. is too dumb, it's too complicated an issue. Better to leave it to
9. the bureaucrats and the Federal officials and other people that are
10. much more aware of all the technicalities and yet those people have
11. been telling us for years that there is nothing to worry about.
12. And then there is the other argument which is given on this bill
13. that they wouldn't approve it. On the face of it, if everybody in
14. the State was approved...disapproved of it, then why are we insisting
15. on moving ahead on this front when so many other states
16. are backing up a little bit? When you vote No on this bill,
17. you are saying, whether you mean to or not, you are saying that
18. the only role of the public is to pay whatever utility bills are
19. passed onto them. And they are to inherit whatever dangers
20. ever emanate from all the nuclear plants in their facility.
21. But they have no recourse to even a simple vote. So, my friends,
22. vote with the angels or vote red, but rest assured, that this is
23. not an issue that will die now and rest assured also that
24. there may be a future time when this roll call becomes very important.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is shall Senate Bill 1093 pass. Those in favor
27. vote Aye. Those opposed vote Nay. The voting is open. Have
28. all voted who wish? Have all voted who wish? Take the record.
29. On that question the Ayes are 30, the Nays are 23, 2 Voting
30. Present. For what purpose does Senator Nimrod arise?
31. There has been a verification requested. Is that the affirmative
32. or negative? Affirmative roll call. Mr. Secretary, would you
33. verify the affirmative vote? Will every member be in their seats
and answer the roll call.

1. SECRETARY:

2. The following voted in the affirmative: Bloom,
3. Bruce, Buzbee, Carroll, Chew, Coffey, Collins, Daley,
4. Demuzio, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
5. Lemke, Martin, McLendon, Merlo, Nash, Nedza, Netsch, Newhouse,
6. Sangmeister, Savickas, Schaffer, Sommer, Vadalabene, Washington,
7. Wooten, Mr. President.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there...is there a question of any Senator?

10. Senator Chew. Remove his name from the record. Is there a question
11. of anyone else? On that question...Senator Gitz.

12. SENATOR GITZ:

13. I'd like to put it on Postponed Consideration.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. That will be placed on Consideration Postponed. Senate Bill
16. 1094, Senator Philip. Senator Philip. Senate Bill 1094.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1094.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Philip.

24. SENATOR PHILIP:

25. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
26. Senate Bill 1094 amends the Election Code. Would allow all townships
27. in the State of Illinois their choice of either having a primary
28. or a party caucus. This bill was suggested from two small townships
29. in DuPage County who had, because of the City of Aurora coming
30. down in the townships to pick up a shopping center. became over the
31. population that like one township had twelve precincts and they
32. had to have a party primary. So, it's at their request and I'd
33. be happy to answer any questions.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Any further discussion? Senator Joyce.
3. SENATOR JEROME JOYCE:
4. Yes, Senator, would you yield to a question?
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. He indicates he will.
7. SENATOR JEROME JOYCE:
8. Yes, is this done by referendum?
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Philip.
11. SENATOR PHILIP:
12. No, it is not done by referendum.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Is there further discussion? Senator Wooten.
15. SENATOR WOOTEN:
16. Thank you, Mr. President. Simply rise in opposition to the bill.
17. It was...did not even get out of committee last time.
18. I...I think it probably should have stayed in committee this time.
19. I urge opposition.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Is there any further discussion? If not, Senator Philip
22. may close the debate.
23. SENATOR PHILIP:
24. Thank you, Mr. President. This came from a suggestion
25. from a small township who has twelve precincts in the whole townships.
26. To have a primary for twelve precincts is really ridiculous.
27. It leaves it optional up to that party whether they want
28. a primary or a party caucus and I just think it's in the interest
29. of good government.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. For what purpose does Senator Vadalaben arise?
32. SENATOR VADALABENE:
33. Yes, for a question.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Well, he's on closing arguments.
3. SENATOR VADALABENE:
4. Yeah. All I wanted to know was would this eliminate the
5. caucuses in the State of Illinois in the township elections?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Philip.
8. SENATOR PHILIP:
9. No, it would leave the option up to the local political parties.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Vadalabene.
12. SENATOR VADALABENE:
13. Yes, I'm waiting for the one that would eliminate the township
14. caucuses.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Knuppel.
17. SENATOR KNUPPTEL:
18. That other bill that we just voted on came so close that...
19. public opinion. Let the local people have what they want.
20. Come on all you people now. Let's be consistent.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Philip, would you care to close for the second time?
23. SENATOR PHILIP:
24. No, I will just ask for a favorable roll call.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. The question is shall Senate Bill 1094 pass. Those in
27. favor vote Aye. Those opposed vote Nay. The voting is open.
28. On that...have all voted who wish? Have all voted who wish?
29. Take the record. On that question the Ayes are 24, the Nays
30. are 24, none Voting Present. Senate Bill 1094 having failed to
31. reach...receive a constitutional majority is declared lost.
32. Senate Bill 1096, Senator Geo-Karis. Read the bill, Mr. Secretary.
33. SECRETARY:

1. Senate Bill 1096.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Geo-Karis.
6. SENATOR GEO-KARIS:
7. Mr. President and Ladies and Gentlemen of the Senate.
8. This is a bill that has been urged by the Department of Law
9. Enforcement and by the Dangerous Drug Commission. This bill would
10. eliminate...it would keep...it would require every practitioner
11. to keep a record of controlled substances received by him and a
12. record of all such controlled substances administered, dispensed,
13. or professionally used by him, otherwise and by prescription in the
14. dangerous drugs and are scheduled...in...schedules 1 and 2 in the
15. Statute. And I urge its favorable consideration.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Is there further discussion? If not, the question is shall Senate
18. Bill...Senator Rock.
19. SENATOR ROCK:
20. Yes, I wonder if the Senator would be kind enough to explain
21. Amendment No. 1.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Senator Geo-Karis.
24. SENATOR GEO-KARIS:
25. All right. Amendment No. 1 says that...just what I said earlier
26. and then it also said it shall have...sufficient compliance
27. with this paragraph if any practitioner utilizing controlled
28. substances listed in schedules 3, 4, and 5 shall keep a record of
29. all those substances dispensed and distributed by him other than
30. those controlled substances which are administered by the direct
31. application of a controlled substance whether by injection,
32. inhalation, ingestion or any other means of the body of a patient
33. or research subject. One of the reasons for this amendment, Senator
- Rock, was that emprin is, for example, something that...if they

1. administer in small quantities shouldn't have to keep a record of.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senator Rock.
4. SENATOR ROCK:
5. Well, my...our file indicates, Senator, that there was a
6. suggestion in committee that you were going to define "small
7. amount" by this amendment. I don't see it in this amendment.
8. And apparently, the committee recommended Do Pass on that basis
9. and this, in fact, has not been done as I read the amendment.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Geo-Karis.
12. SENATOR GEO-KARIS:
13. I believe, Senator Rock, at the time there was a question
14. what the Illinois Medical Society would also think about this and
15. inasmuch as it involved petitioners. And I did discuss this with
16. Senator Moore...brought it up and Senator Moore is here and my
17. commitment was that I would try to work with the Illinois Medical
18. Society. I might tell you the Illinois Medical Society approves
19. this bill as amended. They met together with the Dangerous Drug
20. Commission and with the Illinois Department of Law Enforcement.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Rock.
23. SENATOR ROCK:
24. Well, I'm frankly, not interested in the Illinois Medical
25. Society's opinion one way or the other. What I am interested
26. in was that if there was a representation made to the committee
27. members, I don't see it was fulfilled.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Geo-Karis.
30. SENATOR GEO-KARIS:
31. Senator Moore was at the committee meeting. Would you
32. mind...
33. PRESIDING OFFICER: (SENATOR SAVICKAS)
Senator Moore.

1. SENATOR MOORE:

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

3. I was the one that raised a question, Senator Rock, as far as
4. the record keeping problem that may be involved relative to small
5. amounts. I was fearful of the additional bookkeeping
6. or what type of bookkeeping should have to be held or had
7. by the physician as to whether or not...although we agreed that
8. there was a need for this, whether or not it was in fact, possible
9. to be complied with. And it was at my request that Senator
10. Geo-Karis...that with the Dangerous Drug Commission, with the
11. Department of Law Enforcement and the...the State Medical
12. Society. And came up with something that all three could
13. ...could live with by the adoption of Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Rock. Is there any further discussion? If not,
16. Senator Geo-Karis may close the debate.

17. SENATOR GEO-KARIS:

18. I would respectfully urge your favorable consideration inasmuch
19. as the schedule of drugs in 1 and 2 are the most dangerous and
20. these are the ones we have to protect the people particularly
21. against and it's a step by step...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is shall Senate Bill 1096 pass. Those in favor
24. vote Aye. Those opposed vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question the Ayes are 37, the Nays are 12 and
27. 1 Voting Present. Senate Bill 1096 having received a constitutional
28. majority is declared passed. Senate Bill 1097, Senator Grotberg.
29. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1097.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Thank you, Mr. President, members of the Senate. Senate Bill
4. 1097 is an amendment to the Local Government Agency, LGA, and
5. covers a void in the existing programs of housing under Section 8,
6. Federal Funds, are now administered only by municipalities that
7. have housing authorities. This would empower the Local Government
8. Affairs department in addition to the powers conferred on other pro-
9. visions, they may acquire REHAB lease, et cetera, housing
10. for low income families pursuant to contracts entered into under
11. Section 8 and that's the subsidized rental for people who spend
12. twenty-five percent or more of their funds on rent, the Section
13. 8 Federal funds come into effect. This would only be with
14. permission and ordinances of the municipalities involved or the
15. counties involved wherever this would be enacted and it makes
16. available to many counties and municipalities without housing
17. authorities a front door entrance to Section 8, Federal Housing
18. Funds, one of the most successful housing projects that
19. HUD administers. I will answer questions. It went out of committee
20. unanimously and I think is a step forward.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not...Senator Berning.

23. SENATOR BERNING:

24. Question of the sponsor, please.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. He indicates he will yield.

27. SENATOR BERNING:

28. Senator, the Department of Local Government Affairs
29. was set up for one specific reason, to provide aid and assistance
30. to local government. It would appear to me that by this type of
31. an amendment to their Act...to that Act, we are embarking on an
32. altogether new and in my opinion, totally unjustified expansion of
33. responsibility for a department that had in its original conception
no such inference. Why would we be doing this?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Grotberg.

3. SENATOR GROTBORG:

4. It does really quite the opposite, Senator Berning, of the
5. inference of your question. It opens the door to communities now
6. that do not qualify and this is not to say that the Department of
7. Local Government Affairs would be the operating active agent
8. in all of these things. It's the passthrough State agency that
9. would make Federal Section 8 funds available to communities
10. not now receiving them. The county board, the city council has
11. to cooperate and act to empower any of the passthrough of these
12. funds or any of the other powers that they would have. Local
13. Government is very much involved in it. They can't even come into
14. the community without the local ordinances.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Berning.

17. SENATOR BERNING:

18. Well, without being cantankerous about it, it would appear
19. to me that if we want to make these kinds of funds available and
20. I'm not sure that we ought to be inviting anymore Federal funds
21. anywhere, but if we do, then we ought to provide the avenue for the
22. local governmental units, be it the county, the township or the
23. municipality to proceed. The Department of Local Government Affairs
24. in no way by any stretch of the imagination ought to be injecting
25. itself into this area of activity in my opinion and I think it's
26. a mistake.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, Senator Grotberg may
29. close the debate.

30. SENATOR GROTBORG:

31. Well, thank you, Mr. President. And again, members of the Senate,
32. very briefly, the Section 8 Program of the Federal Housing Program
33. is the best private enterprise housing subsidy that there is available.

1. Everybody can built whatever they want. There are no building
2. restrictions on it and the...the quality of the housing
3. put up by that is the most successful of all and this makes
4. a lot of things possible for private enterprise through
5. ordinances of local units of government opening the door without
6. having a housing authority and other governmental body at the local
7. level enacting all these transfers of funds and I just ask for
8. a favorable roll call.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is shall Senate Bill 1097 pass. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question the Ayes are 38, the Nays are 5 and
14. 2 Voting Present. Senate Bill 1097 having received a constitutional
15. majority is declared passed. Senate Bill 1101, Senator Rock.
16. Read the bill, Mr. Secretary. Senator Shapiro, I'm sorry.

17. SECRETARY:

18. Senate Bill 1101.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. I'm sorry about that, Senator Shapiro, but you know...

23. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President and Ladies and Gentlemen of the House...of the
26. Senate, I'm sorry, didn't mean to demean you. Senate Bill 1101
27. is an Act in relationship to the authority and the powers of the
28. Illinois Housing Development Authority and this bill would increase
29. their bonding authorization from eight hundred million to 1.1
30. billion dollars, an increase of three hundred million dollars.
31. I think maybe if I give you just a little bit of the background
32. and the work they are doing and why the bill is necessary, it
33. may be easier to ask questions about it. This authority was
created in 1967 with an initial bonding authority of five hundred

1. million dollars. In 1974, when this amount was exhausted
2. we raised it, the limit, to eight hundred million. Now, as of
3. January 9th, of 1979, the authority had committed a total of five
4. hundred and sixty-three million dollars with an additional
5. two hundred and eleven million dollars in commitments or loan amounts
6. which had passed the preliminary approval stage and of this amount,
7. the two hundred and eleven million approximately ninety-five percent
8. of it, will be approved loans which will proceed to commitment.
9. So, actually, we have approximately twenty-five million left in
10. bonding authorization for IHDA. Now, the authority has been
11. committing at a rate of approximately a hundred to a hundred and
12. twentying million dollars annually, but the problem involved
13. this particular time is that the Federal Government has allocated
14. approximately sixty million dollars in Federal funds and the
15. ...I'm sorry. The Federal Government has made their commitment to
16. IHDA which will requite IHDA to come up with an additional
17. sixty million dollars in additional debt authorization which would
18. take it over the eight hundred million dollar figure.
19. And this amount is necessary to take advantage of Federal subsidy
20. funds that are already set aside. I think that pretty well explains
21. the contents of the bill. If there are any questions, I will do my
22. best to answer them. Otherwise, I would appreciate a favorable
23. roll call.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
28. I rise in support of Senate Bill 1101. It is, as the Senator rightly
29. indicated, an increase of three hundred million dollars in
30. authorization and I would request a ruling of the Chair, an
31. indication of how many votes are to be required.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Since it's a bonding bill, it will require three-fifths...require
thirty-six votes under Article IX, Section 9 of State Debts.

1. Is there further discussion? Senator Shapiro.

2. SENATOR SHAPIRO:

3. Just a clarification on your ruling. These are not
4. general obligation bonds on the State, they are revenue bonds.
5. Would that make the difference?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Well, since it has...would you hold that for one second, Senator?
8. The ruling of the Chair after considerable deliberation will be
9. that it will just take a majority of those voting...a majority of
10. those elected voting on the issue. Is there further debate?
11. If there is no further discussion, Senator Shapiro may close the
12. debate.

13. SENATOR SHAPIRO:

14. Roll call.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is shall Senate Bill 1101 pass. Those in favor
17. vote Aye. Those opposed vote Nay. The voting is open. Have
18. all voted who wish? Have all voted who wish? Take the record.
19. On that question the Ayes are 49, the Nays are 5 and 1 Voting
20. Present. Senate Bill 1109...having received a constitutional majority
21. is declared passed. Senate Bill 1102, Senator Shapiro. Read the
22. bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1102.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. President and Ladies and Gentlemen of the Senate.
31. Senate Bill 1102 is a companion bill. It raises the interest
32. rate allowable to be paid on the sale of these bonds from eight
33. to nine percent. The reason for it, I think, is...been pretty
well documented. At the last sale of either bonds, it appears from

DB 1104
3rd reading
5-22-79

1. this chart that was given to me by them that the interest rate
2. was pretty close to eight percent as of the latter part of December
3. in 1978. This will allow the...IHDA to make future bond sales with the
4. interest rate at nine percent.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, the question is shall
7. Senate Bill 1102 pass. Those in favor vote Aye. Those opposed vote
8. Nay. The voting is open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question the Ayes are
10. 50, the Nays are 2 and 3 Voting Present. Senate Bill 1102 having
11. received the constitutional majority is declared passed.

12. Senate Bill 1103, Senator Keats. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1103.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Keats.

19. SENATOR KEATS:

20. Mr. President, may I ask that 1103 and 1104 be run as companion
21. bills since they're completely tied together?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there leave? Leave is granted.

24. SENATOR KEATS:

25. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
26. What Senate Bills 1103 and 1104 do is they make some changes in
27. the Metropolitan Exposition Center Act. The...in 1103 they're
28. basically housekeeping changes in terms of how often you can apply
29. for assistance, et cetera. What it really does is give you more
30. definitive language. One of the problems today is it's hard to
31. interpret the language. So, 1103 is housekeeping and then 1104
32. has no effect whatsoever on existing metropolitan civic centers.
33. What it says though, it gives us a moratorium for the future until
we finish the study of the economic feasibility of these throughout

1. the State, so the two bills are tied together in terms of cleaning
2. up the language and then saying we won't commit ourselves
3. to more until we study the six that are presently ongoing.

4. I believe that these bills are recommendations of the
5. Economic Development Commission. I'd solicit your Aye vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator Rock.

8. SENATOR ROCK:

9. Yes, thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. A question of the sponsor if he will yield.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. He indicates he will yield.

13. SENATOR ROCK:

14. Do these bills in any way affect the Metropolitan Fair and
15. Exposition Authority which currently operates McCormick Place?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Keats.

18. SENATOR KEATS:

19. Mr. President, no, they have no effect whatsoever.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, presently we have some legislation that we're
24. working with the Governor in regards to the support legislation
25. for the civic centers in Decatur, Springfield, Peoria and Aurora and
26. so forth. Will this legislation have any affect on these
27. centers?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Keats.

30. SENATOR KEATS:

31. Senator Sam, no, this will have no effect. This...anything
32. we're talking about does not affect the existing centers.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Vadalabene.

2. SENATOR VADALABENE:

3. Now or in the future?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Keats.

6. SENATOR KEATS:

7. No, this legislation is not dealing with those existing

8. centers.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Martin.

11. SENATOR MARTIN:

12. Well, I'm not sure why we need a study commission.

13. Senator Keats, I can tell you that of all the civic centers in the

14. United States there is only one that shows a profit. I don't know

15. why you have to have a study commission to tell you that. They're

16. all going to be giant white elephants and I don't know why we have

17. to have a new commission to discover that. You can just read what's

18. already available to everybody else.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Hall. Senator Moore. That wasn't a question, Senator.

21. You can close debate...you can answer. Senator Moore.

22. SENATOR MOORE:

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

24. I rise in support of this legislation. I think that Senator Martin

25. has probably hit the point. Presently anybody can apply for

26. a civic center. In fact, I've been thinking of applying

27. at...for the Villages of Midlothian, Oak Forest, Homewood,

28. Hazelcrest. There is just no limit under the present Statute,

29. as to how far we can go on this. I think this is a needed

30. piece of legislation. It was a recommendation of the Commission for

31. Economic Development. The department thinks that they should have

32. the authority for feasibility studies and I totally agree with them

33. and I would urge all the members, including the members on this

side of the aisle, to vote affirmatively for this bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Demuzio. Demuzio.
3. SENATOR DEMUZIO:
4. I have a question of the sponsor. According to the bill
5. on the first page, it says the order of acceptance of applications
6. and certifications of projects shall be according to procedures
7. defined by the department. Does that or will that not now have
8. an effect on the civic center applications that are...that are
9. currently within the...within the office...those individuals that
10. have applied and if indeed does this not allow the department
11. to establish some order of priority that those that have applied
12. can...would not be first and those would be last could be
13. ranked some other...some other way?
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Keats.
16. SENATOR KEATS:
17. The way it works is this does not cover the six existing
18. centers. In terms of new centers, there would be a moratorium.
19. So, it's not an order of one, two, three, four, until the studies
20. commission...there is no commission, by the way. That's
21. ...there is no commission. It's a study. Until that's done, we'd have
22. a moratorium on any new ones, but this is not affecting the
23. six existing.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Demuzio.
26. SENATOR DEMUZIO:
27. Well, are you saying that there is no pending applications
28. right now with the department?
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Senator Keats.
31. SENATOR KEATS:
32. Excuse me, then. I did not answer your...your{s completely.
33. This bill does not affect existing applications either. Excuse me.
I did not answer your question completely.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Demuzio.
3. SENATOR DEMUZIO:
4. Well, very briefly, would you just tell me again what it does
5. affect, then?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Keats.
8. SENATOR KEATS:
9. It affects any applications in the future. It does not deal with the
10. six existing ones today or applications that will have been
11. submitted by the time this bill is enacted into law, it deals only
12. with the future in terms of studying the feasibility of more
13. metropolitan civic centers.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Demuzio.
16. SENATOR DEMUZIO:
17. Then why do we recertify the projects, then in your bill?
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Keats.
20. SENATOR KEATS:
21. To make sure that we don't exist...don't fool with the existing
22. ones.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Senator Demuzio.
25. SENATOR DEMUZIO:
26. Well, you're...you're striking recertification of these previously
27. certified.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Keats.
30. SENATOR KEATS:
31. The ones that are previously certified are being left alone.
32. This is not an ex post facto law. What we're simply saying
33. is in the future, we're going to ask some tougher questions in
- terms of their feasibility. In terms of certification, if they're

1. already there, that's the issue and they're already there.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senator Demuzio. Senator Netsch.
4. SENATOR DEMUZIO:
5. Do they have to be recertified every year, each project, in order
6. to get continued support now?
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Keats.
9. SENATOR KEATS:
10. The answer is no. They only need to be certified once.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Senator Bruce.
13. SENATOR BRUCE:
14. I just don't see how this bill can keep from affecting
15. current established metropolitan centers. First of all, the first
16. bill says that you cannot go back and apply for money again. So, if you
17. have gotten money one time, that means that anybody that's already
18. in can't go in for a second bite. Whether you want to do that or
19. not, I...that's up to the different authorities. But it
20. certainly says in 103 that you can only go one time for funding.
21. In 104 it states very clearly in the current legislation and you
22. amend in also, the same language, certify and recertify.
23. The problem is that any existing facility that asks for
24. an extension or recertification would come under this legislation.
25. Until there was a feasibility study done, no additional money
26. could be spent on anexisting facility if they go back for
27. additional funding. I...I just think that your statement that it
28. doesn't affect existing facilities is incorrect.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Senator Mitchler.
31. SENATOR MITCHLER:
32. Question of the sponsor.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)
- He indicates he will yield.

1. SENATOR MITCHLER:

2. On page 1, lines 21 through 23, the order of acceptance of
3. applications and certification of projects will be in accordance
4. ...according to procedures defined by the department. How does that
5. differ then...the selection was made and the applications were
6. approved and certified under the previous system?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Keats.

9. SENATOR KEATS:

10. Okay. It gives the department the power to make certain priority
11. decisions in the future.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Well, there's nothing spelled out how those priorities are
16. going to be determined. Let's say Midlothian comes in with an
17. application and I come in with one from Oswego, then it's up to
18. them to decide which has the priority of acceptance?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Keats.

21. SENATOR KEATS:

22. The point is if these bills pass, there's a moratorium
23. for the future and Oswego and Midlothian will not be coming in for
24. them in the future.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. How long is the moratorium going to exist?

29. SENATOR KEATS:

30. Not in excess of one year.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Mitchler.

33. SENATOR MITCHLER:

Well, that's changing the procedure from the original

1. Act. I don't know if Dr. Vadalabene has approved of this or not.
2. He's been handling a lot of this legislation for the civic centers,
3. some of it's been good and some of it coming up is not so good,
4. Senator Vadalabene, but I...I would think that the department is...is
5. taking over the selection. After they approve and accept an
6. application, certify it, then it has to come back to the General
7. Assembly for approval?
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Keats.
10. SENATOR KEATS:
11. No.
12. SENATOR MITCHLER:
13. I don't like that part.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Davidson.
16. SENATOR DAVIDSON:
17. Sponsor yield for a question?
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. He indicates he will.
20. SENATOR DAVIDSON:
21. So we get a clear cut...clear cut understanding in relation to
22. the legislation that Senator Vadalabene and I have also pending
23. in relation to the answer given, this will no way prohibit
24. any existing auditorium who has an auditorium...comes operative
25. and has a deficit of participating in the...now would be out of the
26. parimutuel rather than Cigarette Tax Fund such as the McCormick
27. Place, from receiving funds to erase that deficit.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Keats..
30. SENATOR KEATS:
31. These bills do not deal with the operating situation of the
32. civic centers when completed.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)
Senator Davidson.

1. SENATOR DAVIDSON:

2. In that case, I'll rise in support of the bills.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Further debate? Senator Vadalabene.

5. SENATOR VADALABENE:

6. Yes, just briefly. There was...I think Senator Don Moore said
7. that everybody can jump in and jump out of these civic center
8. concept...but if you see the language of the original bill and I forget
9. the number of it, you have to have an assessed valuation. It
10. was three hundred million and I think we raised it to six hundred
11. million before you would be eligible to apply for a civic center
12. in whatever county or whatever community that you desired it to be.
13. So, there is some build-in mechanisms in it. It's in the BED library
14. or whatever they're...because they're handling the civic center
15. legislation. So, I'm with mixed emotions on this. My counsel to the
16. rear of me tells me that there is problems with it and Senator
17. Davidson, my cosponsor with the Civic Center Support Act,
18. is saying he is going to favor it. I don't know...I'm between a hard
19. rock and a...and a bunch of Senators, I guess. So...and Senator
20. Mitchler, I'm not going to start practicing law till July 1, so
21. you can still call me Senator. Doctor after July 1.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Hall.

24. SENATOR HALL:

25. Well, I just wanted to ask one question of the sponsor.
26. You said this moratorium would only last for one year. I don't have
27. the bill before me. Is that in the bill?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Keats.

30. SENATOR KEATS:

31. The companion appropriation bill which is 1105, the funds are
32. appropriated for only one year. So, if it's not done in the one
33. year, there are no funds.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Hall.
3. SENATOR HALL:
4. Well, then, it's not in bill 1103, then.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Senator Keats.
7. SENATOR KEATS:
8. No, we would like to do it in substantially less time than that.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Further discussion? Senator Bloom.
11. SENATOR BLOOM:
12. Well, I would rise in support of this package. Because what
13. has happened is to a degree there has been a glut created on the
14. market downstate and in response to the comment by Senator Bruce,
15. I think it is a good thing that the second bite is prohibited.
16. Our own situation in the largest community in my district, Peoria,
17. when we passed in '76 the authorizing legislation, it was
18. the understanding of the legislative delegation that the State
19. would put up twenty million dollars of seed money and that
20. the locals would come up with about 6.7 million and that it would cost
21. thirty-eight to forty million tops to build a civic center and that
22. a hotel - restaurant and amusement tax would pick up that extra cost
23. and also pay for operating subsidies. I think that it's
24. gotten completely out of hand and I know that in my own district
25. our local city has created to a degree something akin to the
26. Scholarship Commission, board and commission with absolutely no
27. accountability to the taxpayers. And I think that it is absolutely
28. necessary that the legislation in this package pass, if only
29. ...if only to keep the pressure off of us and to force the locals
30. to do what they promised to do back in 1976. Thank you.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Gitz.
33. SENATOR GITZ:
Question of the sponsor.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he will yield.

3. SENATOR GITZ:

4. Senator, I think Senator Bloom's comments are very well taken.
5. In listening to debate, however, I'm a little bit puzzled by
6. the wording on line 28 and 29, to wit, it refers to
7. the applicant has satisfied the requirements stated in subsection
8. 1 of this section and I quote "has not received previous support
9. from the State under this program." Now, I would appreciate it if
10. you would explain to me what exactly that section means and give
11. me examples of what kind of an authority would qualify under
12. that wording and would not and whether that wording can
13. be construed to affect operating deficits.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Keats.

16. SENATOR KEATS:

17. The answer is no, no and no. Okay. There are three things involved.
18. Number one, it doesn't affect you...the existing ones. If they
19. aren't coming back and asking for money, there's no effect.
20. Okay. Number two, in terms of who qualifies, once we've got this
21. study done and let me remind you, it's not a commission. It's
22. a study being done internally, once we've got that done,
23. we can answer the question a lot better. That's one of the problems
24. we have today is we cannot give you a solid answer without some
25. kind of study, we will be...continue to be unable to give you an
26. answer and somewhere I think I forgot the third question.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. We're going for the second...

29. SENATOR KEATS:

30. Oh, can it be construed as operational and the answer is no.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Second speakers, now. Senator Bruce.

33. SENATOR BRUCE:

Well, Senator Bloom, just to correct you. I'm not...didn't speak

1. for or against this. My problem was that I think that it does
2. affect existing facilities, when you talk about recertification and
3. as the speaker just said, it won't affect them if they don't
4. come back for additional funds. And I daresay that everyone
5. of them is going to come back for additional funds, so it does
6. affect them. Now, if you don't think they're going to come back,
7. then you can say on the Floor it doesn't affect them. I think that
8. they will be coming back. No, I'm saying that's what Senator Keats
9. said. So, the question still is alive as to whether it affects
10. existing ones. Again, to Senator Davidson and Senator Vadalabene,
11. who have a question about how it's going to affect the Springfield
12. Auditorium Authority and their problems and the bills that they
13. have 667, I just point out to you that the bill states that you
14. have it that the funds you're going to create are going to go into
15. Metropolitan Exposition Auditorium and Office Building Fund. I would
16. point to Senate Bill 1104 which states monies will be committed and
17. distributed from the fund which is the same fund you're going to be
18. putting the money into in the following manner, 1, 2, 3, 4, 5, 6, 7,
19. and then you get down to number 4 and it says, the director shall not
20. certify any facility for financial support unless they have a
21. feasibility study. Now, if that doesn't catch Springfield, I don't
22. know. But I still think that the...I don't see how the department
23. when the mandate is very clear that they cannot give any financial
24. support unless there is a feasibility study, how you can do
25. what you want to do under your legislation. Again, I'm not taking a
26. position on your bills or Senator Keats's bills. I just think we ought
27. to know what we're voting on and I don't see how it can keep
28. from affecting you and I would like to have the sponsor, having read
29. Senate Bill 1104, which says the monies to be distributed from that
30. fund and the director says you cannot distribute any kind of
31. financial support unless you have a feasibility study under what
32. Statute are you going to give them the money?
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Mitchler, for the second time.

1. SENATOR MITCHLER:

2. Well, I just want to comment on...

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Well, wait. I'm sorry. That was a question from Senator
5. Bruce to Senator Keats. Senator Keats.

6. SENATOR KEATS:

7. Okay. These bills do not deal with the operations, once
8. the things are completed, it's not the State who is certifying
9. the operations. Therefore, we are not in any way dealing. While
10. your points are well taken, they just don't happen to apply
11. to this legislation. I mean, I don't disagree with what you're
12. saying, it just...in this case, just really doesn't apply.
13. Although you have raised good points, but points on a different
14. issue.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bruce.

17. SENATOR BRUCE:

18. I guess when you say financial support whether it's operation
19. or construction, that's financial support and your bill says that
20. they can't do it. Under Section 4 on page 2, lines 107...lines
21. 20 through 26 says no financial support. Now, I just don't
22. understand where you can say when the money is going to come out of the
23. fund, that Senators Davidson and Vadalabene want it to for operation
24. and you say you can't spend out of that fund, unless...unless you
25. have the feasibility study, no financial support, you know,
26. if you don't think it affects it, fine. Make that in your closing
27. arguments. I still don't see when you say no financial support
28. that seems to me operation, construction, buying popcorn, whatever
29. you want to. It just means no financial support.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President and members of the Senate. I'm looking at Senate
Bill 1105 which is in the package of three. It's a hundred

1. thousand dollar appropriation...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator, we're not on 1105...is not under consideration. We're

4. discussing 1103 and 1104.

5. SENATOR MITCHLER:

6. Just the two. Well, in looking at 1104, in seeing the new

7. responsibilities that are being given to the department, I understand

8. that a future bill will be brought in. I believe...

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. For what purpose does Senator D'Arco arise?

11. SENATOR D'ARCO:

12. Point of order.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. State your point.

15. SENATOR D'ARCO:

16. Democrats don't talk about bills that aren't up for

17. consideration.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Your point is well taken.

20. SENATOR D'ARCO:

21. Would you tell him to confine his remarks to the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. The responsibilities provided in Senate Bill 1104 to the

26. department are going to need funding and I have good knowledge that

27. it will be in the tune of about a hundred thousand dollars.

28. Now, the department now has a responsibility for the civic centers.

29. They've been in operation for more than a year and I think the

30. Department could very well conduct this study, make a report and

31. tell us whether or not these white elephants are going to be needed

32. throughout the State of Illinois and give us a good report without

33. a hundred thousand dollars or all these added responsibilities for

administration.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any further debate? If not, Senator Keats
3. may close the debate.

4. SENATOR KEATS:

5. Mr. President, Ladies and Gentlemen of the Senate. I want
6. to clear up a couple of points because I don't want people to be
7. confused about these particular bills. There is one thing I
8. specifically want to mention, though. It was brought up in debate.
9. The Legislature had raised the taxable base of towns in order for you
10. to qualify to six hundred million. Now, that's been dropped back down
11. to three hundred million. So, that safeguard is gone. Now it is
12. only down to three hundred million where in the past it was six
13. hundred million. So, it is necessary for us to consider that question.
14. Now, these bills will, in reality, help the existing civic centers
15. 'cause it will cut down their competition on the market against them.
16. What we're talking about right now is saying, let's see if
17. these six can make it before we start certifying other ones. So, in
18. reality this is a benefit to them and several of the points raised
19. about how a benefit have been excellent points. They just aren't
20. dealing with this legislation. The questions have done beyond
21. the scope of these bills. Not that they aren't good points and good
22. questions we should answer. They just don't happen to be in these
23. bills. Okay. In addition when we're talking about people coming back
24. for more money, what we're saying is we're asking for better
25. planning. If you want to build a civic center, let's get a complete
26. thing done and don't come in with half a proposal. Come in with
27. the full proposal. With that, I would solicit your Aye vote
28. on these bills that are definitely needed, if we were to discuss
29. financial feasibility and economic development throughout the State.
30. Thank you.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. We will take a separate roll call on each of the bills so on
33. that question the question now is shall Senate Bill 1103 pass.
Those in favor vote Aye. Those opposed vote Nay. And the voting is

1. open. Have all voted who wish? Have all voted who wish? Take the
2. record. On that question the Ayes are 27, the Nays are 4 and 4
3. Voting Present. Senate Bill 1103 having failed to receive a
4. constitutional majority is declared passed...lost. Senate Bill 1104.
5. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1104.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. The question is shall Senate Bill 1104 pass. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open.

13. Have all voted who wish? Have all voted who wish? Take the
14. record. On that question the Ayes are 32, the Nays are 3 and 8
15. Voting Present. Senate Bill 1104 having received a constitutional
16. majority is declared passed. Senate Bill 1105, Senator Keats.

17.

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End of reel.

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1. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1105.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Keats.
8. SENATOR KEATS:
9. Senate Bill 1105 is the appropriation for the bill you
10. have just so graciously passed, Senate Bill 1104. Will
11. you please support the appropriation. It's a minimal figure,
12. it's a hundred thousand. There had been a larger appropriation
13. introduced in the House by the Majority Leader of the House,
14. but he agreed with us that a lesser figure would be needed.
15. So, in...in terms of supporting good government, financial
16. responsibility, motherhood, apple pie and the flag, I'd support
17. ...I'd ask for your support on 1105.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Further discussion? Senator Hall.
20. SENATOR HALL:
21. Will the sponsor yield to a question?
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. He indicates he will.
24. SENATOR HALL:
25. Senator, is this in the Governor's budget?
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. Senator Keats.
28. SENATOR KEATS:
29. You don't think that a good fiscally responsible individual
30. such as myself would sponsor anything that was beyond the Governor's
31. budget, do you?
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Hall.

1. SENATOR HALL:
2. You're being invasive. Is it in the budget?
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Keats.
5. SENATOR KEATS:
6. Well, in the Governor's consideration the second after
7. the book, it is now in the budget. This hundred thousand
8. is in the budget. Yes.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Hall.
11. SENATOR HALL:
12. I...Senator Carroll, not that I doubt the veracity of
13. your statement, but I'm going to ask Senator Carroll, is it
14. in this, Senator? Did you find it anyplace in there?
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Carroll...
17. SENATOR CARROLL:
18. Well, you know, I tore parts of the book up that were
19. fiction, but even in the fiction part, it didn't contain this
20. money. Neither fact or fiction contained this in the Governor's
21. budget.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Is there further debate? Senator Carroll.
24. SENATOR CARROLL:
25. I just was questioning also what Senator Hall raised
26. and that was Senator Keats putting this add on to the Governor's
27. budget. I know that he does not vote on most appropriations
28. in order to maintain his conservative union position, I would
29. presume, although I don't presume to determine how Senator
30. Keats votes on anything. This was not, however, in either the
31. fact or fiction version that I have seen. Doctor Bob, I don't
32. recall, ever told me that this was going to be included in the
33. Governor's versions of any sort, shape or kind so I see no need

1. to pass the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. Mr. President and members of the Senate. This is an
6. appropriation of a hundred thousand dollars to the Department
7. of Business and Economic Development to do that study and I
8. say they can do it in House, if it was necessary it should
9. have been in the appropriation bill for the department when
10. they came in. I understand it has the...no objection, but
11. it's a hundred thousand dollars we can save by letting them
12. do it in the House...and they can do it.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any further discussion? If not, ...Senator Keats
15. may close the debate.

16. SENATOR KEATS:

17. First of all there are two issues. In response to Senator
18. Carroll whose opinion on appropriation matters I cherish and
19. I always go over and ask before I vote and he has always given
20. me good advice. In the...in the Ripley's Believe It or
21. Not that's distributed early in the year, this was not in it,
22. but then again most of the appropriations we deal with are not
23. in that either. This is in...what the Governor wants, this is
24. an administration bill. This is okayed by the Gov, what did
25. we call him? What Bob? ...Doctor Bob and the Chicago Cubs are
26. also in favor. So what we're saying is, it is yes within what
27. the Governor intends to okay, it is a Governor's appropriation
28. bill and as is true of half of the appropriations we'll pass
29. this year, they were not in the original bill book. And the final fact,
30. I would say is that the reason we don't want the department to
31. do it, even with one of the departments standing next to me,
32. they don't have the expertise to do it and they may not be
33. objective. They'd like an outside source, so that those of

1. you so that those of you who have got your own pork barrel
2. projects will make sure that an outside source has given you
3. a fair and objective study of whether or not this is needed.
4. I solicit your support for this study and this appropriation.
5. Thank you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is shall Senate Bill 1105 pass. Those in
8. favor vote Aye. Those opposed vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Take the
10. record. On that question the Ayes are 28, the Nays are 13,
11. 2 Voting Present. For what purpose does Senator Keats arise.

12. SENATOR KEATS:

13. I ask, due to the fact that you have made a decision of
14. which I will bow to your wisdom, you sure as heck can't pass
15. 1104 and vote against 1105. So I would ask that at this time
16. we Table 1104.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. We'll that...you will hold that motion till we finish the
19. roll call on 1105. On that question the Ayes are 28, the Nays
20. are 13, 2 Voting Present. Senate Bill 1105 having failed to
21. receive a constitutional majority is declared lost. Now...do
22. you move to reconsider the vote by which 1104 was passed, Senator?
23. Senator...to Table 1104...you would...

24. SENATOR KEATS:

25. You reconsider...I move we reconsider.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. ...move to reconsider. Having voted...Senator Keats having
28. voted on the prevailing side moves to reconsider the vote by
29. which 1104 was passed. Those in favor indicate by saying Aye.
30. Those opposed. The Ayes...a roll call is requested. Senator
31. Bowers, for what purpose do you arise?

32. SENATOR BOWERS:

33. Well, merely to make a point of order. I think the rules

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3rd reading

- 1. require for a roll call since it did pass by a majority vote
- 2. of the Senate.
- 3. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 4. Your point is well taken. On this question, and the question
- 5. is for the reconsideration of Senate Bill 1104. We are reconsider-
- 6. ing the...vote by which 1104 was passed. Those in favor vote
- 7. Aye. Those opposed vote Nay. The voting is open. Have all
- 8. voted who wish? Have all voted who wish? Take the record. On
- 9. that question the Ayes are 29, the Nays are 24, 2 Voting Present.
- 10. The motion failing to receive a majority is lost. Senate Bill
- 11. 1107, Senator Rupp. Read the bill, Mr. Secretary.
- 12. SECRETARY:
- 13. Senate Bill 1107.
- 14. (Secretary reads title of bill)
- 15. 3rd reading of the bill.
- 16. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 17. Senator Rupp.
- 18. SENATOR RUPP:
- 19. Thank you, Mr. President. This bill came from the Department
- 20. of Public Health and they felt that the bill would improve the
- 21. department's administration of the act and they also have asked
- 22. that a reexamination be added to the changes in the bill. It
- 23. becomes effective immediately. I ask favorable consideration of
- 24. this bill.
- 25. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 26. Is there further discussion? Senator Rhoads.
- 27. SENATOR RHOADS:
- 28. Question of the sponsor.
- 29. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 30. He indicates he will yield.
- 31. SENATOR RHOADS:
- 32. Senator Rupp, you and I discussed this bill once before and
- 33. you say it came from the department. Was this one of the Governor's
- 34. Cost Control Task Force Recommendations?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Rupp.
3. SENATOR RUPP:
4. Thank you, Mr. Speaker. Yes, it was, but there is no impact,
5. no fiscal impact. There aren't any changes in the fees or license
6. fees or anything.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Rhoads.
9. SENATOR RHOADS:
10. But there will be, coming up in my bill, 1197. So apparently
11. ...the department gave two different bills to two different
12. sponsors, never talked to us about it. I...I support your bill.
13. I hope you support mine.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Chew.
16. SENATOR CHEW:
17. Senator, what is the cost of a license now?
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Rupp.
20. SENATOR RUPP:
21. I'm sorry, I can't tell you that because there was, I didn't
22. bother with it because there were no changes. I'm sorry, I can't
23. ...maybe in the bill that Senator Rhoads has, he might be able to
24. give you that information. I defer to Senator Rhoads.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Rhoads.
27. SENATOR RHOADS:
28. Thank you. Senator Chew, which...which increase are you
29. referring to? The original license application?
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Chew. Senator Rhoads.
32. SENATOR RHOADS:
33. The fee to be paid by an applicant for an examination to

1. determine his fitness to receive a license as a water well
2. contractor is fifty dollars.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Chew.
5. SENATOR CHEW:
6. You going to increase it to what?
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Rhoads.
9. SENATOR RHOADS:
10. We're not on that bill yet. This...this is...
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Senator Chew.
13. SENATOR CHEW:
14. Your bill includes an increase, right? Senator Rhoads.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Rhoads.
17. SENATOR RHOADS:
18. Yes.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. What does it propose to increase it to?
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Rhoads.
23. SENATOR RHOADS:
24. Well there are various types...I...I'd have to give you the
25. whole schedule, Senator Chew. I'll be happy to show you the
26. bill between now and the time I call that bill. It...it has
27. nothing to do with Senator Rupp's bill.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Further discussion? Senator Gitz.
30. SENATOR GITZ:
31. Question of the sponsor.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. He indicates he will yield.

1. SENATOR GITZ:
2. Senator, I noticed that one of the deletions in this was
3. the requirement for good moral character. I just wanted to
4. inquire, is there a particular problem with maintaining a
5. moral character of individuals that fall into this section?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Rupp.
8. SENATOR RUPP:
9. No not, thank you, Mr. President.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Could we have a little order out here.
12. SENATOR RUPP:
13. Well the question about the moral character and the deletion
14. of it, I think that the problem with that is...is actually in
15. determining what is and what isn't. Like in your case, his
16. exemplary mind might be of question.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Gentlemen, could we have a little order if we're going to
19. have joking and meetings in the back. Our Senators cannot hear
20. each other on debate here. Senator Philip. Senator Rupp, you
21. may continue.
22. SENATOR RUPP:
23. Thank you, I think the problem is determining what that
24. was and they have some problems and they turn me down and not
25. you, then I would say how did you do it and what do you have.
26. And there is no, I don't know, who would judge. I don't think
27. that's in...any of the other licensing acts. I don't know that.
28. But it's the determination of that particular point which was
29. being troublesome. It's not an inference that they're going
30. to go out and license everybody like me to do this then.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Gitz.
33. SENATOR GITZ:

1. It also deletes the United States Citizenship requirement
2. for licensure. Do we have to get our people from West Germany
3. or why is that deleted?
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Rupp.
6. SENATOR RUPP:
7. I...thank you, Mr. President. That particular question
8. I cannot ask, It was in...when it came. I'm sorry, I cannot
9. tell you that reasoning.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Is there further discussion? If not, the question is
12. shall Senate Bill 1107 pass. Those in favor vote Aye. Those
13. opposed vote Nay. The voting is open. Have all voted who
14. wish? Have all voted who wish? Take the record. On that
15. question the Ayes are 54, the Nays are 2, 1 Voting Present.
16. Senate Bill 1107 having received the constitutional majority
17. is declared passed. I would suggest that instead of all our
18. Senators running around talking to each other, if we stay
19. in our seats there will be less noise and we'll be able
20. to vote properly. Senate Bill 1110, Senator Schaffer. Read
21. the bill, Mr. Secretary.
22. SECRETARY:
23. Senate Bill 1110.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. Senator Schaffer.
28. SENATOR SCHAFFER:
29. This bill adds group homes as a type of living arrangements
30. where we can place foster children and...and still be eligible
31. for Public Aid. It is supported by the Governor's office,
32. the Department of Public Aid and the Department of Children
33. and Family Services. It's really clarifying language to make

1. sure that the children we wish to place in this type of arrange-
2. ment do, in fact, qualify for Public Aid and for the...apportionant
3. Federal dollar support.

4. PRESIDENT:
5. Is there any discussion? Senator Berning.

6. SENATOR BERNING:
7. Question of the sponsor.

8. PRESIDENT:
9. He indicates he will yield. Senator Berning.

10. SENATOR BERNING:
11. What is a group home? Is that a new name for a commune?

12. PRESIDENT:
13. Senator Schaffer. Senator Schaffer.

14. SENATOR SCHAFFER:
15. I'm not terribly big on communes myself. A group home
16. is a...a facility that would have several children and
17. perhaps with foster parents. We've used this technique through-
18. out the State for a long time. It's an alternative to institutional
19. care, but, you know, when the...when the child is ready to be
20. out of, say an institution, but isn't ready to be on their own
21. or and we can't find any other type of placement. I think you'll
22. find that most people are in support of this concept.

23. PRESIDENT:
24. Any further discussion? Senator Berning.

25. SENATOR BERNING:
26. One further question then. A group home, if I get the
27. inference here, is a home with several different kinds of
28. living arrangements. Does this then also include single family
29. or homosexual marriage type of arrangements within the group?
30. And where is it...where is it spelled out here? What is a
31. group...what is a group and what isn't a group? I know what
32. a home is.

33. PRESIDENT:

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Senator, the...the reference is to...more than two children

4. in...in a facility and I would suggest to you the bill does

5. not have anything to do with whether, in fact, we put children

6. in group homes, where the group homes exist or definition of

7. group homes. It simply says that if we choose to do it, that

8. this type of home will be acceptable for Federal aid.

9. PRESIDENT:

10. Is there any further discussion? If not, the question

11. is shall Senate Bill 1110 pass. Those in favor will vote

12. Aye. Those opposed will vote Nay. The voting is open. Have

13. all voted who wish? Have all voted who wish? Take the record.

14. On that question the Ayes are 46, the Nays are 5, 3 Voting

15. Present. Senate Bill 1110, having received a constitutional

16. majority is declared passed. Gentlemen, I would call your

17. attention to the fact that we're on page 22, we have to go to

18. page 29, or we should go to page 29. We have been working at

19. the rate of about one page an hour. I would suggest that we

20. try to speed up the pace. 1117, Senator Mitchler. On the

21. Order of Senate Bills 3rd reading, Senate Bill 1117. Read

22. the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1117.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate, Senate Bill 1117

31. was introduced by me at the request of the Illinois Department

32. of Conservation. They have been working since 1974 toward

33. establishing a system of land classification. A system of

1. designated conservation properties so that their names reflect
2. what the public might expect to find or the recreation the
3. public might expect to pursue when visiting each site. In
4. addition the classification system provides guidelines for
5. the professional management and development of these properties.
6. I shouldn't have to go into detail, but because I did request
7. the department to have the staff, Phil Childs and his staff
8. to contact each and every member of the Senate and explain
9. and discuss with them any changes in the reclassification of
10. conservation properties in your respective legislative districts.
11. Now, having done that, they informed me that they have contacted
12. you. I distributed a letter, that if you had any objections
13. to any of the reclassification to let me know. I received two
14. communications from Legislators to that effect. So therefore
15. I'm calling the bill. I'll be glad to respond to questions
16. and then I'll ask for a favorable roll call.

17. PRESIDENT:

18. Is there any discussion? Senator McMillan.

19. SENATOR McMILLAN:

20. Mr. President, members of the Senate. I...reluctantly arise
21. in opposition to this bill. The Department of Conservation
22. has been quite cooperative with me in looking at the various
23. State owned properties in my district and trying to arrive at
24. some amendments which, I think, would more accurately reflect
25. the...the use of these properties and what their new scheme
26. has...has designated. But I rise because I really think that
27. the department in an attempt to provide a little more order
28. to their system of calling conservation properties one thing
29. or another, have come up with the definition of State Park
30. that I think is...is quite afield from what the general public
31. believes a State park to be. And unless something has lots
32. of acres of...of forested area that really hasn't been tampered
33. with, they want to call it a recreation area instead of a park.

1. And I really believe that the public understands a park to
2. be something rather broad. I also believe that just calling
3. something a conservation area is a rather...I mean a recreation
4. area is a...rather sterile way of defining what the public calls
5. to be a park. So I know they've put a lot of work into it, but
6. having looked at just those that are within my district, I believe
7. they haven't come up with a system that really reflects what
8. the public understands to be a park and what the public understands
9. to be the designation that ought to be placed on such property.
10. So for that reason, I respectfully oppose the bill.

11. PRESIDENT:

12. Further discussion? Senator Donnewald.

13. SENATOR DONNEWALD:

14. Yes, Mr. President. Senator Mitchler, I...I certainly
15. appreciate the effort made on...on the part of the representative
16. of the Conservation Department in trying to explain this bill
17. to me and...and upon several questions and the answer was,
18. all it does was to change the name to identify the park properly.
19. Now, when I look at our file and I had not had the opportunity
20. to look at this until this moment, I find that...that this
21. applies to...fencing. And nothing...nothing at all was mentioned
22. to me in the visit by the official of the Conservation Department
23. about that. I...I think...I...I would certainly appreciate
24. if you would take this out of the record for the time being
25. because I'm quite...I'm quite concerned about the...the matter
26. of fencing has not been referred to...or...or discussed with
27. me or many of the other members over here.

28. PRESIDENT:

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Mr. President, at the request Senator Donnewald, I will take
32. it out of the record.

33. PRESIDENT:

1. Take it out of the record, Mr. Secretary. Senator Don
2. Moore, for what purpose do you arise?
3. SENATOR MOORE:
4. On a point of personal privilege, Mr. President.
5. PRESIDENT:
6. State your point, sir.
7. SENATOR MOORE:
8. Seated in the Gallery immediately behind me is the eighth
9. grade class from the Arbor Park School in Oak Forest, Illinois,
10. with their teacher, Mrs. Kovack. I'd appreciate it if they would
11. rise and be recognized by the Senate.
12. PRESIDENT:
13. Will our guests please stand and be recognized. Yes,
14. Senator Demuzio, for what purpose fo you arise?
15. SENATOR DEMUZIO:
16. On a point of personal privilege. There's a group of nurses
17. from my district from Passavent Hospital in Jacksonville that
18. are visiting the Senate today in the Chamber behind. I'd like
19. ...have them stand and be recognized by the Senate.
20. PRESIDENT:
21. Will our guests please stand and be recognized. How about
22. 1118, Senator Mitchler. You wish to hold that one too? All
23. right. On the Order of Senate Bills 3rd reading, Senate Bill
24. 1118. Read the bill, Mr. Secretary.
25. SECRETARY:
26. Senate Bill 1118.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. PRESIDENT:
30. Senator Mitchler.
31. SENATOR MITCHLER:
32. Mr. President and members of the Senate. Senate Bill 1118
33. was introduced by me at the request of the Department of Conser-
34. vation. It's an administration bill designed to update and

1. clarify existing provisions of the Game Code. There's about
2. fourteen different sections in the Game Code that are affected
3. by this. It expands and clarifies many of the confusing areas
4. of the existing Game Code according to the Department of Conser-
5. vation and I'll be glad to answer questions if you have any
6. questions on it. It's sort of clarifying. I'll ask for a
7. favorable roll call.

8. PRESIDENT:

9. Any discussion? Senator Donnewald.

10. SENATOR DONNEWALD:

11. Well, I...I...I'm sure that most of the members are familiar
12. with...with the content of this bill. The present Director of
13. Conservation, of course I...I feel is extremely competent. I
14. think he's a fine director, but I'm looking down the road to
15. where we may not have one. In the past, I know that many of you
16. here are familiar with a past or past directors of the Depart-
17. ment of Conservation. Well, this bill, in my estimation, gives
18. a dictatorial power to the director. Now I, I don't say that
19. anything would happen immediately, but I...I would...I would
20. certainly suggest to the membership that we better take a good
21. hard look at this prior to casting a vote.

22. PRESIDENT:

23. Is there any discussion? Senator Mitchler may close the
24. debate.

25. SENATOR MITCHLER:

26. I have nothing further to add, I'd ask for a favorable roll
27. call.

28. PRESIDENT:

29. The question is shall Senate Bill 1118 pass. Those in favor
30. will vote Aye. Those opposed will vote Nay. The voting is open.
31. Have all voted who wish? Have all voted who wish? Take the
32. record. On that question the Ayes are 30, the Nays are 8, 1
33. Voting Present. Senate Bill 1118 having received a constitutional

1. majority is declared passed. Senator Egan, for what purpose
2. do you arise?
3. SENATOR EGAN:
4. I'm vitally concerned about that, so I'm asking for a
5. verification.
6. PRESIDENT:
7. Senator Egan has requested a verification of the affirmative
8. votes. Will the members please be in their seats and respond
9. accordingly. The Secretary will read the affirmative votes.
10. SECRETARY:
11. The following voted in the affirmative: Becker, Berning,
12. Bloom, Bowers, Bruce, Collins, Davidson, DeAngelis, Geo-Karis,
13. Graham, Grotberg, Johns, Keats, Knuppel, Lemke, Maitland, Martin,
14. Mc...McMillan, Mitchler, Moore, Netsch, Ozinga, Philip, Regner,
15. Schaffer, Shapiro, Sommer, Vadalabene, Walsh, Weaver.
16. PRESIDENT:
17. Question...the present, Senator? Senator Egan.
18. SENATOR EGAN:
19. Is Senator Lemke on the Floor?
20. PRESIDENT:
21. Senator Lemke on the Floor? Strike his name from the roll
22. call. On that question the Ayes are 29, the Nays are 8, sponsor
23. has requested further consideration be postponed. So ordered.
24. 1119, Senator Buzbee. 1120, Senator Nimrod. Senator Nimrod
25. on the Floor? 1120. On the Order of Senate Bills 3rd reading,
26. Senate Bill 1120. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1120.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDENT:
32. Senator Nimrod.
33. SENATOR NIMROD:

1. Yes, thank you, Mr. President, Ladies and Gentlemen of
2. the Senate. What this bill does is it amends the Aviation
3. Act to permit some financial assistance to privately owned
4. or commercially operated airports. And what it does, it
5. also provides in there for reimbursement to the State if
6. for any time in case the property is sold. Now there was
7. an amendment that was put on the bill in order to have it
8. conform to the State Aircraft System...State Airway System,
9. the Airport State Plan, which would, in fact, limit this
10. to about six airports in the State of Illinois which could
11. receive this assistance, which are both feeder airports
12. and reliever airports for our...major areas. It is a good
13. bill and I think it's a sound way for us to guarantee that
14. we can have this relief and congestion and assistance to
15. these privately owned airports that do service the public.
16. Be glad to answer any questions, if not I...would ask for
17. a favorable roll call.

18. PRESIDENT:

19. Is there any discussion? Senator Nedza.

20. SENATOR NEDZA:

21. Thank you, Mr. President. I rise in support of the bill
22. because of the fact that the Senator came to me prior to the
23. ...the submittal of bill and what this actually does is creates
24. a...there's an air systems situation that we have within the
25. State of Illinois and with the congestion of the commercial
26. air traffic and the general public consistently tending to
27. use the air traffic as opposed to rail or even the road
28. systems that the commercial traffic is such that the airports
29. that are now in existence are overburdened and we do have to
30. have these reliever airports for general aviation in order
31. to have some continuity and some safety factors within the airways.

32. PRESIDENT:

33. Further discussion? Senator Bowers.

1. SENATOR BOWERS:
2. Yield to a question?
3. PRESIDENT:
4. Indicates he will yield, Senator Bowers.
5. SENATOR BOWERS:
6. I notice in the synopsis, at least, there is a provision
7. for refund of the funds if, as a matter of fact, the facility
8. does continue to exist for the period of time set by the
9. estimate. Is there any security for those funds? How do
10. they get then back, if, for instance, the airport goes under,
11. economically?
12. PRESIDENT:
13. Senator Nimrod.
14. SENATOR NIMROD:
15. Yes, Senator Bowers, a lien is put on to the property and
16. the funds for that cannot be disposed of on the sale until
17. that lien is satisfied.
18. PRESIDENT:
19. Senator Bowers.
20. SENATOR BOWERS:
21. Does that lien have any priority over existing mortgages?
22. PRESIDENT:
23. Senator Nimrod.
24. SENATOR NIMROD:
25. Senator Bowers, I'm unaware, but I'll check on that before
26. it gets to the House and if there's some other safety that we
27. need to have, but I was advised that we had enough safeguards
28. in there, but if it's not we'll...we'll certainly look at it.
29. PRESIDENT:
30. Is there any further discussion? If not, the question is
31. shall Senate Bill 1120 pass. Those in favor will vote Aye.
32. Those opposed will vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record.

1. On that question the Ayes are 52, the Nays are none, 1 Voting
2. Present. Senate Bill 1120, having received a constitutional
3. majority is declared passed. 1128, Senator Regner. On the
4. Order of Senate Bills 3rd reading, Senate Bill 1128. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1128.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Regner.

12. SENATOR REGNER:

13. Yes, Mr. President and members of the Senate. Currently
14. there are vans that are built that will hold twelve to sixteen
15. passengers. Right now they're classified as second division
16. vehicles the same as busses or trucks. Many of the factories
17. and plants in the suburban area are running commuter vans
18. for their employees to get them to and from work. It's both
19. an energy saving device and also to...alleviate some of the
20. traffic on the streets. However, with a classification of
21. second division vehicles, it disallows them from driving on
22. various streets and boulevards within the various communities
23. and the, communities even under home rule have no way to exempt
24. these vehicles to allow them to drive. There was...this...this
25. bill does set a special classification for these vehicles and
26. there was an amendment put on in the committee at the request
27. of the Secretary of State creating this special plate and it's
28. a fifty dollar plate that the vans will have to pay so that
29. they can operate these commuter vans to transport more people
30. more easily. And they're energy saving on fuel and also to
31. alleviate some of the traffic on the roads and I ask a favorable
32. roll call.

33. PRESIDENT:

1. Is there any discussion? Senator Hall.
2. SENATOR HALL:
3. Will the sponsor yield?
4. PRESIDENT:
5. He indicates he will yield. Senator Hall.
6. SENATOR HALL:
7. Senator, does that amendment that was put on take away the
8. objection of the Secretary of State? ...to your bill?
9. PRESIDENT:
10. Senator Regner.
11. SENATOR REGNER:
12. Yes, it does, he prepared the amendment for us, Senator
13. Hall.
14. PRESIDENT:
15. Senator Hall. All right. Any further discussion? If not,
16. the question is shall Senate Bill 1128 pass. Those in favor
17. will vote Aye. Those opposed will vote Nay. The voting is
18. open. Have all voted who wish? Have all voted who wish? Take
19. the record. On that question the Ayes are 55, the Nays are none,
20. none Voting Present. Senate Bill 1128, having received a constitutional
21. majority is declared passed. 1134, Senator...Senator Nimrod, for
22. what purpose do you rise?
23. SENATOR NIMROD:
24. Mr. President, I would seek leave to include Senator Nedza
25. as the cosponsor on Senate Bill 1120 we just passed.
26. PRESIDENT:
27. You heard the request. Is leave granted? Leave is granted.
28. So ordered. On the Order of Senate Bills 3rd reading, Senate
29. Bill 1134. Read the bill, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1134.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Mr. President and Ladies and Gentlemen of the Senate. Senate
5. Bill 1134 amends the Environmental Protection Act by allowing
6. the Sanitary Districts to control and regulate through inspection
7. and monitoring the type, nature and quantity of pollutants discharged
8. by industry. The EPA is for this bill, this amendment to the
9. present act and the Illinois Association of...the Association
10. of Illinois Sanitary Districts are also have requested this
11. bill and I might say that this bill also enjoys the blessing
12. of the Metropolitan Sanitary District. And I urge a favorable
13. vote.

14. PRESIDENT:

15. Is there any discussion? If not, the question is shall
16. Senate Bill 1134 pass. Those in favor will vote Aye. Those
17. opposed will vote Nay. The voting is open. Have all voted
18. who wish? Have all voted who wish? Take the record. On that
19. question the Ayes are 52, the Nays are none, none Voting Present.
20. Senate Bill 1134, having received a constitutional majority is
21. declared passed. 1137, Senator Mitchler. On the Order of
22. Senate Bills 3rd reading, Senate Bill 1137. Read the bill, Mr.
23. Secretary.

24. SECRETARY:

25. Senate Bill 1137.

26. (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Mr. President and members of the Senate. Senate Bill 1137
32. amends the Use Tax, Service Tax, Service Occupation Tax and
33. Retailers Occupation Tax. The bill provides for exemption of

1. the proceeds of any mandatory service charge which is separately
2. stated on a customers bill for purchase and consumption of food
3. and beverages. Now this bill is necessary...is necessary, to
4. reverse a rule of the Department of Revenue, which provides that
5. the State Sales Tax must be collected on a service or gratuity
6. charge if the charge is mandatory. As in the case of most banquets
7. and other large group dinners and functions. Presently, just,
8. let's use the Sangamo Club over here for example. When a dinner
9. is purchased, there's a mandatory fifteen percent gratuity
10. added to the cost of the dinner. The State Sales Tax is computed
11. on a total of the dinner and the mandatory gratuity. Now, Senate
12. Bill 1137 is needed so that the State Sales Tax will only be
13. computed on the cost of the dinner and the mandatory gratuity
14. is exempted from sales tax. The bill has the support of the
15. Illinois Restaurant Association and I think it's good legislation
16. and I would ask for a favorable roll call.

17. PRESIDENT:

18. Any discussion? Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, I...Mr. President, members of the Senate. I could
21. see the need for this bill. The only question comes to mind
22. is how are we sure that the employees are getting this tip
23. or the service charge and the employer is not just keeping
24. it in his pocket. Is there some way that this can be determined
25. that the waitresses or whatever are receiving the gratuity
26. charge?

27. PRESIDENT:

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Senator Savickas, there is nothing in the bill that relates
31. to the collection and distribution of the gratuities to the
32. employees, that's a...arrangement between the employees. I
33. have discussed this bill, however, in the various restaurants

1. and find that there's many, many ways that the gratuity that's
2. shown on an American Express Card or other types of the bill,
3. when it's added on the bill and not given as direct cash to the
4. waiter or waitress, is distributed. Someplaces immediately
5. hand it to the waiter or waitress upon presentation of the
6. bill at the cash registers, other...others hold it till the
7. end of the evening. Some hold it till the end of the week,
8. some till the end of the month. And I found all different
9. systems. So I guess it's up to the employer and employee
10. when they're making their contractual arrangements for employment
11. how they work that out.

12. PRESIDENT:

13. Any further discussion? Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. A question of the sponsor.

16. PRESIDENT:

17. Indicates he will yield. Senator Netsch.

18. SENATOR NETSCH:

19. Has the Department of Revenue indicated a position with
20. respect to the bill?

21. PRESIDENT:

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. They have no position according to my...

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. I...I'm sorry, you said they have no position. They obviously
29. have not supported it. Did they testify at all or answer any
30. questions in committee. I do not recall the discussion of the
31. bill in committee, that's why I'm asking.

32. PRESIDENT:

33. Senator Mitchler.

1. SENATOR MITCHLER:
2. I don't recall that they did have any question or determination
3. in committee. You voted Aye in committee, I just looked at the
4. record.
5. PRESIDENT:
6. Any further discussion? Senator Netsch.
7. SENATOR NETSCH:
8. I have a right to change my mind.
9. PRESIDENT:
10. Is there any further discussion? Senator Mitchler, you
11. may close the debate.
12. SENATOR MITCHLER:
13. I'd appreciate a favorable roll call. Thank you.
14. PRESIDENT:
15. The question is shall Senate Bill 1137 pass.' Those in
16. favor will vote Aye. Those opposed will vote Nay. The voting
17. is open. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question the Ayes are 46, the Nays
19. are 4, 1 Voting Present. Senate Bill 1137, having received
20. a constitutional majority is declared passed. 1139, Senator
21. Bloom. Senator Nedza, for what purpose do you arise?
22. SENATOR NEDZA:
23. Mr. Chairman, unfortunately...there was a cup of coffee
24. that was spilled on my keyboard and at the last recording
25. of the vote, everything lit up.
26. PRESIDENT:
27. That's a good safe way to...
28. SENATOR NEDZA:
29. I voted...I voted Aye, No and Present all at the same
30. time.
31. PRESIDENT:
32. 1140, Senator Walsh. On the Order of Senate Bills 3rd...
33. on the Order of Senate Bills 3rd reading, Senate Bill 1140,

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1140.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Walsh.

8. SENATOR WALSH:

9. ...President, members of the Senate. Senate Bill 1140
10. amends the Mechanics Lien Act in respect to liens against
11. public funds. In substance the bill would provide, first,
12. that claims must be filed within one hundred and eighty
13. days after the last item of work was performed by the claimant.
14. Currently there is no time limitation for the filing of claims
15. after the performance of the work. Secondly, it would provide
16. that any claimant who fails to file suit within sixty days
17. after he gives statutory notice would lose his lien. Currently,
18. the law provides that the claimant must file his action within
19. sixty days, but there is no sanction contained in the law.
20. Thirdly, it would provide that a...a contractor can substitute
21. security in the event an action is filed. Currently the contractors
22. funds are tied up and this would give the judge authority to
23. substitute security for his funds, be it the performance bond
24. or some other security. And lastly, the bill would provide that
25. a lien claimant must furnish a copy of his claim to the contractor.
26. I know of no opposition to this bill and I would urge your
27. support.

28. PRESIDENT:

29. There any discussion? Senator Maragos.

30. SENATOR MARAGOS:

31. Senator Walsh, would you yield to a question?

32. PRESIDENT:

33. Indicates he will yield. Senator Maragos.

1. SENATOR MARAGOS:
2. Senator Walsh, you say the present law has no time limit
3. for filing liens on public bodies?
4. PRESIDENT:
5. Senator Walsh.
6. SENATOR MARAGOS:
7. Did I misunderstand you?
8. SENATOR WALSH:
9. Yes, that is...that is the case.
10. PRESIDENT:
11. Senator Maragos.
12. SENATOR MARAGOS:
13. And you are saying now that...you're limited to sixty days?
14. PRESIDENT:
15. Senator Walsh.
16. SENATOR WALSH:
17. That limit is for one hundred and eighty days after the
18. last item of work. Presently, so long as the public body
19. holds the funds, the action can be brought by the claimant.
20. PRESIDENT:
21. Senator Maragos.
22. SENATOR MARAGOS:
23. Yes, I'm aware of that and the only question I say is if
24. you're making it six months, sometimes the contractor or sub-
25. contractor are assuming that they will be paid because the
26. public body has the funds and the only time that they have any
27. questions when some of the, some other contractor besides them-
28. selves are involved with a dispute with the public authority
29. in...in the performance of the work or the materials given
30. and there may be some questions in this area. And I was just
31. wondering if a hundred and eighty days is sufficient time.
32. We're going from no...no lien days and no limitation now to
33. a hundred and eighty, which I think may be a little too
34. severe and I have some questions about that.

1. PRESIDENT:
2. Senator Walsh
3. SENATOR WALSH:
4. Well, if...if that's a question, let me just state that
5. the fact...currently, as I stated, there is no limitation
6. and it was thought reasonable to provide one and it is also
7. thought that a...that a six month period after the last date
8. work was performed by the claimant, would be reasonable.
9. Let me also point out that all the claimant...need do is
10. file his claim. And a limitation such as this would protect
11. those subcontractors who file promptly as against those who
12. are dilatory and...and just take no action. So, I...I
13. think it's in the best interests of all that a claim be filed
14. and a six months would appear to be reasonable.
15. PRESIDENT:
16. There any further discussion? Senator Knuppel.
17. SENATOR KNUPPEL:
18. Well, all I can say is if the State was as fast on it's...
19. it's end, fine, but it's not. The people should have the same
20. opportunity that the State has.
21. PRESIDENT:
22. Further discussion? Senator Maragos.
23. SENATOR MARAGOS:
24. Thank you, Mr. President, I hadn't finished my questions.
25. You also do one other, additional thing here, I believe, Senator
26. Walsh, is that, you say you authorize a substitutional contractor's
27. bond for the public funds that are held in escrow. What do they
28. do with those funds...what...you mean after a hundred and eighty
29. days the public body could just put...put those funds back in
30. it's General Revenue or it's own coffers? What happens to those
31. funds when they're taken out, when they're not...when they're not
32. being withheld for that particular purpose?
33. PRESIDENT:

1. Senator Walsh.

2. SENATOR WALSH:

3. Well, I believe you're referring to the portion of the
4. bill which provides for substitution of security and that
5. only can be done if the court approves it. So it just gives
6. the court an alternative, you know, if it feels it's appropriate
7. to permit the...it's after suit filed and to permit the...the
8. contractor to substitute security.

9. PRESIDENT:

10. Any further discussion? Senator Walsh, do you wish to
11. close the debate?

12. SENATOR WALSH:

13. Just to request a favorable roll call, Mr. President.

14. PRESIDENT:

15. The question is shall Senate Bill 1140 pass. Those in
16. favor will vote Aye. Those opposed will vote Nay. the voting
17. is open. Have all voted who wish? Have all voted who wish?
18. Have all voted who wish? Take the record. The electrician
19. has gone to get his tools to fix this electronic wizard. On
20. that question the Ayes are 52, the Nays are 1, 1 Voting Present.
21. Senate Bill 1140, having received a constitutional majority
22. is declared passed. 1140...yes, Senator Nedza, for what purpose
23. do you arise?

24. SENATOR NEDZA:

25. Mr. President, because of the variations in my keyboard, I
26. wish to be recorded as Aye.

27. PRESIDENT:

28. Yes, let the record reflect that Senator Nedza wished to
29. be recorded Aye. 1146, Senator McMillan. On the Order of Senate
30. Bills 3rd reading, bottom of page 22, Senate Bill 1146. Read
31. the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1146.

(Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator McMillan.

4. SENATOR McMILLAN:

5. Mr. President and members of the Senate. This is a State
6. Board of Elections and Election Laws Study Commission Bill
7. which is designed to take care of a problem suffered by all
8. local election authorities. When it comes time for an election,
9. local election authorities find themselves in a very complicated
10. situation, not knowing exactly where to find in the statutes
11. provisions which relate to registration and voting of individuals
12. who, for whatever reason, either military or otherwise, find
13. themselves overseas at the time of the election. And what this
14. does is consolidate into one place all of those provisions of
15. our law and the various Federal acts that have been passed to
16. deal with people overseas and put them in one place where the
17. county clerks and the local election personnel can find them.
18. It clarifies who can vote, who can't, who can be registered and
19. who can't. It's been gone over quite thoroughly. I'll be glad
20. to answer any questions that there might be but I think it
21. will now put it in a form which will enable those that have to
22. deal with elections to be able to handle it fairly and understandably.
23. and I would seek a favorable roll call.

24. PRESIDENT:

25. Is there any discussion? Senator Daley.

26. SENATOR DALEY:

27. Mr. President and fellow Senators. Senator yield for a
28. few questions.

29. PRESIDENT:

30. Indicates he will yield. Senator Daley.

31. SENATOR DALEY:

32. Under your bill will they receive only one, a ballot, just
33. for the Presidential and Vice-Presidential candidates and nothing else?

1. PRESIDENT:
2. Senator McMillan.

3. SENATOR McMILLAN:
4. It all depends on the person and the reason why he's over-
5. seas. For instance, someone who is in the United States Service
6. may vote for all elections related to wherever his permanent
7. residence is. And he may do so without prior registration.
8. He merely applies and the...the one application is...is the
9. one that gets him his ballot. That is the Federal Law and
10. the way it operates now. For someone who is temporarily residing
11. outside the United States...United States, that person may vote
12. in all elections if he is previously registered. For a person
13. who happens to be really almost a permanent residence of another
14. country, but has not given up his citizenship in this country,
15. that person is entitled to vote only the Federal Office Ballot,
16. which includes President and Vice-President, U. S. Senator and
17. Congressmen.

18. PRESIDENT:
19. Senator Daley.

20. SENATOR DALEY:
21. Then...then how do they notify the local boards of election?
22. Does the individual citizen then send a questionnaire to the local
23. board or on the application for an absentee ballot, as you know,
24. they have the specifications, I've never seen one at a Presidential
25. Election, dealing strictly with President and Vice-President
26. application only. Unless it's, I've never seen it.

27. PRESIDENT:
28. Senator McMillan.

29. SENATOR McMILLAN:
30. Your question is?

31. PRESIDENT:
32. Senator Daley.

33. SENATOR DALEY:

1. When you apply for an absentee ballot, you're residing in
2. a country, I have never seen the application come to any local
3. board just dealing with the Presidential and Vice-Presidential
4. candidate. I don't think they have one.

5. PRESIDENT:

6. Senator McMillan.

7. SENATOR McMILLAN:

8. It would appear that Senator Rhoads has an answer, but
9. part of the act would be a form which the person obtains,
10. either if he's in the service he obtains it, and wherever
11. he is, he obtains the form and sends it in and under this
12. act the county clerk will know those ballots to which he
13. is entitled.

14. PRESIDENT:

15. Senator Daley.

16. SENATOR DALEY:

17. What I am saying, once they apply at the county clerk,
18. the county clerk sends them the full ballot. County clerk
19. never makes a determination whether he's just going to send
20. a Presidential and Vice-Presidential ballot or determine he's
21. only going to send a U. S. Senate ballot. I...the experts
22. in here if he can tell me where it is in the Code, I'd like
23. to find out.

24. PRESIDENT:

25. Further discussion? Senator Rhoads.

26. SENATOR RHOADS:

27. Thank you, Mr. President. Senator Daley, it's my under-
28. standing that the Cook County Clerk, Mr. Cusper, has a special
29. application form for President and Vice-Presidential only on
30. the...on the absentee ballot. The reason...these...these votes
31. have to be counted someplace and...for present...because of
32. the makeup of the Electoral College, so Presidential only voters
33. may be voted within the State of Illinois or within the State

1. of New York or wherever else the...the individual living over-
2. seas happens to want their Presidential ballot cast and they don't
3. have to vote all the way down the ticket for the other local
4. offices, but if they're voted in this State, then that will count
5. toward the slate of presidential electors which are pledged to
6. the candidate of one of the two national parties.

7. PRESIDENT:

8. Any further discussion? Senator Nash.

9. SENATOR NASH:

10. Will the sponsor or Senator Rhoads yield for a question please.

11. PRESIDENT:

12. Indicates he will yield. Senator Nash.

13. SENATOR NASH:

14. Presently, when Army personnel goes to the embassies
15. in overseas countries and votes, who counts those ballots?
16. They're presently voting for President and Vice-President. It
17. doesn't come through the local Election Board or the county
18. clerks' office.

19. PRESIDENT:

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Yes, it does. They're...they're counted by the county
23. clerk here in...in Illinois. Are you saying that they're
24. counted at the embassy? No.

25. PRESIDENT:

26. Senator Nash.

27. SENATOR NASH:

28. All my people who live overseas who are in the services,
29. I send them an absentee ballot and they get the full ballot.
30. But anybody who is not registered in the United States in any
31. State or any precinct to vote, goes to the embassy now and
32. can cast a vote for President or Vice-President in presidential
33. elections. Who counts those ballots? They don't go back to

1. their home states. A lot of these people have lived overseas
2. twenty, thirty years and they do not maintain an address in the
3. United States and they're still entitled to vote.

4. PRESIDENT:

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Senator Nash, they have to be counted back in the State,
8. otherwise they don't count anywhere. There is no national
9. collection point for these...for these absentee ballots.
10. They have to be counted within the vote cast for the electoral,
11. Presidential electors in some State. Or the District of Columbia.
12. But they...they can't, there is no national collection center
13. for these absentee ballots.

14. PRESIDENT:

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

17. SENATOR McMILLAN:

18. I think the questions that have been raised have...have been good
19. ones and they indicate the problem which local...election officials
20. now face and that is, they are required by law to carry out require-
21. ments that are printed in several different places and are not
22. consistent enough for them to know how to do it. What this does
23. is place it in one form so that it is clear when any individual
24. applies for a ballot, exactly what ballot is available to them
25. and I would seek a favorable roll call.

26. PRESIDENT:

27. The question is shall Senate Bill 1146 pass. Those in favor
28. will vote Aye, those opposed will vote Nay. The voting is open.
29. Have all voted who wish? Have all voted who wish? Take the
30. record. On that question the Ayes are 54, the Nays are 1, none
31. Voting Present. Senate Bill 1146 having received a constitutional
32. majority is declared passed. Senator Nedza.

33. SENATOR NEDZA:

1. The keyboard is still...seems to only want to vote No, Mr.
2. President, so I would ask that I be recorded as voting Aye.

3. PRESIDENT:

4. We'll ask the record to so reflect and the record will
5. also show that the...

6. SENATOR NEDZA:

7. Also...also, a point of personal privilege, Mr. President.

8. PRESIDENT:

9. Yes, state your point, Senator Nedza.

10. SENATOR NEDZA:

11. Seated in the Gallery behind me is the...boy, I got a
12. problem today, Daley. Seated directly behind me in the Gallery
13. is the eighth grade class of St. Francis of Assissi and Sister
14. Joan, the principal is accompanying them as well as Sister Angelita,
15. the teacher of the class and I would ask that they stand and
16. be recognized.

17. PRESIDENT:

18. Will our guests please stand and be recognized by the Senate.

19.

20.

21.

22.

23.

24.

25.

26.

27.

End of Reel #5

28.

29.

30.

31.

32.

33.

1. PRESIDENT:
 2. Senator Demuzio, for what purpose do you arise?
 3. SENATOR DEMUZIO:
 4. On the other side of the gallery on a point of personal
 5. privilege, is the other group from Passivant Hospital, the nurses
 6. are here visiting the General Assembly here today and I would
 7. ask also that they rise and be recognized by the Senate.
 8. PRESIDENT:
 9. Will our guests please rise and be recognized. On the
 10. Order of Senate Bills, 3rd reading, top of page 23, Senate
 11. Bill 1147. Read the bill, Mr. Secretary.
 12. SECRETARY:
 13. Senate Bill 1147.
 14. (Secretary reads title of bill)
 15. 3rd reading of the bill.
 16. PRESIDENT:
 17. Senator Philip.
 18. SENATOR PHILIP:
 19. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
 20. Senate Bill 1147 as amended, allows a second alternative in regards
 21. to choosing State central committeemen. Under the present law,
 22. you know, we elect the State central committeemen at a primary
 23. election. This would put another section in, Section B, which would
 24. allow us to elect the State central committeemen at the respective
 25. party conventions. The local party conventions. The...in downstate,
 26. the one hundred and one counties downstate we would...we would
 27. elect them the night we would elect the county chairmen
 28. or within fourteen days thereafter allowing for some congressional
 29. districts that have a large area to contend with. In the County
 30. of Cook, they would also be elected there by their township
 31. and ward committeemen. I would be happy to answer any questions.
 32. It does not mandate it. It just gives a second option. And that
 33. option would be chosen at the respective State party conventions,
- whether they want option A, which would be the way we do it now by the

1. primary or option B, doing it by local county conventions.

2. PRESIDENT:

3. Is there any discussion? Senator Demuzio.

4. SENATOR DEMUZIO:

5. I have a question of the sponsor. Senator Philip, does...does

6. this option B apply to Chicago or is this just downstate?

7. PRESIDENT:

8. Senator Philip.

9. SENATOR PHILIP:

10. It applies to the hundred and two counties.

11. PRESIDENT:

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. The weighted vote that has been subscribed to in your

15. amendment, State central committeemen would be from...run in several

16. different counties throughout, at least in my district, and I'm sure

17. throughout the State of Illinois. Are you suggesting that the

18. committeeman, each committeeman would be able to cast their weighted

19. vote at a party caucus for a State central committeemen?

20. PRESIDENT:

21. Senator Philip.

22. SENATOR PHILIP:

23. I don't know if you would want to use the word caucus, but

24. party convention. You would...you would...for instance in my

25. county, we would probably elect the county chairman that night and

26. the State central committeemen.

27. PRESIDENT:

28. Further discussion? Senator Vadalabene. Oh, Senator, I beg

29. your pardon...hold it...

30. SENATOR VADALABENE:

31. Yes, just one question, Senator Philip. I didn't get to hear

32. the answer to Senator Demuzio's question. Now, in our area we have

33. a State central committeeman from Madison County and St. Clair County,

two large counties. Now, what would happen in that case, would we

1. have a State central committeeman from each county or how...how
2. is St. Clair and Madison going to get together?
3. PRESIDENT:
4. Senator Philip.
5. SENATOR PHILIP:
6. The State central committee districts would not be changed at all.
7. You would have a fourteen day period to select a convention site or
8. a caucus site and those respective organizations would meet then
9. and pick their State central committeeman.
10. PRESIDENT:
11. Senator Demuzio.
12. SENATOR DEMUZIO:
13. Well, I rise in opposition to Senate Bill 1147, even though
14. there is a second alternative, that being B, that would allow for
15. this selection process, I think that the State central committeeman,
16. at least from my area, is much better served to the party to be
17. elected by the members of the political parties that...that indicate
18. their party preference in party primaries. I think it's a bad bill.
19. It's a bad precedent. It may be all right in DuPage County, but it
20. certainly is not in downstate Illinois and I would urge my colleagues
21. to vote No on this...on 1147.
22. PRESIDENT:
23. Senator Wooten.
24. SENATOR WOOTEN:
25. Question of the sponsor.
26. PRESIDENT:
27. Indicates he will yield, Senator.
28. SENATOR WOOTEN:
29. How many amendments are there on this bill?
30. PRESIDENT:
31. Senator Philip.
32. SENATOR PHILIP:
33. There is one amendment. The other amendments have been Tabled.

1. PRESIDENT:
2. Senator Wooten.
3. SENATOR WOOTEN:
4. Which amendment has been Tabled? There is a Committee
5. Amendment No. 1, there's Amendment No. 2 that you sponsored on the
6. Floor. Which bill...which amendment is on there?
7. PRESIDENT:
8. Senator Philip.
9. SENATOR PHILIP:
10. Committee Amendment No. 1 has been Tabled.
11. PRESIDENT:
12. Senator Wooten.
13. SENATOR WOOTEN:
14. Well, I would simply point out that there are some real problems
15. then, with the amendment that is on there. The definitions are not
16. clear at all and as a matter of fact, if I can believe our analysis
17. of it, it could...the precinct committeeman from one area would all
18. have identical votes. It just seems to me that the...it has the
19. immediate effective date, yet the option does not operate until '82.
20. There is a list, almost a page of inconsistencies and ambiguities.
21. Add that to the basic objection that the...the party decides which
22. option shall be used and that's imposed on us. I prefer to have
23. our State central committeeman elected by popular vote of the people.
24. He prefers it that way, too, and I...for that reason and the fact
25. that the bill is in bad shape, I would certainly urge opposition.
26. PRESIDENT:
27. Senator Hall.
28. SENATOR HALL:
29. Would the sponsor yield to a question?
30. PRESIDENT:
31. Indicates he will yield. Senator Hall.
32. SENATOR HALL:
33. Senator, I must apologize. I was off the Floor. Now, the State
central committeeman is elected for a four year term, right?

1. PRESIDENT:

2. Senator Philip.

3. SENATOR HALL:

4. And isn't that correct?

5. SENATOR PHILIP:

6. Yes. Yes, that's correct.

7. PRESIDENT:

8. Senator Hall.

9. SENATOR HALL:

10. Now, a precinct committeeman is elected for a two year term.
11. Now, what you...what you would be doing is you would be allowing
12. somebody who was just elected for two years, to be electing someone
13. for a four year term and they may not be in the next time that...
14. expires. Or, in other words, they would be out of office, maybe, or
15. would have to run again. Could be some new people elected in the next
16. two years. You don't...you don't want that, do you?

17. PRESIDENT:

18. Is there any further discussion? Senator Philip may close the
19. debate.

20. SENATOR PHILIP:

21. Thank you, Mr. President. I'd like to make this point that all
22. the State central committeemen are elected every four years to my
23. knowledge. Now, this doesn't mandate us changing the system.
24. There will...there will be Section A, which your party or our party
25. can decide to do, which would be electing them just the way we elect
26. them, by party primary, or at their respective State conventions.
27. We can decide to do it the other way. It doesn't mandate it. It would
28. allow the local people, the local organizations to select their State
29. central committeemen. I don't see why there should be any
30. opposition to that.

31.

32. The following typed previously.

33.

1. PRESIDENT:

2. The question is shall Senate Bill 1147 pass. Those in
3. favor will vote Aye. Those opposed will vote Nay. The voting is
4. open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 16, the Nays
6. are 37, none Voting Present. Senate Bill 1147 having failed to
7. receive a constitutional majority is declared lost.
8. 1149, Senator Lemke. On the Order of Senate Bills, 3rd
9. reading, Senate Bill 1149. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1149.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Lemke.

16. SENATOR LEMKE:

17. What this bill does is amends the minimum wage to gradually
18. reduce the tip credit allowance on minimum wage. It spreads
19. it out over a period of time.

20. PRESIDENT:

21. Is there any discussion? Senator Keats.

22. SENATOR KEATS:

23. Mr. President and Ladies and Gentlemen of the Senate.
24. As Minority Spokesman on Labor and Commerce, we've been monitoring
25. this bill for some time and I had wanted to bring to your attention
26. several problems with this particular piece of legislation.
27. Number one, when we say we are changing the tip credit, that's
28. true, we're phasing it out. There will be no more tip credit in
29. the future. And I think most people are aware that in this
30. particular area, the majority of income comes from tips. The
31. majority income is not direct pay. So, what you're talking about
32. today is really several things. Number one, you are changing pay
33. scales that in many cases, aren't negotiated and so you may, in
many cases be interfering with collective bargaining process.

1. While that doesn't scare me, I know there are some people on
2. your side of the aisle who allege the collective bargaining
3. process is sacred and I find it interesting that they would want
4. to undermine it. Number two, you have the potential to, in reality,
5. be cutting the income of certain people involved
6. because if you take away the tip credit and you force the management
7. to look in terms of those individuals making their money
8. through salary more than through tips, you may find a complete
9. change in the pay scale. Now, there's a third factor I think that
10. is particularly important, it's called incentive for good work.
11. One of the key incentives to keep people hustling in
12. restaurants, et cetera, happens to be your...your tip. I don't
13. know how many of you tip, but I certainly tip according to service
14. and I've been noted to be rather generous and I've
15. been noted to be rather stingy. But, if you want to talk about
16. the incentive process, this is certainly part of it. But the
17. real issue is several things. Number one, you are doing away
18. with the tip credit, tip credit which is going to cause a great
19. deal of problems within the industry and will, at the same time,
20. raise the cost of food without necessarily in any way improving
21. the income of the workers. If this particular bill were a guarantee
22. to improve the income level of the workers, that would be fine.
23. But what you're doing away with here is any differential
24. and yet there's no guarantee that someone is going to get any more
25. money. What you really are simply doing is changing the relationship
26. and the Legislature is interfering in either the collective
27. bargaining process or the relationship of employee and employer.
28. Okay. There are a group of other bills that are tied to this.
29. Now, they are not companion bills, but they are bills offered
30. by several other Senators who are working in this area and they
31. also lift all kinds of special overtime provisions and change
32. the rules so that this bill, while its effects right now are bad,
33. if the other bills are passed, the effects of this particular bill
would be downright horrendous. What I think is important is

1. that we keep this sort of bill on the Floor, do not put it out
2. so that we do not destroy the relationship in existence today,
3. raise cost of the industry and yet in no way guarantee
4. higher pay for those workers. I'd solicit your No vote. Thank
5. you.

6. PRESIDENT:

7. Further discussion? Senator Grotberg.

8. SENATOR GROTEBERG:

9. Thank you, Mr. President, members of the Senate. Here we go again.
10. The annual attempt to let most small restaurants and many of the
11. larger ones go out of business, to allow food prices, when
12. you're eating out, to go beyond what they already are, sky high
13. and to take away the incentive for those service personnel
14. who are pleased and proud to have positions where they can
15. earn money above and beyond their salary. I can speak without a
16. forked tongue on this one because in my restaurant, we pay
17. a minimum wage and we have that lucky position of losing money
18. every month. Our competitors, large and small are not tied
19. into that and several of them are making money and several of them
20. still can't make it even with the tip credit and against
21. their payroll cost and their cost of merchandise sold the
22. food costs. I spent the weekend reviewing the picture both in
23. cost of personnel and cost of food in the restaurant that
24. I am responsible for and I tell you, Ladies and Gentlemen, it is a
25. hard pressed business and you would never believe that when you
26. go into the watering holes of Springfield and gladly pay the
27. ten dollars for that eight ounces of steak but for the everyday
28. living in the everyday restaurant, the waitresses in many cases
29. and the waiters are making more money than the boss just the
30. way it is and this will do nothing but destroy that relationship
31. and make it even worse. Please, for Heaven's sake, help us
32. defeat for a major industry and thousands upon thousands
33. of employees this bad legislation.

1. PRESIDENT:

2. Further discussion? Senator Savickas.

3. SENATOR SAVICKAS:

4. Yes, Mr. President and members of the Senate. Once again,
5. we want to pick on the lowest class paid people that we have
6. in the State of Illinois, those people that receive less than the
7. minimum wage. That's right, less than the minimum wage from
8. these restaurants and these business places. All this says is
9. that they can receive three-quarters, three-quarters of the
10. minimum wage. And what is the minimum wage now, two dollars
11. and fifty cents, two sixty, that they can receive two...three...
12. three-quarters of the minimum wage from their employer and
13. that that cannot be included in their wages. That's all it says.
14. It says give them a fair, decent way to earn a living. A fair...
15. a little over two dollars an hour and is that too much
16. to ask for a wage? If a man that's charging ten and twelve
17. dollars for a steak and he says his employees are making
18. more money than he is in that business, something is wrong,
19. he doesn't know how to operate his business or he's just taking it
20. off the top and hiding it. That's all he's doing with that kind of
21. money, to have that kind of a turnover where he claims his
22. employees are making more than he is, he's hiding that pretty good
23. someplace. I submit to you that once again, there's no concern
24. and no fight against, when we talk about the union tradesmen making
25. twelve and thirteen dollars an hour, but we again, are picking on
26. that one employee, the poor uneducated, the one that has to work
27. for less than a minimum wage, less than a minimum wage in this case,
28. and they again are trying to deny him and her the ability to
29. live in our society.

30. PRESIDENT:

31. Further discussion? Senator Berning.

32. SENATOR BERNING:

33. Thank you, Mr. President and members of the Senate. I don't

1. think it's a question of depriving anyone of anything. As we all
2. know, the minimum wage applicable or not to the restaurant business
3. is meaningless. The income of these people is predicated upon
4. their tips and in all fairness, the employer ought to be able
5. to have that as a credit. Now, I don't know about the rest of you
6. but in my area, we have a great many, very many fine restaurants,
7. some little, some large, but from many of them, I have heard
8. asking that this measure be defeated. It will work no hardship
9. on anybody. If it is defeated, it will work a great hardship
10. on many people, including those who may lose their jobs in the
11. even the restaurants are closed, so I submit to you that it is
12. only rational and reasonable to defeat this bad bill.

13. PRESIDENT:

14. Further discussion? Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, thank you, Mr. President. I only call your attention
17. to two things. This bill, in addition, deletes one other
18. provision. In the first part of this bill, it deletes the
19. provision of the eighty-five percent payment for the motion
20. picture operator...theatre operators. It deletes that provision
21. which we had given an exception to and also to call your attention,
22. the Federal Government does have an offset for tip credit and we
23. would be phasing it out entirely. I think it's inconsistent
24. with that and I do not think it's in the best interest of those
25. who are seeking employment and ask for a No vote on
26. this particular bill.

27. PRESIDENT:

28. Any further discussion? Senator Lemke may close the debate.

29. SENATOR LEMKE:

30. Well, now we hear the great scare tactics by the Republican
31. party speaking for the people. You know what we're talking about
32. here? You know what we're talking about per hour? Twenty-three
33. cents. That's what it's going to cost, twenty-three cents the

1. first year, forty-six cents the next year. You guys light a
2. cigar it costs...you're talking about restaurants going out of
3. business. You're talking about theatres going out of business.
4. How ridiculous. When a restaurant owner can get out of his...his
5. big restaurant, and jump into his Cadillac or Mercedes-Benz,
6. sits at the cash register with a diamond ring and you're talking
7. about the lowest...you're talking about twenty-three cents
8. an hour. Twenty-three cents an hour. Who the hell is that going
9. to break? Why should we treat people as second class citizens
10. like people that work in a movie theatre? Do you know what
11. movie ushers get? Huh? You want to be attacked by some sex
12. deviate or throw some drunk out of the theatre and get paid
13. a little money? Is that what you're for? Well, go, vote
14. against the little man. That's what you always do. The Republican
15. party never stands for the working man. They have always voted
16. against some little bitty man that's not represented. It's the
17. unions that have forced you in positions to make compromises.
18. But the guy that's not represented, the guy that's uneducated
19. and can't make more than the minimum wage, is always the
20. guy that's screwed. So, you guys vote like you're going to be and
21. if you think restaurants are going to go out of business
22. because they're going to charge you...they're going to pay their
23. employee another twenty-three cents an hour 'cause they have a
24. busboy, you tell me you've got to be ridiculous. I ask for
25. a favorable vote.

26. PRESIDENT:

27. The question...Senator Berning, for what purpose do you arise?

28. SENATOR BERNING:

29. Well, Mr. President, by inference, if not directly, my
30. testimony and my personality and character has been impuned by the
31. testimony of the closing arguments. I only want to point out
32. that I have never heard from one individual in my...

33. PRESIDENT:

We are...Senator...Senator.

1. SENATOR BERNING:
2. ...area asking for this kind of bill.

3. PRESIDENT:
4. All right. Senator, we're on roll call. The
5. question is shall Senate Bill 1149 pass. Those in
6. favor will vote Aye. Those opposed will vote Nay. The
7. voting is open. Have all voted who wish? Have
8. all voted who wish? Take the record. On that question the
9. Ayes are 22, the Nays are 32, none Voting Present.
10. Sponsor requests postponed consideration. So ordered. 1150,
11. Senator Lemke. On the Order of Senate Bills, 3rd reading,
12. Senate Bill 1150. Read the bill, Mr. Secretary.

13. SECRETARY:
14. Senate Bill 1150.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDENT:
18. Senator Lemke.

19. SENATOR LEMKE:
20. What this...what this bill does is complies the
21. ...the State law with the Federal law which states that
22. when the man is not paid the minimum wage, it gives him the
23. same remedies as giving under the Federal law. In other
24. words, he has the right to recover liquidated damages in the
25. amount of...of the loss of wages. I ask for a
26. favorable adoption.

27. PRESIDENT:
28. Any discussion? Senator Keats.

29. SENATOR KEATS:
30. Mr. President and Ladies and Gentlemen of the Senate.
31. I would like to rise, in my position as Minority Spokesman
32. of Labor and Commerce, to say that this is another one of
33. these horrendous bills. And I'd like to mention a couple points.

1. When we're dealing with the minimum wage, the minimum wage is probably
2. the single most racist act we've passed in the Legislature in the
3. history of this country. What we're dealing with today is
4. saying that those individuals who are just attempting to break into
5. the work force or those who are low skilled individuals cannot and
6. will not be allowed to enter the work force. When we talk about
7. helping the little man, there is no more of a little man than a guy
8. who is first trying to break into the job force. The kid who tried
9. to go to a high school in the City of Chicago which through no fault of
10. his own, probably didn't teach him to read, write, add or subtract,
11. he finally drops out 'cause he can't stand the boredom and he
12. wants to go find a job, and if you are the employer, you say this
13. kid can't read, this kid can't write, this kid can't add, this kid
14. can't subtract and he only shows up about three days a week.
15. But now you're saying that I should pay him two dollars and
16. ninety cents an hour. It's not that that individual is not
17. eventually capable of being worth it. The point is he is not at that
18. moment worth it. And the more you fool with the minimum wage, the
19. more you will leave little people unemployed. So, to say you are a
20. friend of the little guy and it's those of the rest of us are
21. friends of the big guy, simply shows your knowledge of economics
22. is limited. And if turned into liquid and poured into a thimble,
23. probably would not wet the entire bottom. But, if you truly would
24. like...if you truly would like to help the little man get a job,
25. you've got to raise the issue. For the marginal worker, is he better
26. off unemployed at two dollars and ninety cents an hour or is he
27. better off employed at two dollars and twenty cents an hour. If you
28. really want it to work in the economic system, you would realize
29. there is several issues of importance. Number one is getting
30. someone into the job force so that they can learn basic job skills
31. so that they can develop as a human being and gain the dignity of
32. being self-supporting. Once they've gained that dignity and realize
33. that they can become a part of society, then and then at that time,
they can seek, perhaps, other promotions, eventually given five years

1. of work, they're the foreman, the next think you know, they're
2. a small businessman, that's if the union doesn't drive them out of
3. business, they're a small businessman, then they turn around and
4. eventually hire other people and what you have done by letting
5. this poor kid get...get off to a start, you've let him join
6. the system and employ other people. It's called capital investment,
7. it's called the American dream. It's to leave opportunities open
8. for everyone. If you wish to close those opportunities, you should
9. vote for bills like 1150. What it is it slams the door in the face
10. of every poor individual and every marginal worker in the State.
11. So, when you say you're a friend of the little man, you can fool
12. some people who know nothing about economics, but those of us
13. who have taught the subject and know a little about it realize
14. that if you really want to help people, you quit slapping them in
15. the face and you'll make opportunities available to them that they
16. may avail themselves of rather than simply treating them like dirt.
17. So, if you want to help people, vote against bills like this.
18. I solicit your No vote. Thank you.

19. PRESIDENT:

20. Further discussion? Senator Egan.

21. SENATOR EGAN:

22. Thank you...thank you, Mr. President. I...I...I'm not absolutely
23. certain that you're talking about the same bill, Senator. This
24. is...this is Senate Bill 1150. What it does is penalize
25. an employer who cheats on the law. That's all it does.

26. PRESIDENT:

27. Is there any further discussion? Senator Lemke may close the
28. debate.

29. SENATOR LEMKE:

30. Well, Senator Keats, we heard your big dissertation.
31. Now, you're...you're talking against a bill to protect the crook,
32. a guy that's going to steal money and not pay them the minimum wage.
33. All this bill does is amends the minimum wage, authorize the employee

1. to recover the underpayments in an equal amount of damages within
2. three years. It also authorizes the Director of Labor to supervise
3. payments of previous amounts underpaid and requires the Attorney
4. General to prosecute legal action brought by the director of the Act.
5. Do you mean to tell me, you're against this bill? How ridiculous
6. can you be? First you want to cheat people out of twenty-three
7. cents an hour, now you don't even want the guy to collect what he's
8. losing. Is that what the Republican party stands for? It's
9. ridiculous. I ask for a favorable vote.

10. PRESIDENT:

11. The question is shall Senate Bill 1150 pass. Those in favor
12. will vote Aye. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 31, the Nays are 25, none Voting
15. Present. Senate Bill 1150 having recieved a constitutional majority
16. is declared passed. Senator Keats, for what purpose do you arise?

17. SENATOR KEATS:

18. Verification and since my name was used in debate, I won't
19. answer those comments made. But there were several points I would have
20. raised, but I would like to verify at this time. Thank you.

21. PRESIDENT:

22. Senator Keats has requested a verification of the affirmative
23. roll call. Will the members please be in their seats.

24. The Secretary will read the affirmative vote.

25. SECRETARY:

26. The following voted in the affirmative: Berman, Buzbee,
27. Carroll, Chew, Collins, D'Arco, Daley, Demuzio, Donnewald,
28. Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
29. Knuppel, Lemke, Maragos, Martin, McLendon, Merlo, Nash, Nedza,
30. Netsch, Newhouse, Savickas, Vadalabene, Washington, Wooten, Mr.
31. President.

32. PRESIDENT:

33. Senator Keats.

SENATOR KEATS:

1. I just wanted to check on some of those who are striking a blow
2. for economic illiteracy. First of all, could I check and see if
3. Senator Geo-Karis is here?
4. PRESIDENT:
5. Senator Geo-Karis is on the Floor. Do you question the presence
6. of any other member? If not, the roll has been verified.
7. The Ayes are 31...well, let's get at it.
8. SENATOR KEATS:
9. It's just that I thought you were calling...attention. Senator
10. Martin.
11. PRESIDENT:
12. Right behind you on the Floor.
13. SENATOR KEATS:
14. Senator Newhouse.
15. PRESIDENT:
16. Senator Newhouse on the Floor? Senator Newhouse is on the Floor.
17. SENATOR KEATS:
18. With that, I thank you for your indulgence.
19. PRESIDENT:
20. The roll has been verified. The Ayes are 31, the Nays are 25, none
21. Voting Present. Senator Johns.
22. SENATOR JOHNS:
23. Having voted on the prevailing side, I move to reconsider.
24. PRESIDENT:
25. Senator Johns, having voted on the prevailing side, moves to
26. reconsider the vote by which Senate Bill 1150 is passed. Senator
27. Carroll moves to have that motion lie upon the Table. All in favor
28. signify by saying Aye. All opposed. The Ayes have it. So ordered.
29. 1172, Senator Bruce. 1173. On the Order of Senate Bills,
30. 3rd reading, page 23, Senate Bill 1173. Read the bill, Mr.
31. Secretary.
32. SECRETARY:
33. Senate Bill 1173.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

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

7. I would call the attention of the members that the Digest on the
8. Calendar is incorrect. The bill, as it is amended, has nothing
9. at all whatsoever to do with binding arbitration. The bill,
10. as it now stands before the Senate, is substantially amended to
11. meet objections that were made in the committee. The bill allows but
12. does not mandate, allows any school board to enter into an
13. employment contract for a period not to exceed three years.
14. No such contract is enforceable to the extent that it restricts
15. the board in the initial selection of employees, nor to the extent
16. that it impairs or diminishes rights granted to an individual
17. under this Act. That was language put in to insure to the school
18. boards that there is nothing involved whatsoever in any agreements
19. they have in the selection of employees. The bill was moved from the
20. Duty Section of the School Code to the Power Section, although I didn't
21. think it made a great difference, at the suggestion of the Illinois
22. School Board Association. So, it is absolutely clear that school
23. boards may do this. Several of them do and several of them would like
24. the authority. It means that they don't have to go through an annual
25. hassle over contracts. Many of the school board members don't wish
26. to serve on a contract committee year after year. Allows them to
27. draft a three year contract and give some stability. I would ask
28. for a favorable vote.

29. PRESIDENT:

30. Is there any discussion? Senator Maitland.

31. SENATOR MAITLAND:

32. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
33. Senator Bruce, I appreciate the fact that binding arbitration is now
...not now a part of the bill. I would ask a question, however. It

1. appears to me that this...what we're doing with this legislation is
2. not now prohibited, so in fact, why do we need this particular
3. legislation?

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. There's nothing in the Statute, I think, that allows it under
8. the Power Section of the board. This will clarify what is existing
9. ...you're...you're absolutely correct, is existing practice throughout
10. the State of Illinois. It will clarify, however, that the boards,
11. in fact, do have the power to execute a three year contract or a
12. two year or one year.

13. PRESIDENT:

14. Further discussion? Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President. I rise in support of the bill. We did
17. this for Chicago a couple of years ago and it leant a greater degree
18. of stability to the starting time for schools. Contracts were
19. entered into, I think for a...two year contract was entered into
20. by Chicago. It allowed the teachers and most importantly, the
21. pupils to know what was down the road and I urge your support for
22. this bill.

23. PRESIDENT:

24. Further discussion? Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Would the sponsor yield for a question?

27. PRESIDENT:

28. Indicates he'll yield. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Do I understand you to say, then, Senator Bruce, in your bill
31. that you have binding arbitration clauses, but do you have specifically
32. a statement there but no strike provisions?

33. PRESIDENT:

Senator Bruce.

1. SENATOR BRUCE:
2. I'm sorry. I couldn't hear her question.
3. SENATOR GEO-KARIS:
4. Does your bill include in any language like concerted
5. activities or so forth that might indicate that even though you
6. do have binding arbitration in the bill, you also have the right of
7. strike?
8. PRESIDENT:
9. Senator Bruce.
10. SENATOR BRUCE:
11. We started off to clarify that. There is absolutely nothing in
12. the way of binding arbitration language in this bill. It was all
13. removed after objection was made in committee. So, there is nothing
14. at all about binding arbitration or striking or anything else. The
15. bill is really just one sentence long now. It says the school
16. board may...into an employment agreement up to three years in length.
17. PRESIDENT:
18. Further discussion? Senator Davidson.
19. SENATOR DAVIDSON:
20. Yes, I rise in support of this bill. This will put in the law
21. that school districts now are already doing. For example, School
22. District 186 here in Springfield, does have a three contract, or I
23. should say has had a three year contract several times. The present
24. contract was a two year contract. All this does is say they may
25. ...may enter into a three year contract.
26. PRESIDENT:
27. Further discussion? Senator Schaffer.
28. SENATOR SCHAFFER:
29. Well, Mr. Chairman, I rise in support of the bill, too. I think
30. as amended, it will provide an opportunity for employment stability
31. in this area which occasionally in this area is not too stable.
32. I commend Senator Bruce for his willingness to compromise with the
33. School Board Association and others so that this, I think, important
- concept, can go forward.

1. PRESIDENT:
2. Further discussion? Senator Berning.
3. SENATOR BERNING:
4. Just one comment, Mr. President and members of the Senate.
5. I point out to you that while this...at this point, is a permissive
6. bill, it is a very, very simple thing, either in the House or
7. next year to change that word from may to shall and we will have
8. invited ourselves into a very, very undesirable situation.
9. I think this is a bad concept and I would urge you to defeat
10. this bill. There isn't anything that prevents the school boards
11. from doing what many of them are doing, entering into such
12. agreements. But to put it into the Statute, even as permissive,
13. opens the door for mandatory very, very soon.
14. PRESIDENT:
15. Further discussion? Senator Shapiro.
16. SENATOR SHAPIRO:
17. Well, Mr. President and Ladies and Gentlemen of the Senate.
18. As the previous speaker has pointed out, at the present time there
19. is no collective bargaining legislation on the Illinois Statutes
20. of any kind, period, concerning school boards, school districts and
21. teachers. This bill is totally unnecessary because now in defiance
22. of no law, most school boards do sit down and bargain collectively
23. with their teacher groups. If they want to go ahead and run a
24. three year contract also in defiance of no law, I think they could
25. get away with that just as easily as they have with the other.
26. This bill is totally unnecessary, but what it does is beyond that,
27. is place onto the Statutes the sanctification of a three year
28. collective bargaining contract, which, in effect, is placing on the
29. lawbooks, even though it is in the Power Section, it places
30. on the lawbooks collective bargaining out for school districts and
31. I would oppose the bill.
32. PRESIDENT:
33. Any further discussion? Senator Bruce may close the debate.

1. SENATOR BRUCE:

2. I would just point out that school boards are a creation of this
3. Body. They have, in fact, executed three year contracts which
4. they desire. They would like to have the Statutory authority to
5. clarify their present activities. In areas where we have had
6. three year contracts that has led to a great deal of stability as
7. indicated by Senator Berman, this is what is done in Chicago.
8. I would solicit a favorable vote.

9. PRESIDENT:

10. The question is shall Senate Bill 1173 pass. Those in favor
11. will vote Aye. Those opposed will vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question the Ayes are 41, the Nays are 16,
14. none Voting Present. Senate Bill 1173 having received a constitutional
15. majority is declared passed. 1176, Senator Savickas. On the
16. Order of Senate Bills, 3rd reading, Senate Bill 1176. Read the bill,
17. Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1176.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Savickas.

24. SENATOR SAVICKAS:

25. Yes, Mr. President and members of the Senate. This bill
26. was designed as a consumer protection bill and it requires
27. that two consumer representatives who are both nonlawyers
28. to serve on the Attorneys Disciplinary Commission. And all this
29. bill does is designed to help the nonlegal community have some
30. input into the policing of the legal profession. As you all know,
31. up to now the Attorneys Disciplinary Commission has been appointed
32. by the Supreme Court and comprised solely by attorneys. I would
33. request a favorable roll call on this bill.

1. PRESIDENT:
2. Any discussion? Senator Rhoads. Senator Rhoads.
3. SENATOR RHOADS:
4. Thank you, Mr. President and members of the Senate. I recall
5. a predecessor from my district, former Senator Sprague, was an
6. individual who went to law school when one could read for the bar
7. without having a degree from a law school. There are people who
8. do, as laymen, study the law. And these people have opinions on the
9. conduct of the legal profession. I think they ought to be represented
10. and this is excellent legislation.
11. PRESIDENT:
12. Further discussion? Senator Netsch.
13. SENATOR NETSCH:
14. Thank you. A question of the sponsor.
15. PRESIDENT:
16. Indicates he will yield.
17. SENATOR NETSCH:
18. In some of the summaries, it indicates that there was another
19. provision in the bill beyond that of the...of the membership of the
20. Attorney Discipline Committee. Our summary says that it provided that
21. where there was inconsistency between the Civil Practice Act and
22. Supreme Court rules, the Civil Practice Act takes precedence.
23. Is that still in the bill?
24. PRESIDENT:
25. Senator Savickas.
26. SENATOR SAVICKAS:
27. Yes, it is.
28. PRESIDENT:
29. Senator Netsch.
30. SENATOR NETSCH:
31. Thank you. That's sort of too bad because I...I have a little
32. bit of question about that, but perhaps I'm a traitor to my profession
33. but I happen to think there ought to be nonlawyers on the Attorney's
Disciplinary Committee. I have...I have always felt that.

1. What is good enough for all of the other professions, and some of us
2. have been trying for years around here to get so-called lay members
3. on the governing commissions of other professions is also good
4. enough for the attorneys. Gentlemen lawyers, we have nothing to fear.
5. PRESIDENT:
6. Further discussion? Senator Knuppel.
7. SENATOR KNUPPTEL:
8. Right on.
9. PRESIDENT:
10. Further discussion? Senator D'Arco.
11. SENATOR D'ARCO:
12. Thank you, Mr. President. Here's a double dipper from the City
13. of Chicago who passes all kinds of bills for the Chicago Park
14. District increasing taxes telling attorneys what to do.
15. PRESIDENT:
16. Further discussion? Senator DeAngelis.
17. SENATOR DeANGELIS:
18. Mr. President, I will be watching Dr. Vadalabene's light on this
19. one.
20. PRESIDENT:
21. Is there any further discussion? Senator Vadalabene.
22. SENATOR VADALABENE:
23. Yes, I'm wondering if he would accept an amendment that an
24. honorary degree in jurisprudence could be accepted.
25. PRESIDENT:
26. Any further discussion? Senator Savickas may close the debate.
27. SENATOR SAVICKAS:
28. You've all thoroughly digested the bill. You know what
29. the consumers of Illinois desire. I solicit your favorable support.
30. PRESIDENT:
31. The question is shall Senate Bill 1176 pass. Those in favor
32. vote Aye. Those opposed vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the record.
On that question the Ayes are 32, the Nays are 8, 8 Voting Present.

1. Senate Bill 1176 having received a constitutional majority is declared
2. passed. 1178, Senator Geo-Karis. On the Order of Senate Bills,
3. 3rd reading, Senate Bill 1178. Read the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1178.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Geo-Karis.
10. SENATOR GEO-KARIS:
11. Mr. President and Ladies and Gentlemen of the Senate. This is
12. a bill that has been urged by the Department of Public Health in
13. which amends the Child Hearing Test Act to provide that vision
14. testing be included as part of the testing program for children
15. to see if they have any hearing and under the provisions of this
16. bill, any vision problems. And I would respectfully request a
17. favorable vote.
18. PRESIDENT:
19. Is there any discussion? If not, the question is shall Senate
20. Bill 1178 pass. Those in favor will vote Aye. Those opposed will
21. vote Nay. The voting is open. Have all voted who wish? Have all
22. voted who wish? Take the record. On that question the Ayes
23. are 52, the Nays are none, none Voting Present. Senate Bill 1178
24. having received a constitutional majority is declared passed.
25. 1192, Senator Lemke. Senator Lemke on the Floor? 11...1192.
26. 1194, Senator Rhoads. On the Order of Senate Bills, 3rd reading,
27. Senate Bill 1194. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1194.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDENT:
33. Senator Rhoads.
SENATOR RHOADS:

1. Thank you, Mr. President and members of the Senate. Senate Bill
2. 1194 is a result of one of the cost control recommendations
3. of Governor's Task Force. It would amend the Private Sewage
4. Disposal License Act to increase the annual license fee from fifty
5. dollars to one hundred dollars. The fee increases are
6. imposed in order to offset the administration of the Act. There
7. has been no fee increase at all prior to this time since the
8. institution of the Licensure Act. The bill would generate approximately
9. one hundred and ten thousand dollars in extra revenue. I will be
10. happy to answer any questions.

11. PRESIDENT:

12. Is there any discussion? Senator Wooten.

13. SENATOR WOOTEN:

14. Thank you, Mr. President. I rise in opposition to this bill,
15. the next bill, the next bill, the next bill. This is apparently the
16. Governor's Fiscal Program of raising money by not raising taxes, but
17. by raising licenses. Of course, he will get to the taxes later.
18. I think we should resist this. I don't believe these increases are
19. justified and nor do I believe these people should be singled out,
20. these or in the bills to come, to raise money for government. I...
21. I just don't think it's a proper way to proceed. I question
22. a lot of our licensing practices and this...this practice I question
23. most of all.

24. PRESIDENT:

25. Is there any further discussion? Senator Rhoads may close the...
26. oh, I beg your pardon. Senator Collins.

27. SENATOR COLLINS:

28. Senator Rhoads, you said the first bill would yield about a
29. hundred thousand dollars?

30. PRESIDENT:

31. Senator Rhoads.

32. SENATOR RHOADS:

33. That is correct.

1. PRESIDENT:
2. Senator Collins.
3. SENATOR COLLINS:
4. I'm assuming all of the bills in that package would kind of
5. follow suit, too, right, in terms of revenue?
6. PRESIDENT:
7. Senator Rhoads.
8. SENATOR RHOADS:
9. All of the bills would be increased revenue to the State, yes.
10. PRESIDENT:
11. Senator Collins.
12. SENATOR COLLINS:
13. What...what would the additional revenue be used for?
14. PRESIDENT:
15. Senator Rhoads.
16. SENATOR RHOADS:
17. Senator, I'll have to give you a total on each bill as it comes
18. up.
19. PRESIDENT:
20. Senator Collins.
21. SENATOR COLLINS:
22. No. Well, what would the extra revenue be used for in this
23. particular bill? In 1194, you said for the administration of the
24. Act and I'm just wondering what would you be doing different.
25. PRESIDENT:
26. Senator Rhoads.
27. SENATOR RHOADS:
28. This would be...would specifically...it wouldn't be earmarked
29. but it is to cover the costs of what the Department of Public Health
30. feels they actually have to spend in order to administer
31. and do the inspections and so forth. So, this is their best estimate
32. of what these inspection and licensing programs are now actually
33. costing them.

1. PRESIDENT:

2. Is there any further discussion? Senator Rhoads may close the
3. debate.

4. SENATOR RHOADS:

5. I would simply ask for a favorable roll call.

6. PRESIDENT:

7. The question is shall Senate Bill 1194 pass. Those in favor
8. will vote Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Take the
10. record. On that question the Ayes are 30, the Nays are 21,
11. 1 Voting Present. Senate Bill 1194 having received a constitutional
12. majority is declared passed. Senator Wooten has requested
13. a verification. Will the members please be in their seats.
14. Mr. Secretary...the Secretary will read the affirmative votes.

15. SECRETARY:

16. The following voted in the affirmative: Becker, Berman,
17. Berning, Bloom, Bowers, Davidson, DeAngelis, Demuzio, Geo-Karis,
18. Gitz, Graham, Grotberg, Maitland, Maragos, Martin, McMillan,
19. Merlo, Mitchler...no, Moore, Nimrod, Ozinga, Philip, Regner,
20. Rhoads, Rupp, Savickas, Schaffer, Shapiro, Sommer, Walsh,
21. Weaver.

22. PRESIDENT:

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Senator Demuzio.

26. PRESIDENT:

27. Is Senator Demuzio on the Floor? Strike his name from the roll
28. call, Mr. Secretary. On that question the Ayes are 29, the Nays
29. are 21, 1 Voting Present. Senate Bill 1194 having failed to receive
30. a constitutional majority...postponed...sponsor has requested
31. consideration be postponed. So ordered. 1195, Senator Rhoads.
32. On the Order of Senate Bills, 3rd reading, Senate Bill 1195. Read
33. the bill, Mr. Secretary.

SECRETARY:

1. Senate Bill 1195.

2. (Secretary reads title of bill)

3. PRESIDENT:

4. Pardon me. Senator Rhoads.

5. SENATOR RHOADS:

6. I'm sorry, Mr. President. There's an amendment we have

7. to pass over that...

8. PRESIDENT:

9. All right. 1196. On the Order of Senate Bills...take 1195 out

10. of the record, Mr. Secretary. On the Order of Senate Bills,

11. 3rd reading, Senate Bill 1196. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1196.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Rhoads.

18. SENATOR RHOADS:

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

20. was too hasty in my closing arguments on the prior bill.

21. I assumed that everyone knew that Senator Wooten did not

22. know what he was talking about. Apparently everybody did not

23. realize that. Senator Wooten, for your information, there was

24. no testimony in opposition to these bills in committee. They came

25. out without any opposition. This particular bill, which increases

26. plumbing licensing fees, was amended in committee to satisfy

27. the AFL CIO. They are now in support of the bill. I have the

28. authorization of Harl Ray to state that on the Floor. It was

29. ...they worked it out with the Department of Public Health. They

30. feel that it is a fair increase in the plumbing licensing fees to

31. cover the administration of the Act and I solicit your favorable

32. vote on Senate Bill 1197.

33. PRESIDENT:

Senator Wooten.

1. SENATOR RHOADS:

2. ...96. Sorry.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. I did not misunderstand the bill,
5. Senator Rhoads. My objection was not that there was objection in
6. committee. My objection was there was an increase in fees. I don't
7. care if the AFL CIO has approved it or anybody else. My objection is
8. it is an increase in fees and I just don't think they should be
9. increased. That does not depend on anything else. It's...I hate
10. to put it in those terms, but it's my personal judgment and I hope
11. it's shared by others in the Chamber.

12. PRESIDENT:

13. Is there any further discussion? Senator Rhoads, do you wish to
14. close the debate? The question is shall Senate Bill 1196 pass.
15. Those in favor will vote Aye. Those opposed will vote Nay. The
16. voting is open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question the Ayes are 31, the Nays are
18. 21, none Voting Present. Senate Bill 1196 having received a
19. constitutional majority is declared passed. 1197, Senator
20. Rhoads. 1200, Senator Davidson. Bottom of page 23 on the Order of
21. Senate Bills, 3rd reading, Senate Bill 1200. Read the bill,
22. Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1200.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Yes, Mr. President and members of the Senate. This bill
31. does exactly as stated. This is a front end referendum, but it would
32. give the opportunity for municipalities which nonhome rule units
33. an opportunity to participate in municipal housing financing
such as home rule units can now. It calls for the ordinance to be

1. passed by the city council, then it calls for a front end referendum
2. by the people in that governmental unit if they want to participate.
3. It came out of the committee...Finance and Credit Regulations...or
4. Insurance or whatever it was, 11 to 0. This came out from request
5. from a small town. It's going to be impacted by a large facility
6. going in it to make money available for low and moderate income
7. people. I would appreciate a favorable roll call.

8. PRESIDENT:

9. Is there any discussion? Senator DeAngelis.

10. SENATOR DeANGELIS:

11. Mr. President and members of the Senate. Although I favor this
12. type of legislation, I have a question of the sponsor.

13. PRESIDENT:

14. Indicates he'll yield. Senator DeAngelis.

15. SENATOR DeANGELIS:

16. Senator Davidson, is there not now a declaration by the Federal
17. Government that prohibits this type of activity?

18. PRESIDENT:

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. No, there isn't. There was a recommendation from Chairman
22. Alman of the of the House Ways and Means Committee that had a lot
23. of newspaper publicity, but there is no prohibition from the
24. Federal Government.

25. PRESIDENT:

26. Further discussion? Senator Demuzio.

27. SENATOR DEMUZIO:

28. Yes, thank you, Mr. President and members of the Senate. I, too,
29. rise in favor of Senate Bill 1200. With the home loan interest
30. rates that are ballooning out of reach for many middle income
31. families several home rule communities have taken steps to make it
32. easier for people to get into the housing market. We're just asking
33. for those communities that are not now home rule counties, to
allow us the opportunity to get into this...get into this new market.

1. Senator Davidson is indeed correct that Senator...Representative
2. Yeoman up in Washington is attempting to have some impact upon...
3. from the Federal Government level on these...on these bonds.
4. I personally feel that with the stagnant housing market
5. that we have in Illinois with municipalities getting into this
6. particular area, it would allow for those individuals who cannot
7. afford a home, those individuals who would have to pay
8. higher interest rates at financial institutions throughout the State
9. of Illinois, it would allow them the opportunity to get that home which
10. they have dreamed about and which they need and I, too, support this
11. legislation. I think it's good and I ask that those that have
12. home rule municipalities that have this authority give it to us
13. of those that do not. Thank you.

14. PRESIDENT:

15. Further discussion? Senator Johns.

16. SENATOR JOHNS:

17. Thank you, Mr. President. Nothing is more vital than this type
18. of legislation, nothing is more important than the family,
19. nothing more important to a good family than a good home. Many of
20. our young people today are struggling to try to find a place to live
21. in decency and to raise their families. I urge a favorable vote
22. on this poece of legislation.

23. PRESIDENT:

24. Further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. A question of the sponsor.

27. PRESIDENT:

28. Indicates he'll yield. Senator Grotberg.

29. SENATOR GROTBORG:

30. Senator Davidson, is this for...for individual family homes or
31. multiple family dwellings or both or what?

32. PRESIDENT:

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. For single residences.

3. PRESIDENT:

4. Senator Grotberg.

5. SENATOR GROTBORG:

6. Then that is specific, not...not from...I want to be certain
7. or I wouldn't be pressing the question.

8. PRESIDENT:

9. Senator...Senator Davidson.

10. SENATOR DAVIDSON:

11. It says home means real property, improvements thereon,
12. located within a municipality consisting of not more than...I stand
13. corrected. Four dwelling units included but not limited to
14. condominiums unit owned by one mortgager who will occupy or intends
15. to occupy one such unit and home mortgage loan means the interest
16. bearing.

17. PRESIDENT:

18. Further discussion? Senator Grotberg.

19. SENATOR GROTBORG:

20. Yes, again, I think you're clarifying it for me rental property
21. apartment buildings are not in it. Would that be a true assumption
22. from what I've gathered because I would ask you, Senator Davidson,
23. and members of the Senate, to recall a bill sponsored by Senator Shapiro
24. that did take in the non-home rule communities for the distressed and
25. blighted areas specifically to do something significant about
26. housing in commercial areas and we do have a new law on the
27. books the Governor has signed it, so we do have an avenue to
28. achieve much of what we're talking about but not individual family
29. homes.

30. PRESIDENT:

31. Further discussion? Senator Savickas.

32. SENATOR SAVICKAS:

33. Yes, I have a...Mr. President, a question of the sponsor.

PRESIDENT:

1. Indicates he'll yield. Senator Savickas.

2. SENATOR SAVICKAS:

3. Why don't we just allow these municipalities or why don't they,
4. through their governing boards, become home rule units and adopt
5. their own bonding programs? Why...why do we have to give them
6. this authority when they didn't want home rule provisions for them-
7. selves that would allow them all these benefits?

8. PRESIDENT:

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. Well, as you know under the Constitution the home rule authority
12. was given to any municipality who had twenty-five thousand
13. population or more. And any other unit would have to
14. do it by referendum vote. And most home rule units...not most, but
15. a number of home rule units have adopted this ordinance so they
16. can help the people. The non-home rule units would like to have
17. the opportunity to do it without having to have the full
18. ramifications of home rule unit. The two towns
19. which tried to pass it, the two towns
20. which tried to pass it so they could do this, in the last election,
21. it was resounded...resoundedly defeated because of the power given
22. to the city council by home rule unit government. They like the
23. idea but they don't want to give the mayor and the city council
24. extraordinary power of levying taxes and we...which does not controlled
25. by the limit within the State Government. This up front, up front
26. lets the local people have an opportunity to say yeah, we want to do
27. it without having all the other incumberments. It's a good bill.

28. PRESIDENT:

29. Is there any further discussion? Senator Savickas.

30. SENATOR SAVICKAS:

31. Well, just some comments, then. I...I think once again, here we
32. have people that do not want to, by referendum, obtain the
33. responsibilities but they want the goodies to go with it.
They want their cake and they want to eat it too. I think if they want

1. to enjoy the good things that are available through home rule powers,
2. that they should adopt all the obligations of them. That's
3. my only comment, Senator.

4. PRESIDENT:

5. Further discussion? Senator Vadalabene.

6. SENATOR VADALABENE:

7. Yes, Senator Davidson is exactly right. We, in Edwardsville,
8. just came off an election where the municipality tried to establish
9. themselves as a home rule community. And one of the principal
10. reasons was that they wanted to have this type of a low interest
11. rate for their housing. However, the home rule issue was soundly
12. defeated because of its other ramifications. I think this
13. is a good bill and this is a place to give these people these
14. types of powers that don't want the home rule powers.

15. PRESIDENT:

16. Further discussion? Senator Daley. Is there any further
17. discussion? Senator Daley, did you wish to be recognized?
18. Oh, your light was...okay. Any further discussion? Senator
19. Davidson may close the debate.

20. SENATOR DAVIDSON:

21. I think it's been adequately covered...the necessity and reason.
22. This is a good bill. It will give the people in the non-home rule
23. unit an opportunity to make a lower interest rate money available
24. to those who need it the most for housing. Appreciate a favorable
25. roll call.

26. PRESIDENT:

27. The question is shall Senate Bill 1200 pass. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting is open.
29. Have all voted who wish? Have all voted who wish? Take the record.
30. On that question the Ayes are 38, the Nays are 11, 4 Voting
31. Present. Senate Bill 1200 having received a constitutional
32. majority is declared passed.

33.

End of reel.

1. PRESIDENT:
2. 1201, Senator Geo-Karis. On the Order of Senate Bills,
3. 3rd reading, at the bottom of page 23, Senate Bill 1201. Read
4. the bill, Mr. Secretary.
5. SECRETARY:
6. Senate Bill 1201.
7. (Secretary reads title of bill)
8. PRESIDENT:
9. Senator Geo-Karis. Hold it. For...for what purpose...
10. SENATOR GEO-KARIS:
11. I want to take that out of the record because there is an
12. amendment coming in tomorrow.
13. PRESIDENT:
14. All right. Take it out of the record. 1202. Is 1202
15. all right?
16. SENATOR GEO-KARIS:
17. Mr. President and Ladies and Gentlemen of the Senate.
18. 1202...
19. PRESIDENT:
20. Well, wait a...do you wish it read? Do you wish it called?
21. SENATOR GEO-KARIS:
22. Yes.
23. PRESIDENT:
24. All right. On the Order of Senate Bills, 3rd reading,
25. top of page 24, Senate Bill 1202. Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 1202.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Geo-Karis.
32. SENATOR GEO-KARIS:
33. Mr. President and Ladies and Gentlemen of the Senate. Senate

1. Bill 1202 amends the existing Act of...on private employment
2. agencies with respect to qualifications,et cetera,in the
3. following manner. It deletes the requirement that makes the
4. operater be a United States citizen because the language is
5. that it would exempt agents...agencies which deal exclusively
6. with employment fees. It provides that job order records
7. will be required to include the name of the agency employees
8. who recorded the job order and the records are required by
9. the Act to be retained for one year and the requirements that
10. a person giving a reference from...an applicant is an employ-
11. ment counselor reside in the town is not necessary because as
12. long as they have good references and the requirements to
13. obtain counselor licenses are made similar to those necessary
14. for obtaining an agency license. This bill came out of committee
15. ll to zero. This is the bill that was referred to me for
16. sponsorship by William Bolling, the Director of the Department
17. of Labor. I respect...it...it tightens up the bill in private
18. employment agencies. There was no votes against it and no one
19. spoke against it in committee. I request your favorable consideration.

20. PRESIDENT:

21. Is there any discussion? If not, the question is, shall
22. Senate Bill 1202 pass. Those in favor will vote Aye. Those
23. opposed will vote Nay. The voting is open. Have all voted who
24. wish? Have all voted who wish? Take the record. On that
25. question, the Ayes are 49, the Nays are none, none Voting
26. Present. Senate Bill 1202 having received the constitutional
27. majority is declared passed. 1204, Senator Daley. On the
28. Order of Senate Bills, 3rd reading, Senate Bill 1204. Read
29. the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1204.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Daley.

3. SENATOR DALEY:

4. Mr. President and fellow Senators. This is a very simple
5. bill. It stems from the great disaster we had just a few months
6. ago. What this bill allows is it permits the Governor during
7. a national or State disaster which would only last for two or
8. three days or even eight hours or six hours, allow him to
9. freeze the price of goods during that time. What happens is
10. during a disaster...a national or State disaster various
11. merchants do raise the price of goods during an emergency.
12. People flee to the stores...milk and bread and everything has
13. increased by ten or fifteen, twenty-five percent. This would
14. just stabilize it for the period, if there's a...a national
15. disaster declared by the President or a State disaster, it can
16. only be for that spare period of time. That's all the bill does.
17. The Governor is in Japan. He has not talked to me as yet.

18. PRESIDENT:

19. Is there any discussion? Senator Schaffer.

20. SENATOR SCHAFFER:

21. Mr. President and members of the Senate. I...I'm happy
22. to report to you that I didn't detect any activity like this
23. in my area and the snow was just as deep, although I guess we
24. could be a problem. I...I don't know, I just kind of have a
25. real philosophical problem with the government getting into
26. this business, but Senator, it occurs to me that we could
27. probably solve your problem by simply amending the bill to
28. provide that the Governor has the power to delay municipal
29. elections in this type of situation.

30. PRESIDENT:

31. Further discussion? Senator Joyce.

32. SENATOR JEROME JOYCE:

33. Yes, I...Mr. President, I wonder if the sponsor would

1. yield for a question?

2. PRESIDENT:

3. He indicates he will yield. Senator Joyce.

4. SENATOR JEROME JOYCE:

5. All right. How...how would he do this from Florida or
6. North Carolina or Japan?

7. PRESIDENT:

8. Senator Daley.

9. SENATOR DALEY:

10. Lieutenant Governor O'Neal is down on the second floor. I
11. think we can all go down and talk to him. The bill is very simple.
12. It deals...Yeah. Well, he will be after this bill.

13. PRESIDENT:

14. Is there any further discussion? If not, the question is,
15. shall Senate Bill 1204 pass. Those in favor will vote Aye.
16. Those opposed will vote Nay. The voting is open. Have all
17. voted who wish?, Have all voted who wish? Take the record.
18. On that question, the Ayes are 37, the Nays are 17, 1 Voting
19. Present. Senate Bill 1204 having received the constitutional
20. majority is declared passed. 1205, Senator Knuppel. On the
21. Order of Senate Bills, 3rd reading, Senate Bill 1205. Read
22. the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1205.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Yes, Mr. Chairman and members of the Body. This bill is
31. the bill that's designed to correct the situation where the
32. Appellate Court and in Chicago recently handed down a decision
33. saying that the bill with respect to controlled substances was

1. unconstitutional because the penalty provided for delivery was
2. less than that provided by possession. I have worked with the
3. Appellate prosecutor's program and the bill has been amended
4. to meet their suggestions and the reversal made in those instances
5. where the penalty was greater for possession than it was for
6. delivery, so that now they have reversed from...from one down
7. to the other to correct the unconstitutionality of those bills.
8. I suggest...and they're more knowledgeable about this than I
9. am. I put the bill in originally as a vehicle when I learned
10. of the decision at the last hour for introduction of legislation
11. and it was passed out of committee as a vehicle. The vehicle
12. is the amendment and that was prepared, as I say, by the
13. Appellate prosecutors's program.

14. PRESIDENT:

15. Is there any discussion? If not, the question is, shall
16. Senate Bill 1205 pass. Those in favor will vote Aye. Those
17. opposed will vote Nay. The voting is open. Have all voted who
18. wish? Have all voted who wish? Take the record. On that
19. question, the Ayes are 55, the Nays are none, none Voting
20. Present. Senate Bill 1205 having received the constitutional
21. majority is declared passed. 1207, Senator Knuppel. On the
22. Order of Senate Bills, 3rd reading, Senate Bill 1207. Read
23. the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1207.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. President and members of the Body. This legislation
32. is, of course, more controversial than the bill we just dealt
33. with, however, in the Workmen's Compensation law there's a

1. provision which allows for settlement of claims on what they
2. call the Pink Contract where if a person is hurt he can settle
3. his claim. If he settles his claim, that isn't under the present
4. law, irrevocable, even though he may have been suffering under
5. a mistake of fact as well as the insurance company or the
6. employer with whom he is dealing. I've only run into two...two
7. such cases in the thirty years that I've been practicing of...
8. of my own, but there are other cases. I recently had a case
9. where a gentleman had broken his femur, near the head of the
10. femur, he settled his claim for what would have...been considered
11. a very good settlement. He was represented by a very competent
12. counsel and...but some two years later he finds out when he's
13. injured again that the...that he has a skeptic neuerosis of the
14. head of the femur and his doctor said there was no way that
15. this fact could have been known at the time he settled his claim,
16. so this provision would allow, I think that probably the common
17. law now allows, if there's fraud, if some worker has been misled,
18. is unrepresented by counsel or for some reason is misled and
19. settles his claim, he would be able to open that up again and
20. have an adjudication by the commission. It would have to be done
21. in court and then go back through the commission. This says that
22. where a settlement contract has been induced either through fraud
23. or a substantial, mutual mistake of facts that the commission may
24. open the decision up after proof of that and hear the evidence.
25. Now, I realize those people who are opposed to any kind of
26. extension of the Workmen's Compensation law are going to scream,
27. but I submit to you there's just as great a chance of somebody
28. committing a fraud on the insurance company by showing that
29. they...by showing some injury that didn't actually happen at
30. work or by feining some type of injury that didn't exist. This
31. is fair to all parties. In the...law of contracts anytime
32. there's a mutual mistake of fact, that contract can be set aside.
33. The same is true of releases in insurance cases where there's a

1. mutual mistake. It must be either fraud or a substantial
2. mistake of a...mutual mistake of fact. I say this is good
3. legislation. It is controversial, but it's a step in the
4. right direction.

5. PRESIDENT:

6. Is there any discussion? Senator Keats.

7. SENATOR KEATS:

8. Senator Knuppel, which...which...may I ask some questions?

9. PRESIDENT:

10. He indicates he will yield. Senator Keats.

11. SENATOR KEATS:

12. Senator Knuppel, I asked some sincere questions in terms
13. of the effect of the bill. Number one, the case that you are
14. referring to, would this bill be ex post facto and cover those
15. or would it only simply be effective from the set forth date?

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, I don't...I don't really think so because the bill...
20. first becomes effective and we had a decision, you know, with
21. respect to the Statute of Limitations and a cases was dead, it
22. was dead under the Statute of Limitations in the 1975 Act, but
23. I would be more than happy to amend it to make it apply in
24. the House. Apply only to those cases where contracts were...
25. hereafter entered into. If it's not clear it can be made clear
26. and that is the intent.

27. PRESIDENT:

28. Senator Keats.

29. SENATOR KEATS:

30. That...that was the first question. That's good because
31. that's the thing I'd...well, I'm not opposed to the concept
32. the ex post facto idea scares me a little. Okay now, to be
33. sure, can both sides in the proceedings come back. Right now

1. we're saying if the worker discovers later injury, but
2. particularly, as you and I know on permanent partial, could
3. the business come back later and say, look, that guy didn't
4. really hurt his back. He was pulling our leg. Can both
5. sides use this course of action?

6. SENATOR KNUPPEL:

7. Absolutely. It's...it's a contractual relationship the
8. same as if you and I had a contract and we made a mutual mistake
9. of facts...a mutual mistake of fact insures that it's available
10. both...to both parties and if some individual come in and said
11. he was injured on a job and it later shows up that...that, in
12. fact, he'd had an automobile accident the night before he
13. reported to work and he bilked the company out of money, it
14. should be fair for employer. It is.

15. PRESIDENT:

16. Senator Keats.

17. SENATOR KEATS:

18. Okay. The final question...if the individual receives
19. a lump sum payment and, of course, we're not pushing people
20. to take lumpsum, we prefer the installment payments, but if
21. he took a lumpsum payment first, discovers an error later, can
22. he then change over and now...take installment payments as if
23. it were a permanent partial?

24. PRESIDENT:

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, the answer would be that it would be opened up for
28. the commission. All of these would be lump sum. There's a
29. pink sheet. They're not the installment programs of the lump...
30. in the lump sum you waive your medical, you waive all these other
31. things and if a person does this thinking that he has only
32. broken his femur and that he's had a good heal and later he
33. does...two years later or three years later he does show up with

1. something that the doctor couldn't possibly have diagnosed. I
2. assume then, that it will be up to the commission once it's
3. opened up to decide how it would be and I think it would go the
4. installment...could go the installment payment route with
5. credit for what has already been paid.

6. PRESIDENT:

7. Further discussion? Senator Keats.

8. SENATOR KEATS:

9. Okay. Then, what I would like to say then. The final
10. question. Is there...if he took lump sum, is there a recovery
11. for the lump sum when he moves over to installment payments?

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I just said that. I think everywhere in the Workmen's
16. Compensation Act, there's credit...not for injuries that you
17. received outside the work. In other words, a guy comes in and
18. he aggravates the system, but if a man has an injury that he
19. settled for or that he has received money for either temporary
20. total or something else or if they paid him under some other
21. idea other than temporary total, they get credit for it and
22. in this they would get credit, too.

23. PRESIDENT:

24. Any further discussion? Senator Keats for a third and
25. final time.

26. SENATOR KEATS:

27. Okay. In conclusion of these questions then...if you wouldn't
28. put on that amendment to make sure it's not ex post facto, even
29. though the bill is quite controversial, it is not unreasonable
30. and I would support it. Thank you.

31. PRESIDENT:

32. Any further discussion? Senator Knuppel may close the debate.

33. SENATOR KNUPPEL:

1. I would appreciate a favorable roll call.

2. PRESIDENT:

3. The question is, shall Senate Bill 1207 pass. Those in
4. favor will vote Aye. Those opposed will vote Nay. The voting
5. is open. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question, the Ayes are 50, the Nays
7. are 1, none Voting Present. Senate Bill 1207 having received
8. the constitutional majority is declared passed. 1208, Senator
9. Carroll. On the Order of Senate Bills, 3rd reading, Senate
10. Bill 1208. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1208.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you Mr. President and Ladies and Gentlemen of the
19. Senate. Within the Department of Financial Institutions this
20. has been the only area in which they have not had a...an
21. increase in the fees they charge their regulated industries and,
22. therefore, this is the only part of that division or that
23. department that has not been self-sustaining over the years.
24. This increase which was recommended by the Cost Control Task
25. Force would raise the fee from fifty to seventy-five dollars
26. per day for each day that they are examining currency exchanges
27. and there is estimated to produce an additional seventy thousand,
28. which would make that part of the Department of Financial
29. Institutions self-sustaining. I would answer questions and urge
30. a favorable roll call.

31. PRESIDENT:

32. Is there any discussion? If not, the question is, shall
33. Senate Bill 1208 pass. Those in favor will vote Aye. Those

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1. opposed will vote Nay. The voting is open. Have all voted
2. who wish? Have all voted who wish? Take the record. On that
3. question, the Ayes are 46, the Nays are 2, none Voting Present.
4. Senate Bill 1208 having received the constitutional majority
5. is declared passed. 1211, Senator Washington. On the Order
6. of Senate Bills, 3rd reading, Senate Bill 1211. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1211.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Washington.

14. SENATOR WASHINGTON:

15. Mr. President and members of the Senate. I know there is
16. some resistance to new commissions, but there are some studies
17. which are absolutely required and we must face up to it or the
18. work simply won't be done. As you know, there are...some
19. state of flux in the whole Civil Rights field. The Bocci case
20. and the pending Kaiser-Webber case, if for no other reason,
21. make the whole field of affirmative action set aside and so
22. forth...puts them in a state of...of flux. This is simply a
23. commission bill which provides that there shall be two from the
24. House, two from the Senate and two appointed by the Governor
25. on a bipartisan basis to study and report back October, '80 on
26. the whole business. The...Senate Bill 1210 is misleading. The
27. figure for funding has come down from two hundred thousand to
28. a mere fifty thousand. It's an absolute...must at this time
29. because when we come back for business next Session I'm afraid
30. that the whole thing will be up in the air, but if we have a
31. study commission to stay on top of it in the interim period
32. I think we can move smoothly into the transition period, which
33. we're going through in the state of Civil Rights. It's a good

1. bill. I know of no serious opposition to it. I encourage
2. your support.

3. PRESIDENT:

4. Is there any discussion? If not, the question is, shall
5. Senate Bill 1211 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. Have all voted
7. who wish? Have all voted who wish? Take the record. On that
8. question, the Ayes are 35, the Nays are 6, 1 Voting Present.
9. Senate Bill 1211 having received the constitutional majority
10. is declared passed. 1212, Senator Maragos. On the Order of
11. Senate Bills, 3rd reading, Senate Bill 1212. Read the bill,
12. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1212.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Maragos.

19. SENATOR MARAGOS:

20. Mr. President and members of the Senate. Senate Bill 1212
21. is a product of the Economic Development Commission of our
22. legislature, of which Senator Moore is the Chairman. This
23. amends the Capitol Development Board Act section on the cargo
24. handling facilities for the regional port facilities districts.
25. It permits the boards to make grants, not only for recreational
26. purposes but also for industrial purposes as well and I ask
27. for your support.

28. PRESIDENT:

29. Senator Moore.

30. SENATOR MOORE:

31. Thank you, Mr. President and members of the Senate. I
32. rise in support of Senate Bill 1212. As Senator Maragos says,
33. this allows the Capitol Development Board to make grants as well

1. as loans for cargo handling facilities. Now, there seems to
2. be a little confusion on this side of the aisle that by the
3. passage of this bill all prior loans made to three regional
4. port districts to-wit: the Chicago Regional Port District,
5. the Tri-City Regional Port District and the Shawneetown Port
6. District will be forgiven. That is not the intent of this
7. bill. This bill came out of the product of the commission.
8. It was drafted by the Capital Development Board in an attempt
9. to give them the authority to make grants for cargo handling
10. facilities to the thirteen port districts in the State of
11. Illinois. It is not the intention of the bill to forgive the
12. thirteen million plus that has been heretofore loaned to three
13. port districts. Senator Maragos and myself have agreed that
14. if there does have to be some clarification language to assure
15. that these loans are not forgiven it will be added in the House.
16. I think the members of this Body are aware that there are
17. thirteen port districts in the State of Illinois. The Chicago
18. Regional Port District, there's one in Waukegan, Shawneetown,
19. Tri-City, Kaskaskia, Seneca, Southwest, Illinois Valley, Mt.
20. Carmel, Joliet, Havanna, White County and the Jackson-Union
21. Regional Port District. This bill could apply to any one of
22. those in addition to the Chicago Regional Port District and it
23. could apply to any one of the three. I would urge the members
24. of the committee to give a...or of the Body to give a favorable
25. vote to Senate Bill 1212.

26. PRESIDENT:

27. Is there any further discussion? If not, the question is,
28. shall Senate Bill 1212 pass. I beg your pardon. Senator Wooten.

29. SENATOR WOOTEN:

30. Just a question. I don't see the bill, but I see in the
31. digest it...eliminates stipulations concerning such contracts
32. and that existing law provides that we get back twenty percent
33. of the gross receipts. If we...in other words, the way we're

1. doing it now, there's a payback provision and that provision
2. is eliminated. In...how is the thirteen million we've
3. advanced thus far to be paid back then?

4. PRESIDENT:

5. Senator Maragos.

6. SENATOR MARAGOS:

7. They are paid back because this is not an ex post facto
8. law, Senator Wooten. This...this is for the future. Anything
9. that's been contracted for before has to be lived up to by the
10. districts.

11. PRESIDENT:

12. Senator Wooten.

13. SENATOR WOOTEN:

14. So then the...we're talking about loans or grants. I guess
15. outright grants and loans, which will be paid back on some other
16. basis in terms of the future funding. Is that it, Senator?

17. PRESIDENT:

18. Senator Maragos.

19. SENATOR MARAGOS:

20. That is correct. That's the intent of this bill.

21. PRESIDENT:

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Then may I inquire about how much additional you think
25. the port district is going to need?

26. PRESIDENT:

27. Senator Maragos.

28. SENATOR MARAGOS:

29. It depends on which port district you're talking about. I...
30. we give this authority because it's a...it's a...in the past we
31. allowed the...the Capitol Development Board, Senator Wooten,
32. to give...loans and grants for recreational purposes but not
33. for industrial purposes, so I cannot tell you...what the...the,

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1. Chicago may ask for some money, but there may be other port
2. districts. I cannot tell you what the amount will be from
3. time to time. Whatever the appropriation process allows
4. from time to time will be granted to them.

5. PRESIDENT:

6. Any further discussion? If not, the question is, shall
7. Senate Bill 1212 pass. Those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted
9. who wish? Have all voted who wish? Take the record. On that
10. question, the Ayes are 43, the Nays are 5, 4 Voting Present.
11. Senate Bill 1212 having received the constitutional majority
12. is declared passed. 1215, Senator Nedza. 1217, Senator Nedza.
13. On the Order of Senate Bills, 3rd reading, Senate Bill 1217.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1217.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Nedza.

21. SENATOR NEDZA:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. Actually, all this bill does is amends two sections
24. of the Election Code. One which concerns the nominating petitions
25. of candidates of established political parties by requiring the
26. circulator to be a registered voter rather than an adult resident
27. and the other section, which it would amend would concern itself
28. with the nominating petitions of independent candidates and
29. candidates of new political parties by requiring that circulator
30. to be a registered voter rather than a qualified voter. There
31. is a recent Federal District Court ruling and the ruling was
32. that it is a violation of the Equal Protection clause of the
33. fourteenth amendment to have one standard to be applied to the

1. petition circulator for candidates of established political
2. parties and another standard to be applied to petitions
3. circulators for a new political party and/or independent
4. candidates. All this bill does is bring it into concert. It
5. was on the Agreed Bill listing, but five of my colleagues
6. chose to take it off of that and I yield to them.

7. PRESIDENT:

8. Any discussion? Senator Rhoads.

9. SENATOR RHOADS:

10. Thank you, Mr. President and members of the Senate. The
11. Supreme Court case that Senator Nedza just cited has absolutely
12. nothing to do with this bill. That Supreme Court case dealt
13. with the numbers of signatures that would be required and it
14. held that a higher standard for a county wide independent party
15. could not...could not be maintained against a State-wide standard.
16. What the practical impact of this bill is that it would provide
17. that an individual coming in from outside your legislative
18. district would not be able to circulate a petition on your
19. behalf unless that...well, at all, even though they would be
20. a qualified voter somewhere else in the State of Illinois. It
21. would require that a...such a petition circular must be in
22. the binder book and must be registered within the boundaries
23. of your political subdivision. That's what the bill does. If
24. you...if you like that vote Aye. If you don't and I don't,
25. vote No.

26. PRESIDENT:

27. Further discussion? Senator Grothberg.

28. SENATOR GROTHBERG:

29. On the same vein a question. Having gone through in Kane
30. County some petition problems of a small dimension, does this
31. have to do with referenda petitions also, Senator?

32. PRESIDENT:

33. Senator Nedza.

1. SENATOR NEDZA:

2. It would...yes, Senator, because conceivably...presently
3. under the laws, the lower standard according to the court, the
4. ruling and the listings that I have, Senator Rhoads, it's
5. the...the present law now applies to all...to referenda
6. petitions and to...

7. PRESIDENT:

8. Senator Grotberg.

9. SENATOR GROTBORG:

10. I gather it's a brief amendment because the synopsis is
11. so short. I'm afraid of what it doesn't do that needs to be
12. done and one of my concerns is in the recent fiasco of the
13. Governor's petitions whereas one of our own members in this
14. General Assembly petition who filed the complaint was so far
15. out of order on his own House petitions with the scareless
16. names and all the junk that was on it, he remained untouched
17. and we've got a graveyard full of dead excellent, young
18. politicians in our party and it could happen to either party
19. out there who acted on behalf of...of the recent petition last
20. Fall of the Governor and I see this would be the perfect vehicle
21. to try to narrow that playing field down and, to me, it does
22. nothing...about that. The biggest problem with our petitions
23. has nothing to do with what you're addressing here and it...
24. with me it's a major concern. I wish I'd known about the bill.
25. I'll probably vote for it. I don't know whether it's going to
26. do any good or bad, but in this State of Illinois we have just
27. clobbered the whole petition circulator process with a recent
28. experience and I see no legislation addressing that.

29. PRESIDENT:

30. Further discussion? Senator Collins.

31. SENATOR COLLINS:

32. A question of the sponsor.

33. PRESIDENT:

1. He indicates he will yield. Senator Collins.

2. SENATOR COLLINS:

3. Why is it necessary for you to require that the circulator

4. be a registered voter in the binder within the political

5. subdivision? I'm assuming, for example, you...like the legislature.

6. You mean that person has to be registered in that legislative

7. district someplace in order to circulate?

8. PRESIDENT:

9. Senator Nedza.

10. SENATOR NEDZA:

11. Senator, if...if the current law, which...which is the

12. adult resident, if an individual or individuals wish to get

13. into the political process and one of them is circulating the

14. petitions, I think it behooves that individual or individuals

15. to become part of the electorate process and be a registered

16. voter so that they not only cast...or not only circulate

17. petitions, but would also be capable of casting a vote.

18. PRESIDENT:

19. Senator Collins.

20. SENATOR COLLINS:

21. Since I can somewhat agree with that, but what difference

22. does it make if I am a registered voter in the 21st District

23. and I decide to come over in your district and circulate some

24. petitions for you?

25. PRESIDENT:

26. Senator Nedza.

27. SENATOR NEDZA:

28. I don't...in this...what...the bill that I have here I

29. have not seen the deletion of that...that proviso. From what

30. I have is that you must be a registered voter period.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Collins.

33. SENATOR COLLINS:

1. But it deals with all the political subdivisions, so what
2. are you talking about? Could you just kind of clarify that
3. language, please?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nedza.

6. SENATOR NEDZA:

7. The present law...this is not addressing itself to the
8. present law. All this is doing is addressing itself to the
9. division of having two requirements. One for the independent
10. candidate or candidates or new political parties and the other
11. one to...to candidates of established political parties. The
12. present law states of what you are addressing yourself to.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Joyce.

15. SENATOR JEROME JOYCE:

16. Yes, would the sponsor yield for a question?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. He indicates he will yield. Senator Joyce.

19. SENATOR JEROME JOYCE:

20. Senator, how far down does this go? Does this go to the
21. precinct level?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Nedza.

24. SENATOR NEDZA:

25. No.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Joyce.

28. SENATOR JEROME JOYCE:

29. Well, I...I...it doesn't really say that in...in the bill,
30. does it? You know...you know...one thing that...that could
31. happen that I might point out is we passed a bill of Senator
32. Schaffer's that said the county chairman could...could put a
33. precinct committeeman from out of his precinct into that precinct.

1. If we did that, then he couldn't circulate a petition. He
2. would be the precinct committeeman, but he couldn't circulate
3. a petition in that precinct.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Nedza.
6. SENATOR NEDZA:
7. Senator, this addresses itself to the political subdivision.
8. The municipality, the district or something, but it doesn't
9. come back down to the precinct level.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Joyce.
12. SENATOR JEROME JOYCE:
13. What if you were running for precinct committeeman?
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Nedza.
16. SENATOR NEDZA:
17. Then it's the precinct...which is covered under the present
18. Election Codes.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Joyce.
21. SENATOR JEROME JOYCE:
22. Can it change those? Are we going to change those?
23. SENATOR NEDZA:
24. No. No, but with Senator Schaffer's bill we could appoint
25. a precinct committeeman from out of...out of the precinct. He
26. could be appointed by the...the county chairman and...you know...
27. if your bill would have passed then he could be the precinct
28. committeeman in this precinct and not be able to circulate a
29. petition.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Nedza.
32. SENATOR NEDZA:
33. All this Senator...all we're...excuse me...all we're attempting

1. to do here is to change two sections. Section 7-10 and
2. Section 10-4, which is...reference to the political party
3. and to independent parties or new political parties or
4. independent candidates. All we're doing is saying that the
5. ...the application to both of these and...and to circulate
6. petitions as opposed to being an adult resident in one
7. category and a qualified voter in the other category that
8. both categories are put into a registered voter. That's all
9. we're addressing ourselves to in this bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Daley.

12. SENATOR DALEY:

13. Mr. President and fellow Senators. I think this is a
14. good bill. As Senator Grotberg stated, I think many young men
15. and women careers have been ruined with the Governor's
16. proposition with all those petitions that went around on both
17. sides of the aisle and it's really unfortunate because one of
18. the problems you have here is we're trying to correct the
19. situation where the person should be a registered voter. They
20. took hundreds of young people across the State and sent them into
21. areas where people are not registered voters. They didn't even
22. know the constituents in those areas and many of these young men
23. as...as Senator Grotberg stated, men and women, their careers
24. have been ruined. There is presently a Department of Law
25. Enforcement investigation. In my district alone people have
26. been responding to the Department of Law Enforcement in regards
27. to the old petition...old registration lists they used three or
28. four years ago. There is presently a grand jury...a number of
29. county grand juries existing in the State. This will correct,
30. I think, many of the abuses that...it isn't the fault of the
31. circulator...the person that signs it. Many of times they
32. didn't even know. I think this will correct a problem that...
33. that was faced in the past and I think this was correct...a...a

1. needed situation that will really protect the circulator.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Netsch.

4. SENATOR NETSCH:

5. Thank you, Mr. President. I don't really see why it would
6. achieve that result anyway, Senator Daley. Your assumption is
7. it because someone is a registered voter that that person is
8. going to know all of the other people in that entire political
9. subdivision and whether you're talking about a precinct, a
10. ward, a legislative district or, heaven forbid, a congressional
11. district, that is not necessarily going to follow. It seems
12. to me that the...the real problem with this is and I fully
13. understand and concede, Senator Nedza, that all it does is
14. change adult resident to registered voter. The requirement
15. that it be of the political division is...was in the existing
16. law and has not been changed by your bill. That is absolutely
17. accurate. Part of the problem is with the original law and
18. it is just made worse by making this a registered voter rather
19. than an adult resident and the problem is that being a registered
20. voter does, indeed, open the possibility that every petition
21. circulator is going to have to be checked with the binder or
22. at city hall and there are going to be all kinds of additional
23. problems. I think they...but the point is in some ways, even
24. deeper than this, the whole point of petitions whether it is to
25. get someone on the ballot or to get a proposition on the ballot
26. is really not intended to be a trap for the unwary. What it
27. is intended to do is represent enough trouble for the person
28. who is, let's say, seeking office that you will not have a lot
29. of frivolous candidates or frivolous propositions. It is not
30. intended to be set up in a way that you can go after people
31. by...because they happened to stub their little toe on the fact
32. that one person circulating a petition was not a registered
33. voter or was not a registered voter in that political subdivision.

1. If my brother or sister or aunt who lives two Congressional
2. districts away wants to come and pass my petitions, I don't
3. really see why that is...should be prohibited by the law, so
4. that I think the problem is not that your bill does not do
5. exactly what you have said that it does, but that that in
6. itself is not a good idea because it just simply creates more
7. traps to produce more of the ugly kinds of getting people off
8. ballots that all of us have seen too much of in the past. I
9. think the bill should be defeated.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Mitchler. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate. This is a good
14. bill and it should get a good favorable vote. Now, if they
15. want to get into the political process, they should be a
16. registered voter. I had, in one primary, an individual running
17. against me went out and hired the Kelly Girls and sent them
18. out on Friday night and Saturday out to shopping centers. They
19. came in with the petitions Monday. The head of the office
20. notarized them, they put them through. I did. I said let her
21. run anyway. We beat her two to one, but if you're going to
22. get in the political process, follow the rules of the game.
23. This is a...and I'm all for the two party system. Be fair on
24. both sides and when you get to the polls, then let them decide.
25. This is a good bill. Give...give the Senator a good affirmative
26. vote on this.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Maragos.

29. SENATOR MARAGOS:

30. All this bill does is state minimum standards for the people
31. who circulate petitions and in cases of any skulduggery you don't
32. want people from out of state coming in to pass these petitions.
33. They have to be registered in the state. They have to be qualified

1. at eighteen years of age. It's a good bill. It's a...I think
2. it's a consumer oriented bill because it gives you...records
3. just before somebody goes around and passes. I ask for its
4. support.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. May we have some order, please. Further discussion?
7. Senator Martin.

8. SENATOR MARTIN:

9. Well, I'm from the district where all these young men
10. you're all talking about were destroyed and I think it's a
11. terrible bill. I think that one of the things you're forgetting
12. of and...and I agree this sounds perhaps, innocent and the kind
13. of political skulduggery or whatever those words are, that does
14. exist. In my district, first of all, precinct lines go from
15. district to district, so that, for instance, Senator Schaffer
16. and I share many precincts and I feel this would be a problem
17. with your bill. Secondly, we try and use high school kids in
18. the district. Get them involved and I think it's...I think
19. it's a superior idea. I don't know what you're all frightened
20. of, but limiting...limiting involvement in the political
21. process is never a good idea and that's what this bill does.
22. The people are going to do things illegally and then are found
23. guilty in a court of law. That's also part of the system and
24. it's up to us to oversee it, but not by passing legislation like
25. this.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Nedza may close.

28. SENATOR NEDZA:

29. Thank you, Mr. President. All I would have to say is that
30. we consistently and constantly always talk about getting involved
31. in the electoral process and I think if people register to
32. become voters in their political subdivisions, they are becoming
33. involved and I ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is, shall Senate Bill 1217 pass. Those in
3. favor vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question, the Ayes are 37, the Nays are 13,
6. 3 Voting Present. Senate Bill 1217 having received the
7. constitutional majority is declared passed. For what purpose
8. does Senator D'Arco arise?

9. SENATOR D'ARCO:

10. To reconsider.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator D'Arco moves to reconsider the vote by which the
13. bill passed. Senator Daley moves to Table that motion. All in
14. favor say Aye. Opposed Nay. The Ayes have it and the motion
15. to reconsider is Tabled. Senate Bill 1218, Senator Sangmeister.
16. Read the bill, Mr. Secretary, please.

17. SECRETARY:

18. Senate Bill 1218.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Thank you, Mr. President and members of the Senate. If we
25. can turn your attention from the political arena to the library
26. circles that's what this bill is all about. This is your local
27. librarians request for this year. This bill does a number of
28. things, I'm just going to illuminate some of the higher points
29. of this bill, which will allow librarians to hire employees
30. with approval of the Library Board. The Library Board can
31. contract with private or public corporations for library
32. services. It allows the Library Board to undertake programs
33. to encourage areas not presently in a library system to come

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1. on board. Personal property of two hundred and fifty dollars
2. or less can be disposed of at a public or a private sale and
3. probably the biggest thing in the bill is it allows the libraries
4. to purchase land or...or buildings on installment basis, which
5. they can do now, but it increases the term of the installments
6. from ten to twenty years. If there's any questions, I'll be
7. happy to answer it. If not, support your local library.
8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? The question is, shall Senate Bill
10. 1218 pass. Those in favor vote Aye. Those opposed vote Nay.
11. The voting is open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question, the Ayes are
13. 56, the Nays are none, none Voting Present. Senate Bill 1218
14. having received the required constitutional majority is declared
15. passed. Senate Bill 1219, Senator Graham. Read the bill, Mr.
16. Secretary, please.

17. SECRETARY:
18. Senate Bill 1219.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Graham.

23. SENATOR GRAHAM:
24. Thank you, Mr. President and members of the Senate. This
25. is a Motor Vehicle Laws Commission bill. This has been worked
26. on for several years in conjunction with the Commerce Commission
27. and its activities with regard with the issuance of authority
28. for truckers and people transporting our merchandise throughout
29. the State of Illinois. The director of the Laws Commission
30. found that a number of authorities which had been issued by
31. the commission had not been retained and either had not been
32. surrendered and became dormant because the carriers ceased
33. operation. A survey of the commissions action for the past ten

1. years and application filed is attached to the slips of paper
2. that I had submitted to you for your consideration earlier
3. this morning. This redefines the lease to cause problems with
4. the actual practice of the leasing of equipment by motor
5. carriers under the Illinois Motor Carrier Law. Also permits
6. the commission to adopt leasing rules which are into conformity
7. with the Interstate Commerce Commission rules. In actuality,
8. it will eliminate some of the burdens of the carriers that lease
9. equipment and at the same time grant the...the commission
10. sufficient authority to prohibit the leasing of authority, which
11. is in the primary interest of the leasing rules. In the committee
12. Senators Sangmeister and Knuppel made some request for us to
13. consider the carriers...the carriers operation of the last two
14. years with regard to dormancy and extend it for two years. In
15. accordance with their desires, we did do this and offered such
16. amendment which was adopted. This is a bill that has...and
17. how in the world we ever arrived, at this, I'll never know. One
18. that is a union support, the trucking industry support, the
19. Commerce Commission support and I commend it to you for your
20. support.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? The question is, shall Senate Bill
23. 1219 pass. Those in favor vote Aye. Those opposed vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes are
26. 44, the Nays are none, 5 Voting Present. Senate Bill 1219
27. having received the required constitutional majority is declared
28. passed. Senate Bill 1223, Senator D'Arco. Read the bill,
29. Mr. Secretary, please.

30. SECRETARY:

31. Senate Bill 1223.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President and my fellow Senators. This is
5. the last in the series of bills that affect Cook County Hospital.
6. What the bill does is, takes away the one to one ratio between
7. a supervising physician and a physician's assistant in order to
8. give the Cermak Hospital and Cook County Hospital more flexibility.
9. The...it also had applied to teaching hospitals, but we took
10. that out because the Illinois Medical Society objected to
11. certain teaching hospitals having to do with that requirement,
12. so we took that out, so it's strictly applies to Cook County
13. Hospital and I would ask for a favorable vote.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is, shall Senate Bill
16. 1223 pass. Those in favor vote Aye. Those opposed vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Take the record. On that question, the Ayes are
19. 55, the Nays are none, none Voting Present. Senate Bill 1223
20. having received the required constitutional majority is
21. declared passed. Senate Bill 1224, Senator Mitchler. Read
22. the bill, Mr. Secretary, please.

23. SECRETARY:

24. Senate Bill 1224.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate. Senate Bill 1224
31. amends the Soil and Water Conservation Act. It deletes the
32. management authority of Coastal Zone Management Program over
33. erosion and sediment control projects under the Act. The Coastal

1. Zone Management Program within the Division of Water Resources
2. in the Department of Transportation did not receive Federal
3. funding for FY'79 and is presently defunct. Senate Bill 1224
4. is a housekeeping measure to update the Statute. I move for
5. approval of Senate Bill 1224.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is, shall Senate Bill
8. 1224 pass. Those in favor vote Aye. Those opposed vote Nay.
9. The voting is open. Have all voted who wish? Have all voted
10. who wish? Take the record. On that question, the Ayes are
11. 54, the Nays are none, 1 Voting Present. Senate Bill 1224
12. having received the required constitutional majority is declared
13. passed. Senate Bill 1226, Senator Grotberg. Read the bill,
14. Mr. Secretary, please.

15. SECRETARY:

16. Senate Bill 1226.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Grotberg.

21. SENATOR GROTEBERG:

22. Thank you, Mr. President and members of the Senate. Senate
23. Bill 1226, as amended, is a lot clearer understood than the
24. original version of the two Bills 1225 and 26 that were filed
25. on the subject matter of the Grade Crossing Maintenance Fund.
26. As it went to Senator Chew's committee it added monies to the
27. existing fund and specifically for maintenance and there was
28. some concern by some present that it may have an effect on
29. other funds that are distributed. The law now states that we
30. transfer five hundred thousand dollars a month to the Grade
31. Crossing Protection Fund, but the law also states that it can
32. only be used to put in signals and to put in crossings. The...
33. the road bed and the signal system and it's administered by the

1. Commerce Commission. This adds the word "maintenance" so that
2. when you have a bad railroad crossing and we have them in all
3. of our districts that the commission may divert a few of these
4. dollars to helping with the road beds. To make a long story
5. short, when you call Gordon Longhta you can probably get a
6. little better results on your local grade crossing out of the
7. available funds with this elasticity built into it. That's
8. all this bill does. I'd be...glad to answer any questions,
9. otherwise, I would seek a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? Senator Hall.

12. SENATOR HALL:

13. Senator Grotberg, I think this is a good bill, but I'd
14. like to ask one thing. How much do the railroads put up?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Grotberg.

17. SENATOR HALL:

18. Your bill doesn't deal with that, but I know we are putting
19. up so much. What did the railroads put up for these things?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Grotberg.

22. SENATOR GROTEBERG:

23. The figure of fifty percent rings in my mind, Senator.
24. I'd have to check, but I...it's a matching fund administered...
25. Is that correct? It can be more.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any further discussion?

28. SENATOR GROTEBERG:

29. Whatever the commission designates.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is not, the question is, shall Senate Bill 1226 pass.
32. Those in favor vote Aye. Those opposed vote Nay. The
33. voting is open. Have all voted who wish? Have all voted who

1. wish? Take the record. On that question, the Ayes are 50,
2. the Nays are none and none Voting Present. Senate Bill 1226
3. having received the constitutional majority is declared passed.
4. Senate Bill 1227, Senator Bruce. Read the bill, Mr. Secretary.
5. SECRETARY:
6. Senate Bill 1227.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Bruce.
11. SENATOR BRUCE:
12. Thank you, Mr. President and members of the Senate. This
13. is a simple bill, which...
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Just a moment. Senator Shapiro, for what purpose do you
16. arise?
17. SENATOR SHAPIRO:
18. Mr. President, a point of order.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. State your point.
21. SENATOR SHAPIRO:
22. Mr. President, I just want clarification on this. I notice
23. the bill has no LRB number, nor does it have a form only stamp
24. on it that it has been perused by the...the Reference Bureau. I
25. know the practice in the past has been that this be required
26. on all bills and want clarification...I would like
27. clarification or a ruling from the Chair as to whether those
28. two procedures are necessary on all bills or whether they aren't.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Senator Shaprio, under Rule 5 of bills, Introduction and
31. Form there's nothing in the rules that call for an LRB number
32. or a checking through to LRB Department for the bills. It says
33. an author of an bill with...an Form...the author of a bill which

1. amends the Statute shall indicate the particular changes in
2. the following manner. A. All new matters shall be underscored
3. and B. All matter which is admitted or...superseded shall be
4. shown cross at a line. Each bill introduced shall be accompanied
5. by nine copies. Traditionally, we have sent them through LRB,
6. but that's tradition and not a requisite under our rules.
7. Senator Shapiro.

8. SENATOR SHAPIRO:

9. I just wanted a clarification of it, but I do point out
10. that the prefiling of Bills Act does require it and I realize
11. that this was not a prefiled bill and I just wanted a clarification
12. on it.

13. PRESIDING OFFICER:(SENATOR SAVICKAS)

14. Further discussion? Senator Davidson. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. I'd just like to inquire as to
17. whether this bill has been made available. I don't have it
18. in my binder and I'm wondering if anyone else has it?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is anyone else missing the bill from their binderbook?
21. I guess you're the only one, Senator. Senator Grotberg, for
22. what purpose do you arise?

23. SENATOR GROTEBERG:

24. Yes, is 1227 under debate? I'm...distracted. Has it been
25. read?

26. PRESIDING OFFICER:(SENATOR SAVICKAS)

27. It has been read, but it hasn't been...discussed yet.

28. SENATOR GROTEBERG:

29. Has the sponsor...has the sponsor made his pitch yet?

30. PRESIDING OFFICER:(SENATOR SAVICKAS)

31. Not yet, Senator.

32. SENATOR GROTEBERG:

33. I'd like to hear it, first and then if I may be recognize

1. it a second time. Thank you.

2. PRESIDING OFFICER:(SENATOR SAVICKAS)

3. On Senate Bill 1227, Senator Bruce.

4. SENATOR BRUCE:

5. Well, the bill has been placed in your bill binders, as
6. far as I know. It was printed by the normal printing operation.
7. It was drafted by our staff and why it doesn't have the LRB
8. number, I don't know. I guess we just didn't stamp it. Also,
9. as the President has said, it is not required by our rules and
10. if that is the desire we can change those the next time. It is
11. a simple change. It says that if the composition of county
12. board is changed after the first organizational meeting of the...
13. the party composition changes, the county board selection can
14. also change. I was involved in an election contest in a county
15. in my district in which the party changed by the one vote and
16. in election contests had that party change gone back, the county
17. board chairman would have remained of the minority party. It
18. seemed to me that that was a flaw in the Statute and I introduced
19. this bill. It does not affect St. Clair County, DuPage County
20. or Cook Counties where the county board chairman is an elected
21. official. Elected county-wide by the voters. I would ask for
22. a favorable vote.

23. PRESIDING OFFICER:(SENATOR SAVICKAS)

24. Is there further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. Yes, Mr. President and members of the Senate. On this bad
27. bill...I'm trying to put it in terms of the General Assembly. If
28. we have a vacancy here...let us take in the House of Representatives
29. now and there's a vacancy in a local contest between elections
30. and the Republicans gain the majority, I hesitate very much that
31. we would stop in midstream and pick a new Speaker of the House.
32. Every two years it can happen right in this Body at a given
33. time. We may be a little way away from it now, but why would we

1. want to alter the rules of Government for a specific case
2. in a specific county and Senator Bruce, so that you don't
3. think I'm being too general, in LaSalle County we have had a
4. swingover and it's happening from time to time and it...and it
5. isn't just a county here and a county there, it's happening
6. all the time and the fact that a four year board president can
7. be altered in his career by a two year intervening election
8. process should not disturb that and I would...I would like to
9. see a No vote on this bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? Senator Davidson.

12. SENATOR DAVIDSON:

13. Yes, Mr. President and members of the Senate. I arise
14. in opposition of this bill. What it's saying, that if a county
15. board has decided upon itself by its membership, those who elect
16. their chairman by the vote...majority vote of those on that
17. board that they're going to turn around and change it. If
18. you'd have somebody would die or resign and change the...make
19. up that board you could be trying to switch chairmen every other
20. month. I'm sure what brought this bill about, maybe not, but
21. I have some suspicion it has to do with Sangamon County where
22. the chairman was elected from the minority party by the support
23. of two or three members of the majority party. That was a
24. decision within those individuals who were elected from different
25. districts within this county to change that chairman and if
26. that's what they want to do, it's their prerogative. They
27. were elected from each one of the districts...made up. The
28. people trusted them, elected them, to represented them. Now,
29. I think this is a bad bill. I urge you to vote No.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Vadalabene.

32. SENATOR VADALABENE:

33. Yes, just briefly. Senator Bruce, let me give an example

1. in Madison County where...where the board members elect their
2. county...or their chairmen. I'll say, for instance, there's
3. eighteen Democrats and or...or fifteen are divided, can a...
4. can a...a Republican vote for a Democrat as chairman of the
5. board?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, just to correct an error. This does not deal with
10. resignations, deaths or with anything else. The bill clearly
11. states that if an election contest is involved and that
12. election contest results in a change in the majority only
13. under that one circumstance would they vote on a new chairman,
14. and it would not be affected by your question, Senator.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rock.

17. SENATOR ROCK:

18. Yes, thank you, Mr. President and Ladies and Gentlemen of
19. the Senate. I rise in support of Senate Bill 1227 and I would
20. encourage the membership, especially those that are speaking
21. to the bill, to read it. It has two extremely qualifying
22. conditions. One, is that you have to have involved in election
23. contests and two, the contest has to be successful and a new
24. member seated, which changes the composition of the majority.
25. Now, we for a long time, have lived in this country and lived
26. rather well with the majority rule and I would suggest that we
27. stay with that and if the majority changes, whether it be from
28. Democrat to Republican or vice versa the majority should rule
29. and to do otherwise simple is...is not in the best interest of
30. good Government.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Rhoads.

33. SENATOR RHOADS:

1. Simply to point out to the prior speaker that during his
2. first or second term in the Senate, the majority in this Chamber,
3. in fact, did change and no effort was made to reorganize. A...
4. an incumbent Democratic Senator died when there was a 29-29
5. split and the Lieutenant Governor Paul Simon was presiding.
6. He was...he remained in the Chair. No effort was made to
7. reorganize, so to say that the majority must always rule, it
8. doesn't really happen that way.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Wooten.

11. SENATOR WOOTEN:

12. I...to Senator Rhoads and others, I think have...have missed the
13. point of...that Senator Rock, I think made so well. This only
14. applies after you've had an election. You've chosen up sides
15. and it turns out that one party has a one vote edge, but that is
16. a contested seat. You go ahead and organize. You have...you
17. check out the contest. It turns out it should have gone the
18. other way. Well, I think fair is fair. You should be able to
19. reorganize the other way and that's the only time this obtains
20. and I believe the example Senator Bruce has chosen is where
21. they had a one vote Democratic edge, now it's a one vote
22. Republican edge and I think it's only fair that in those
23. circumstances...really, you're at the beginning of things...
24. organized one way, but then you discover the votes didn't come
25. out that way, so you have the freedom to redo it. I don't
26. think that's unreasonable and it is very narrowly drawn just
27. to address that question.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Further discussion? Senator Demuzio. Senator Bruce may
30. close the debate.

31. SENATOR BRUCE:

32. Well, I would just point out that this is not issue and
33. this is not a partisan issue. There are boards that have a one

1. vote majority Republican, one vote majority Democratic. To
2. Senator Davidson, it doesn't have anything to do with Sangamon
3. County. It came to my attention at the Richland County Board.
4. It had a 4-3 Democratic majority. Unfortunately or fortunately,
5. as you may...depending where you sit in this Chamber, the
6. Republicans got a 4-3 majority by one vote in the election. It
7. was 291 votes for the Republican and 290 votes for the Democrat.
8. That thing was contested through the courts. Eventually, the
9. Democrat lost by 4 votes on a full recount, but had he won,
10. the majority party...Democrat 4-3 would not have been chairman
11. of any of the committees and not had a chance to elect their
12. own chairman. I thought and not looking at it in a partisan
13. way, we lost that election contest and so it does not affect
14. Richland County at all, but where you have a majority change
15. on a recount, I was surprised that in the Statute it had not...
16. allow that majority to be reflected in the county board. That's
17. all. It doesn't have anything to do with the legislature,
18. Senator Grotberg, and it would not change the majority here. If
19. a member under our law is...is deceased and is replaced he must
20. be replaced by a member from the same party, so that is not
21. affected. To Senator Rhoads, we had a 29 to 29 split, Senator
22. and we tried to pass legislation for year after year here
23. and without any assistance from your party and to Senator
24. Vadalabene, you can vote any way you want to, if they have a
25. recount and there is a shift, all it says you have to try to
26. elect a new member and if a guy wants to vote with the minority
27. party as...as occurs in many county boards, that's fine. It
28. doesn't say you have to install a new one. It just says they...
29. at the next meeting they reelect, so it doesn't affect Madison
30. County. If they want to keep a Republican or Democrat, no
31. matter what the majority is. I think it's a simple, reasonable
32. bill that says if the recount will change the majority at the
33. next meeting you have a chance to elect a new county board chairman.

(END OF REEL)

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. The question is, shall Senate Bill 1227 pass. Those in favor
3. vote Aye, those opposed vote Nay. The voting is open. Have all
4. voted who wish? Have all voted who wish? Take the record.
5. On that question, the Ayes are 45, the Nays are 10. None
6. voting Present. Senate Bill 1227, having received the con-
7. stitutional majority, is declared passed. Senate Bill
8. 1229, Senator Nimrod. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 1229.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Senator Nimrod.
15. SENATOR NIMROD:
16. Thank you, Mr. President and Ladies and Gentlemen of
17. the Senate. Senate Bill 1229 deals with the Professional
18. Service Corporation Act, and what this bill does, it allows
19. doctors, medical doctors, to be able to form a corporation
20. with podiatrists. Under the special...the present status,
21. doctors may only incorporate with doctors, and this allows
22. them to be able to incorporate with podiatrists, who are
23. permitted to practice on the foot...the same areas of surgery,
24. so I'd be glad to answer any questions. I know of no opposition
25. to the bill.
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. Is there any further discussion? If not, the question
28. is shall Senate Bill 1229 pass. Those in favor vote Aye,
29. those opposed vote Nay. The voting is open. Have all voted
30. who wish? Have all voted who wish? Take the record. On
31. that question, the Ayes are 56, the Nays are none. None voting
32. Present. Senate Bill 1229, having received the constitutional
33. majority, is declared passed.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senate Bill 1239, Senator D'Arco. Read the bill, Mr.
3. Secretary, please.

4. SECRETARY:

5. Senate Bill 1239.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator D'Arco.

10. SENATOR D'ARCO:

11. Thank you, Mr. President. What's going on in Chicago,
12. we're having many rental units be converted to condominiums,
13. and there's a squeeze on a number of apartments that renters
14. can rent, and if they don't have the money to buy condominiums,
15. they are sometimes forced to resort to other tactics, but what
16. this bill does is grant renters a deduction from gross income,
17. equal to the amount of rent constituting property taxes paid.
18. Rent constituting property tax is defined as thirty percent
19. of gross rent paid on a residence, so if he's paying two hundred
20. dollars a month, he can deduct from his state income tax sixty
21. dollars a year from his gross income. If he's paying two hundred
22. dollars a month, he can deduct sixty dollars a year on his
23. gross annual income from his Illinois Income Tax, and it's
24. for renters. It helps the rental market in big...well, not
25. necessarily...anywhere, really, big and small cities. People
26. who don't have equity in the places they live in, because they
27. do pay rent. It's some type of property tax relief for that
28. type of person, and especially in the big cities where the
29. condominiums are being more and more in use, the renter is
30. feeling the inflation squeeze, and he needs something like
31. this to help fight inflation.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator McMillan.

SENATOR McMILLAN:

1. Mr. President, members of the Senate. I rise in opposition
2. to Senate Bill 1239 for several reasons. Number one, I think
3. the cost involved would be quite significant, and it's been
4. estimated that it's approximately twenty-seven million dollars
5. per year. Number two, I think that the procedure involved
6. is going to further complicate the Illinois Income Tax by
7. bringing in an additional deduction, which on many occasions,
8. we've resisted, even though the proposal seemed to have some
9. merit, because it complicates the system, and makes it even
10. more difficult to administer. It makes it not as parallel
11. with the federal system as we would desire. I think thirdly,
12. it really provides that those rents can be deducted twice. The
13. owner has a chance to deduct the property taxes that he pays,
14. and in this case, the renter would have a chance to deduct
15. the amount equivalent it, which means a double deduction. I
16. really think, even though it's designed to provide some relief
17. to people who rent property on which real estate taxes are paid,
18. I don't believe that it's a wise move, and it would be extremely
19. costly, and I would request that a No vote be given on the bill.
20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Washington.

22. SENATOR WASHINGTON:

23. Mr. President, I think Senator McMillan has placed his
24. finger on the unfairness of the present system which brought
25. about this bill. The assumption is that the owner now pays
26. the tax, he pays no such thing. The tax is paid by the people
27. who rent those premises. Now you might well say that this
28. particular formula is off-center someplace, and that's debatable,
29. but you cannot possibly fight the theory that it's patently
30. unfair to continue to force renters to pay the tax and permit
31. the property owners to get the tax deduction. It just doesn't
32. make any sense. I might quarrel with your amount in here,
33. but I can't quarrel with the concept. If the figure is debatable,
then let it go over in the House and debate it, but I urge you

1. to vote for this. This is a meaningful tax deduction bill
2. to the people who've borne the brunt of real estate taxes
3. and rental property in this state for years and years and
4. years, and I want to commend Senator D'Arco for bringing
5. about this tax reformation.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, this is some of that People's Legislation we
10. were talking about this morning. People's Legislation
11. is the legislation to get you votes back home, that's the
12. way you define that, and this is good vote-getting legislation,
13. and that's the reason you should vote for it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? Senator D'Arco may close.

16. SENATOR D'ARCO:

17. I'm tired. I'm really tired. Listen...No...I don't know
18. where he got his figures of seven million dollars. I mean,
19. they...ten million, was it ten million? They get these figures
20. out of the air, because there was no testimony in the committee
21. by anybody from the Department to say that that is what this
22. thing would cost. I don't think...it's impossible. It can't
23. cost ten million dollars. It's ridiculous to even suggest
24. that it could cost ten million dollars. We're talking, I
25. think, at an annual rate of like thirty dollars a year, and
26. it's not even going to cost anything. Now the second point
27. is, he's saying there's a double taxation, because the home-
28. owner is getting a tax deduction on his property taxes, but...
29. we're not talking about the homeowner. I'm not talking
30. about the property owner. I'm talking about the renter.
31. He deserves a deduction, because he is being squeezed out
32. of the renter's market. Senior citizens that can't afford
33. to put the food on the table. The poor working people
that I talked about yesterday. These are the people that

1. are renting. Even members of the Senate. This would even
2. help people like us.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Gentlemen, please accord Senator D'Arco the respect
5. due him.

6. SENATOR D'ARCO:

7. ...Even Charlie Chew. No, really, I need a vote, I
8. really do. I've been losing a lot of votes here, and I
9. can't afford to lose this one, please.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall Senate Bill 1239 pass. Those
12. in favor vote Aye, those opposed vote Nay. The voting is
13. open. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question, the Ayes are 32, the
15. Nays are 21, none voting Present. Senate Bill 1239, having
16. received the constitutional majority, is declared passed.
17. Senate Bill...for what purpose does Senator Chew rise?
18. Senator Chew moves to reconsider the vote by which the bill
19. passed. Senator Nedza moves to lay that up on the Table.
20. On the motion to Table, all in favor say Aye, opposed Nay.
21. The Ayes have it. The motion to reconsider is Tabled.
22. Senate Bill 1241, Senator Egan. Read the bill, Mr. Secretary,
23. please. Gentlemen. 1241, Mr. Secretary, please.

24. SECRETARY:

25. Senate Bill 1241.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Egan.

30. SENATOR EGAN:

31. Thank you, Mr. President, members of the Senate. Senate
32. Bill 1241 extends the exemption from the Privilege Tax on
33. foreign insurance companies who bid on the Deferred Compensation
Plan for State Employees. The effect of the bill is that it

1. increases competition and reduces the premiums so that the
2. state employees who involve themselves with a Deferred
3. Compensation Plan benefit from it. It's supported by the
4. Department of Personnel, who administer the Deferred
5. Compensation Plan. I ask for your favorable consideration.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is shall Senate
8. Bill 1241 pass. Those in favor vote Aye, those opposed
9. vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Take the record. On that question,
11. the Ayes are 56, the Nays are 1, 1 voting Present. Senate
12. Bill 1241, having received the required constitutional majority,
13. is declared passed. Senate Bill 1244, Senator Maragos. Read
14. the bill, Mr. Secretary, please.

15. SECRETARY:

16. Senate Bill 1244.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maragos. And would you please clear a line
21. for Senator Maragos so he might see the members?

22. SENATOR MARAGOS:

23. Tony...I mean, Anthony. Mr. President, members of
24. the Senate. Senate Bill 1244 is a product of the County
25. Problems Commission of this legislature, and it gives some
26. assistance to the counties and public employers on their
27. unemployment payments under the Unemployment Insurance
28. Act. What this does, it states primarily that...it requires
29. the director of the Department of Labor to debit a public
30. employer's unemployment insurance account when such employer
31. is paying the obligations under that Act, under the reimbursement
32. plan for payments made in excess of liability incurred. If
33. such employer does not request refund of such overpayment,
his account shall be credited for future liability incurred.

1. When the employer payments do not cover liability incurred,
2. the Department of Labor shall bill the public employer for
3. the amount owed. It's a bill which is trying to make the
4. ...make it easier for the counties and municipalities that
5. have unemployment insurance payments to pay that they
6. don't have to pay additional funds when they...in the
7. Trust Fund when those funds are not being used for any
8. period of time. I think it's a...it also allows these
9. public employers to...for immediate recoupment of any
10. unemployment insurance funds they put into trust, and I
11. think it's a good bill, and we should all subscribe to it.
12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Grotberg.

14. SENATOR GROTEBERG:

15. Hello...Thank you, Mr. President and members of the
16. Senate. Senator Maragos, I am shown as the co-sponsor
17. of this, I think because I am fortunate to serve on the
18. County Problems Commission with you, but I am forced to
19. remind this Body that those funds that you're talking
20. about reimbursing come from the UI Trust Fund, which is already
21. nine hundred and forty-five million dollars in debt. The
22. problem with the bill is just that. We're not talking
23. about huge funds, but whatever is added to that debt by
24. these actions would be something that we should all be
25. aware of and those who feel that the debt can go any higher
26. should probably support the bill. I must, by my own initiative,
27. Senator Sam, even though we are co-sponsors of the bill,
28. take issue with the bill on that basis. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion. Senator Keats.

31. SENATOR KEATS:

32. Mr. President, will the sponsor yield?

33. PRESIDING OFFICER: (SENATOR BRUCE)

He indicates he will yield. Gentlemen...Senator Keats.

1. SENATOR KEATS:

2. Okay. The first thing that I wanted to ask, Senator
3. Maragos, now on this bill, what we're talking about is if
4. an individual applies, a public employee applies for unemployment
5. compensation and gets it, and then later discovered that
6. he was not eligible, what happens is even if the money paid
7. that individual is not gotten back by the Trust Fund, the
8. public employer is still credited, I mean, correct?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Maragos.

11. SENATOR MARAGOS:

12. Not necessarily. The point is that what this...primarily
13. does, Senator Keats and I'll say this to Senator Grotberg,
14. is the fact that these counties are having, especially county
15. governments, the downstate governments, are having a big
16. problem trying to keep the unemployment insurance, because
17. they have in fact a few years ago, we had to subsidize them
18. partially for the first year's payments into that Trust
19. Fund. Now we're saying that when...at the end of the
20. year, when they have not used up their benefits, find
21. then they will...get recouped. Now if later on, they found
22. that it's false, and they still had to pay, they...I cannot
23. see why the...Trust Fund itself cannot again assess them
24. for anything that they...the county fund, I mean the Trust
25. Fund had to put out. I...it doesn't...nothing in this bill
26. says that they cannot recoup, but there's been fraudulent
27. or other payments. All it says is that they had a right to
28. get that money now, instead of letting it sit in the Fund,
29. and they could pay it back.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Keats.

32. SENATOR KEATS:

33. ...There are a couple of points. I want to ask some more
questions, but I want to correct that answer. That...the public

1. employees were covered due to a federal mandate. I won't
2. blame which idiot congressman voted for that, and we all
3. remember and...when I was on the House Labor and Commerce
4. Committee, every member, Republican and Democrat, bar none,
5. said they'd never heard of such a stupid law in their life.
6. There wasn't one member of the committee, in either party,
7. who would've voted for that federal law, but then again, the
8. wisdom of Washington is often mist upon those of us who are
9. mere working individuals that don't quite have the knowledge
10. of...that drinking Potomac River Water will give you, but
11. even with that, when we passed Senate Bill 6, which came along
12. with that federal mandate, what it said for these public employees
13. was we're stuck covering, even though they are under a completely
14. different job situation. Now, what I'm saying, a private
15. business could not avail itself of this same position. What
16. I'm saying is the consumer has an option of a private business,
17. and if they don't like the cost of the private business, and
18. unemployment comp...unemployment insurance raises the cost
19. of that business, they might shop elsewhere. Now in the case
20. of government, they cannot shop elsewhere, and so you're
21. saying that government gets a break that a private business
22. cannot get. Is that accurate?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Maragos.

25. SENATOR MARAGOS:

26. In using your approach, yes, but the point is, you're
27. certainly...the public...governments and the public...county
28. governments and municipal governments don't have the flexibility
29. to pass on the cost of these to consumers, because they can
30. only do it by raising taxes, and if you want to continue the
31. taxes to be raised on something that they should not be unfairly
32. or you want the state...the General Assembly to provide for any
33. deficits that maybe come along, I think is unfair. I think,
as you rightly said, this was a...put on us by Congress. It's

unfair, but now they have to do it, and they have no out.

1. They can't get out from under it, whereas a private employer
2. can be self-insured if he wants to, but we have no authority
3. to do so, because we don't have the funds to do it with.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion. Senator Keats.

6. SENATOR KEATS:

7. To correct that answer, a private employer can't be
8. self-insured on UI. He can be self-insured on WC, Workmen's
9. Comp, but you can't be self-insured on UI, unless there's a
10. change in the law within the last few minutes.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Maragos.

13. SENATOR MARAGOS:

14. No, the point is you're correct. I'm sorry, I didn't
15. mean there was self-insured...but there was still the Trust
16. Fund is contributed to, but the state...the employer, the
17. private employer has a way to redo his...to raise his other
18. ...by...raise the price on his product or by selling his
19. product or getting a greater profit, and he can pay for the
20. expenses. The state or the county does not...unless it's
21. with the tax levy, cannot do so, and that's why the public
22. employer is in a different category.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Keats.

25. SENATOR KEATS:

26. Okay. Thank you for the answer to the question. I think
27. people have caught the basic gist. This is open to a public
28. employer, not a private employer, and what we're talking about
29. is recouping money from the Trust Fund that was never recouped,
30. so what in reality doing is taking money out of the UI Trust
31. Fund that probably should not be taken out, so what I want
32. to say is we are asking private business to subsidize what in
33. reality may be the poor employment policies of a governmental

1. agency. Governmental agencies, if they don't treat their
2. workers well, those workers may leave, and those individuals
3. are qualified for UI. Now, if the government does not suffer
4. any penalty for it, where is the incentive for a governmental
5. body to treat its workers well? One of the ways to maintain
6. protection for workers is to make it difficult for the employer
7. to mistreat the individual, so I think that 's something we
8. should remember. We're talking about taking money from the
9. Trust Fund that is not there, and was not put in, and if
10. we want to improve the situation, we should perhaps improve
11. the UI standards to make sure that those who are voluntarily
12. leaving or leaving without good cause to make sure that they
13. are not covered by UI, and to make sure that we as the taxpayers
14. and we as consumers don't have to pay for poor labor relations
15. policies. Now I want to say in the past, when this particular
16. amendment was offered- it has been defeated before, and I think
17. we should follow the wisdom of the past and say please defeat
18. this again. Thank you.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Rock. Senator Rock.
21. Take it out of the record. Senate Bill 1248, Senator Maragos.
22. Senate Bill 1251, Senator Collins. Senate Bill 1252, Senator
23. Knuppel. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1252.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. Chairman and members of the Body, this bill is designed
32. to have certain requirements against the employment of aliens
33. who enter this country illegally or stay beyond their stay
here. It's a national problem, but the national people have

1. not taken any action with respect to it. I catch a lot
2. of flack. There were some people down here demonstrating
3. a week ago. Very frankly, the people who demonstrate are
4. the people who were injured most by the illegal alien in
5. this country. He poses no threat to me as a practicing
6. lawyer. He does pose a threat, as if you...if you have watched
7. some of the news media reports from California, where it's
8. the illegal alien who's breaking the unions, Chavez's strike.
9. Now this...bill is designed and the only problem, the only
10. thing that's required of the employer is to get a simple
11. statement from the proposed employee, there's perfect defense.
12. It says the employer obtains a written statement, under oath,
13. from the employee, that the employee is either a citizen, a
14. legal alien, or not an illegal alien. That's a perfect defense.
15. No one who's an employer that wants to honestly employ people
16. who doesn't want to cutthroat, who doesn't want to pay less
17. than the minimum wage, has no problem, All he has to do is
18. make out a very simple one paragraph paper for the applicant
19. to sign, saying that he is either a citizen, a legal alien,
20. and he's not an illegal alien. There are penalties prescribed
21. for both the person who misrepresents himself as a legal alien,
22. and for the employer who would employ such people. This brings
23. down difficulty on our lower echelon, our minimum wage employees.
24. It's good legislation. Certainly if the federal government
25. moves into this area, they will pre-empt us, but until that
26. time, with the uncourageous leadership which we have in
27. Washington, the slowness of Congress, the problem continues.
28. I'll guarantee you, you'll find no cow, horse or dog that'll
29. jump the fence into an empty pasture, and these people wouldn't
30. be coming here if they weren't finding some kind of work by
31. employers who would sweatshop them. I suggest to you that
32. it's good legislation, and deserves a favorable roll call.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President. We could play the tapes from
3. two years ago. There were three bills before this Body three... two
4. years ago on this same subject. One of which I introduced.
5. But after researching the subject, I Tabled my bill, and
6. this Body defeated the two other pieces of legislation. This
7. session, the House has sent to Interim Study Calendar two other
8. bills of a similar nature. Now the reason that these bills
9. are not passing is because although it sounds good to say
10. that illegal immigrants should not be employed, putting it
11. into practice creates more problems than it solves. First
12. of all, to those of you who are concerned with the bureaucracy
13. imposed upon employers, this will be a terrible headache. How
14. is an employer going to determine whether he is or is not hiring
15. a so-called illegal immigrant. There are fines and penalties
16. involved if in fact he hires one. Secondly, what you're going
17. to do is aggravate the unemployment situation and discrimination
18. among those people from all areas of foreign countries who
19. have any kind of a language difficulty, they have some kind
20. of a foreign accent, if their color is a little different than
21. white anglo-saxon protestant, you're going to have problems
22. by... from the point of view that people are going to have to
23. prove that they are not illegal immigrants. There are many
24. Americans that can't prove that because they've come from areas
25. of the country, for example, where birth records have not been
26. kept. There are areas in other countries, you know that in
27. the election process for example, people come in, they have
28. difficulty bringing in their Naturalization papers in order
29. to qualify for voting. This bill, although it sounds good, .
30. is not going to work. We debated this, and this Body agreed
31. that it would not work two years ago. The House has done so
32. again this year. I urge a No vote, because what you're going
33. to do is impose greater red tape on employers, and greater
discrimination on anybody that sounds a little bit foreign,

1. either in name or in language. I urge a No vote.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Martin.
4. SENATOR MARTIN:

5. Will the sponsor yield?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. He indicates that he will.
8. SENATOR MARTIN:

9. Senator Knuppel, by definition, an illegal alien is
10. one who has broken the law, for which there are severe penalties.
11. Why do you think that that person, whether man or woman, would
12. hesitate at all to sign a paper stating that he or she was
13. a citizen, since they have already broken a law with far more
14. severe penalties by even coming into the country?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Knuppel.

17. SENATOR KNUPPEL:
18. I just got done saying I've herded cows all my life, and
19. I never saw one jump a fence to get into a barren pasture.
20. The point is that he'll do any damn thing if he's here and
21. he's starving to death. You bet he will, once he's come over
22. and he's illegal and he got here illegally. He wouldn't come
23. in the first place if he knew there wasn't anything here for
24. him.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Martin.

27. SENATOR MARTIN:
28. Do you mean to say that you think a law that says that
29. he will have to sign a piece of paper is going to stop illegal
30. immigration?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Knuppel.

33. SENATOR KNUPPEL:
I think it would have a very, very beneficial effect. I

1. think it would cut off a lot of people if they thought
2. when they got here they wouldn't be employed, they wouldn't
3. commit the crime of crossing into this country illegally to
4. begin with. You're damn right I do.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Martin.

7. SENATOR MARTIN:

8. Well, I would speak against the bill. I would think
9. that first of all, illegal aliens are not going to know any-
10. thing about this law, so it's not going to stop them one single
11. bit from coming in or not coming in, and it certainly is not
12. going to affect them being hired or fired in the kinds of
13. occupations that illegal aliens often serve. It may be well
14. intentioned, but you who so often speak about the incredible
15. flood and deluge of legislation that will really have no
16. meaning and no use, have become part of the process with this
17. bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, Senator Knuppel
20. may close the debate. Senator Netsch. I'm sorry, your light
21. was out. Senator Netsch.

22. SENATOR NETSCH:

23. My light never goes out. Thank you, Mr. President. I
24. second everything that Senator Berman said about the basic
25. thrust of the bill. There is no question why, that however
26. well intentioned, and I sometimes question that, that it is
27. a subject of harassment, but I also want to make it possible
28. for Senator Rock to vote against the bill, and I would like
29. to call attention to something that I think has not been mentioned
30. before, and that is a letter dated March 28th, 1979, from the
31. Commissioner of the Immigration and Naturalization Service
32. of the United States Department of Justice, addressed to one
33. of the representatives, saying "It is my position that the
hiring of undocumented aliens is essentially a federal problem,

1. whose resolution is best left to the Congress. Individual
2. laws in the different states can lead only to a fragmented
3. and uneven approach. While not denying the seriousness of
4. the problems, I nevertheless think that independent action
5. by the states in the absence of national legislation can
6. lead not only to uneven enforcement, but also to civil
7. rights questions and complaints from aliens and citizens
8. alike. Further, in view of the likelihood that some action
9. will be taken on this issue in the near future, it would be
10. most prudent to defer action." This was in response to a
11. request for advice and information from one of the members
12. of the House of Representatives of the State of Illinois, and
13. subsequently, in May, the General Consul of the Immigration
14. and Naturalization Service essentially confirmed that position
15. and pointed out that Congress is on the verge of considering
16. such legislation, so that I think that even from the point of
17. view of those who have the basic responsibility for enforcing
18. the Immigration Laws, that we are not doing them a service by
19. adopting such legislation, so for that reason and for what I
20. believe are very serious questions that will be raised about
21. people's basic liberties if such a bill passes, I would hope
22. that it would be defeated.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Mr. President, I move the previous question.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator, we have one other speaker, Senator Newhouse,
29. so if you'll hold your motion, Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Thank you, Mr. President and thank you for withholding
32. the motion, Senator Weaver, because I think that the arguments
33. that John Knuppel has presented are almost unassailable, and
I agree with them one thousand percent, but there's a problem,

1. and the problem is this- when people have to make...show
2. proof of their origin, that somehow goes against everything
3. we supposedly stand for, so I don't know how you do that.
4. It's an insult, in most respects, and it'll be used to
5. manipulate people. Now the problem that I've got...and
6. why I stand on the edge of this ax is that the people
7. who are coming here illegally come here in the hopes of
8. improving their condition, and are being manipulated, being
9. manipulated so that the market for the goods and services
10. of a lot of young people of other minority groups are simply
11. disappearing, and the job market, which is already...glutted
12. is leading our young men and young women straight to Stateville,
13. where we're supporting them at huge taxpayer expenses. But
14. I do not see that, Senator, this is the solution. I regret
15. that, because I share the same fears that you do and the
16. same anxiety that you do, and I would hope that we would come
17. up with some method of discouraging this kind of labor supply,
18. and I don't knock it, because they're poor people looking for
19. a way to make a livelihood, but the fact of the matter is, it
20. is a law-breaking and outlaw society in a sense, but it's
21. aggravating an already existing outlaw society that exists
22. among young people who today, cannot find jobs to lead a normal
23. life, so I will have to oppose the bill on that basis alone,
24. Senator.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. On Senator Weaver's motion, I'm sorry, we did have two
27. lights on that I didn't notice at the time was Senator Washington
28. and Senator Donnewald, so at this time, Senator Washington.

29. SENATOR WASHINGTON:

30. Mr. President, let me very briefly extend Senator Newhouse's
31. remarks. What is involved here in terms of my community and
32. many other communities in Chicago is just unfair competition.
33. Illegal aliens come in, they work for depressed wages, and
who gets it in the neck first, in terms of the pecking order

1. are young black men in the City of Chicago. You can go
2. downtown in the City of Chicago right now, in many of those
3. steak houses where a lot of our young high school boys were
4. working for a pittance, of course, but at least having some
5. income, they've all been supplanted by aliens. Many of
6. them, many of them, illegal. This poses a serious problem,
7. because they pit two deprived groups against each other to
8. the betterment of the employer but to the detriment of the
9. black citizen and to some small degree, to the upward
10. mobility of the illegal alien. I'm prepared to bite the bullet
11. on this thing, because the unemployment situation in my
12. community is serious, and this so-called liberalism, which
13. I have worn like a shield all these years is beginning to get
14. in the way of my community. Now I maintain that unless they're
15. here legally, they have no right to take jobs from people in
16. my community. I don't want to harass anybody. I don't want
17. to beat anybody about the...bushes, because if I did, my whole
18. history and the history of black people in this country would
19. be a joke and a mockery. We've got to do something about this,
20. and I think Senator Knuppel's method may be somewhat extreme,
21. but today, I'm prepared to support it. I'm prepared to support
22. it because we're in desperation. I live in a community which
23. is about to blow up because we can't find work, and I'm not
24. about to stand idly by and let illegal aliens or legal aliens
25. or anybody else run us out of the employment market. I'm going
26. to support your bill, Senator Knuppel. I hope it's effective.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Donnewald.

29. SENATOR DONNEWALD:

30. Yes, Mr. President and members. Very, very briefly, I
31. want to make one or two remarks. Number one, it's no difficulty
32. to have a birth certificate or a copy of one when you apply
33. for a job. Everyone, at least ninety to ninety-five percent
of the people have one. If they don't, they can get an affidavit

1. to prove where they were born. We all know that. Number
2. two, I was surprised at Senator Netsch's remarks concerning
3. the federal government. They say it's their business-yes,
4. but they haven't done anything, and you know why- they want
5. to keep a good rapport with Mexico, and Mexico recently
6. kicked our President, Jimmy Carter, in the pants, and
7. just a few days ago, they did it again when Brother Castro
8. went over there, so I think the bill is a good bill, and
9. I think it could be implemented properly. I'm going to
10. vote Aye.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any further discussion? If not, Senator
13. Knuppel may close the debate.

14. SENATOR KNUPPEL:

15. There isn't any question that the arguments that
16. Senator Washington, Senator Donnewald, Senator Newhouse...
17. I don't have the problem. Nobody's going to compete with
18. me, and we don't have the problem in West Central Illinois.
19. I haven't heard one person, I haven't gotten one letter on
20. this subject. I don't have a lot of these people in my dis-
21. trict or their relatives. I'm not afraid of what will happen
22. politically. I've offered this bill because it's a good bill,
23. and if anybody listened to the letter that was read by Senator
24. Netsch, it's the best damned argument I've heard for the bill,
25. because anybody that waits on Congress or Washington for leadership
26. will find out what's happened to the uses of Illinois Coal.
27. They'll find out what's happened to the shortage of gasoline.
28. Anybody that sets Congress up as an example to me must be damn
29. weak, because it's the best argument for this bill there is. If
30. we wait on them, we'll still be waiting on them one hundred
31. years from now, and the only other people that are opposed
32. to this bill are the people that want to sweatshop those who
33. come, who want to take advantage of them. Every labor organization
in the State of Illinois is for it, and if they put our natives

1. out of work, it's us who must pay the unemployment, it's
2. us who must provide the jobs, it's us who must provide the
3. relief. This is good legislation.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. The question is shall Senate Bill 1252 pass. Those in
6. favor vote Aye, those opposed vote Nay. The voting is open.
7. Have all voted who wish? Have all voted who wish? Take
8. the record. On that question, the Ayes are 23, the Nays are
9. 27, none voting Present. Senate Bill 1252, having failed to
10. receive a constitutional majority, is declared lost. Senate
11. Bill 1259, Senator Philip. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1259.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President and Ladies and Gentlemen of
20. the Senate. Senate Bill 1259 amends the Disposition of Un-
21. claimed Property Act, makes information required to be an
22. abandoned property port, subject to the discretion of the
23. director. As you're probably aware, there was a theft in
24. the Department of some almost two million dollars unclaimed
25. property. The Auditor General came in and audited that
26. department. This is one of his recommendations. I'll be
27. happy to answer any questions. I know of no opposition.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there any further discussion? If not, the question
30. is shall Senate Bill 1259 pass. Those in favor vote Aye,
31. those opposed vote Nay. The voting is open. Have all voted
32. who wish? Have all voted who wish? Take the record. On that
33. question, the Ayes are 54, the Nays are none, none voting
Present. Senate Bill 1259, having received the constitutional

1. majority, is declared passed. Senate Bill 1260, Senator
2. Philip. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 1260.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Philip.

9. SENATOR PHILIP:

10. Thank you, Mr. President and Ladies and Gentlemen of
11. the Senate. This bill amends the Financial Institution Code,
12. and provides the director of Financial Institutions the
13. authority to adopt reasonable rules and regulation. This is
14. also the result of the two million dollar theft. This is also
15. at the recommendation of the Auditor General. If there are
16. any questions, I'll be happy to answer them. I know of no
17. opposition.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any further discussion. Senator Maragos.

20. SENATOR MARAGOS:

21. Senator Philip, would you please explain what financial
22. institutions are covered by this department and which do
23. not presently do not have any rules and regulations which
24. this act will address it to.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Philip.

27. SENATOR PHILIP:

28. Principally, credit unions. It's about half of the
29. department.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. And...this has to also comply with the Joint Committee
that we have set up that all the rules...that have to be

1. under that committee that it would be under its jurisdiction.
2. Thank you.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is shall Senate Bill 1260 pass. Those
5. in favor vote Aye, those opposed vote Nay. The voting is
6. open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question, the Ayes are 52, the Nays
8. are none, none voting Present. Senate Bill 1260, having
9. received the constitutional majority, is declared passed.
10. Senate Bill 1262, Senator Martin. Senate Bill 1264, Senator
11. Berning. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1264.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President, members of the Senate. 1264
20. does just exactly what the Digest says. It has been amended,
21. however, to be absolutely certain that the requirement to
22. report is every other week, having been some dispute as to
23. whether bi-weekly meant every other week or twice a week.
24. The bill came out of the Committee with a unanimous vote, and
25. I assure you that there should be no real objection to requiring
26. those who are beneficiaries of the Unemployment Insurance Act
27. to personally put in an appearance to request that they con-
28. tinue to receive their checks. I'd appreciate a favorable
29. roll call.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any further discussion. Senator Maragos.

32. SENATOR MARAGOS:

33. Mr. President, members of the Senate. I get up in support
of this bill, and I want the...many people say that we are...

SB 1265
3rd reading
5.22.79

1. for Pro-Labor or for abuses. We are not for abuses, and
2. this is one way that corrects the abuses. I think it's a
3. good bill, and that's why it got out unanimously out of our
4. committee.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any further discussion? The question is shall
7. Senate Bill 1264 pass. Those in favor vote Aye, those
8. opposed vote Nay. The voting is open. Have all voted who
9. wish? Have all voted who wish? Take the record. On that
10. question, the Ayes are 57, the Nays are none, none voting
11. Present. Senate Bill 1264, having received the constitutional
12. majority, is declared passed. Senate Bill 1265, Senator Coffey.
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1265.

(Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Coffey.

19. SENATOR COFFEY:

20. Yes, Mr. President, members of the Senate. Senate Bill
21. 1265 does amend the Vehicle Code as was just stated, and I
22. will mention some of the changes that has taken place in this
23. bill. An increase in the minimum and the maximum fine for
24. violating of width and height and length restrictions. It reduces
25. the overweight fines for permit moves, it authorizes permit
26. issuances by telephone, it allows permits...for the permittee
27. to temporarily tolerance and weight restrictions to permit
28. the load to get to a certified scale, it also allows a general,
29. a substantial increase in the permit fee schedule, and overall
30. simplification and revision of the formula for computing permit
31. fees, increases the fees for engineering inspections and field
32. investigations, increases the fees for State Police escorts, it
33. also permits the Department to establish a credit account for

1. the permittees. It will increase revenue between one point
2. five million and two point two million. It has the support
3. of the Midwest Truckers, the Illinois Department of Transportation,
4. and the Illinois Construction Industry, and the Illinois
5. Manufacturing and Housing Association, the Illinois Trucking
6. Association, the Secretary of State's office. I'd be glad
7. to try to answer any questions you might have.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there any further discussion? Senator Wooten.

10. SENATOR WOOTEN:

11. What is the rationale for issuing permits over the phone?
12. What's the necessity for that?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Coffey.

15. SENATOR COFFEY:

16. Well, in the past...first of all, I might say the Motor
17. Vehicle Laws Commission has met with both the industry and
18. ...both sides of the issue to try to work this problem out.
19. It's one of the problems of the trucking industry, one of the
20. things they wanted for the fee increases, they wanted a better
21. service, and with the...allowing the telephone permit to be
22. issued, if they have their credit account with the Department,
23. they can call and be given a number so they can move their
24. loads immediately. They...to make sure there's no errors in
25. this, the conversation can be taped both ways. Secretary...
26. I mean DOT will tape the conversation on the phone, and also
27. the trucking industry can also tape the same conversation. It
28. allows them to move more rapidly.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. And you said something about the...I don't know if I
33. caught it...increase or decrease in weights between certain
points. What was that all about and what necessitates that?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Coffey.
3. SENATOR COFFEY:
4. I don't think I talked about the increase in weights...
5. the reducing of overweight fines for permit moves, I did mention
6. that. I also...I don't think I mentioned that whatsoever on
7. any weight increases, just fees.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Wooten.
10. SENATOR WOOTEN:
11. So what we're talking about is an increase in fees, a
12. decrease of fines for being overweight, and a permission to
13. get permits over the phone, is that the substance of the
14. bill?
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Coffey.
17. SENATOR COFFEY:
18. Yes, that's true. Also, with increases of fees for
19. State Police escorts and what the justification for these
20. increases, because the cost to the Department has been greater
21. than what they were subsidized from the industry and industry's
22. in agreement to say, you know, they think this is in line...
23. for their fees.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Wooten.
26. SENATOR WOOTEN:
27. The only thing I would question is whether or not there
28. is an increase cost in issuing permits over the phone. I don't
29. exactly know how speeding up the process necessitates an increase
30. in the...in fees.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Is that a question?
33. SENATOR WOOTEN:
Yes.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Coffey.
3. SENATOR COFFEY:
4. Well, there is some increased fees, I guess, and they
5. justified that to the industry because of the computerizing
6. of the system so they can more rapidly move these trucks
7. in the industry, so their statement was we want to move
8. faster because it costs us money when we can't move. We're
9. willing to pay the additional cost.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Gitz.
12. SENATOR GITZ:
13. A question of the sponsor.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. He indicates he will yield.
16. SENATOR GITZ:
17. Senator, I am always very interested in anything which
18. increases road fund receipts, but I want to be very clear.
19. Does this bill in its amended form decrease the fees and
20. or fines oer Section fifteen for oversized and overweight
21. vehicles?
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Senator Coffey.
24. SENATOR COFFEY:
25. What...there's several sections in fifteen. We would
26. have to look that up if you would give us a few minutes.
27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Senator Gitz.
29. SENATOR GITZ:
30. I'm specifically looking at page two of the bill, where
31. it says one-one-three point two violations. It appears to me,
32. and the reason I asked this question, Senator, is that you are
33. increasing certain initial permits at the same time you are
decreasing the fines and violations if they run overweight,

1. and that's of pre-eminent concern to me.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Coffey.

4. SENATOR COFFEY:

5. Okay, the rationale behind that was to encourage...the
6. people...the trucking industry to buy the permits. Part of
7. the problem in the industry is now that there's many of them
8. traveling without permits, and we felt that, and the industry
9. and especially a lot of our...the trucking companies felt
10. that it would encourage more permits to be used, and it
11. would allow the Department to do a better job in administrating
12. the whole program. That's been the problem. There's been
13. a lot of people traveling through the state with no permits,
14. trying to beat the permit system. We think it...by lowering
15. the fees and the fines that it will increase revenue through
16. more permits being issued, rather than increases.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Gitz.

19. SENATOR GITZ:

20. Well doesn't that also give them an incent to overload
21. and to go over the legal weight that we really want on our
22. highways?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Coffey.

25. SENATOR COFFEY:

26. The personnot purchasing a permit, we're increasing the
27. fine for that person. And that's...you know, that's where
28. we think that we're making up for the revenue. If you don't...
29. get a permit, the fines are considerably increased, and if
30. you do have a permit and...in other words, what...sometimes
31. what the problem is, when they leave the place where the load
32. has been loaded, they're loaded with good intent, not aware...
33. I mean, they wouldn't have gotten a permit if they were intentionally
going to be overloaded. The ones that are overloaded, and it's

1. hurting our highway system, go in without a permit and knows
2. that they are overloaded.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Further discussion? Senator Davidson.

5. SENATOR DAVIDSON:

6. Yes, Mr. President, members of this Senate. I rise in
7. support of this bill. This is the bill that came out of the
8. Motor Vehicles Commission, which has been a joint study for
9. ongoing many months. Now, I don't know whether he gave you
10. a list of all the people who signed in on support and agreement
11. after the amendments were put on and worked out. The idea of
12. this was to do two things. One is so that the Construction
13. Industry who have been delayed in receiving permits and moving
14. over width, oversized equipment, which pay an awful high
15. lease cost per hour for them to be tied up. They can get it
16. by telephone, and they were happy to increase their amount
17. of fee to cover that. Secondly, the person who is doing it
18. illegal is going to pay a substantial more fine or fee, and
19. the people who are supporting this now, just listen to them,
20. please. Maybe I shouldn't say this. You get all these people
21. to agree, maybe...it's kind of like all the religious factors-
22. that the Midwest Truckers, the Illinois Construction Industry,
23. the Illinois Trucking Industry, the Illinois Transportation...
24. Department of Transportation, AGC of Illinois, the Illinois
25. Manufacturers Housing Association, and a couple who, I don't
26. know what they stand for, but all the people who really deal
27. in this business and IDOT, who have to administer it, all
28. are in support of this bill. Appreciate a favorable roll
29. call.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bowers.

32. SENATOR BOWERS:

33. I don't want to prolong this, but Senator Coffey, do you...
there's been a statement here that there's a reduction in the

1. fines, and I've been trying to find that. I understand the
2. permit fees have been increased. Can you give us some sort
3. of inclination as to where the fines have been reduced and
4. by how much?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Coffey.

7. SENATOR COFFEY:

8. We'll look up the section. It's...yes, it is a fact.
9. There's a reduce of overweight fines for permit moves, and
10. again, the rationale of that is to encourage more the...more
11. permits to be purchased. In other words, because...of the
12. cost of the permit and some moves, they've been moving without
13. the permits, and so we've tried to move down in that area to
14. try to get more of them to come for the permits.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bowers.

17. SENATOR BOWERS:

18. Well, I have a little bit of difficulty in understanding
19. the rationale that by reducing the fine, you're going to encourage
20. them to get more permits. That's the problem I have.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, Senator Coffey
23. may close the debate.

24. SENATOR COFFEY:

25. Well, to try to answer his question, the IDOT...this is
26. part of the recommendations of IDOT, as was...you know, their
27. recommendation, working with the industry, and their feeling
28. was that this was going to be beneficial and that this would,
29. in fact, work out, and I...you know, we have...I don't think
30. we have anyone in opposition- the Industry, IDOT, Secretary
31. of State or anyone. They pretty well worked this out, and
32. it's over several months of work. But I would just...remind
33. you that I think this is a good bill, both for the State of
Illinois, the Department, the Industry, and I would ask

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1. your favoable roll call on this. It is going to create
2. some revenue for the State of Illinois. I think it's one
3. time that we see both the State of Illinois and Industry in
4. agreement, and I would ask for your favorable roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The question is shall Senate Bill 1265 pass. Those in
6. favor vote Aye, those opposed Nay. The voting is open. Have
7. all those voted who wish? Have all those voted who wish?
8. Take the record. On that question, the Ayes are 40, the
9. Nays are none, 9 voting Present. Senate Bill 1265, having
10. received the constitutional majority, is declared passed.

11. Senate Bill 1269,...Just a moment. Senate Bill 1270, Senator
12. Sangmeister. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1270.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Thank you, Mr. President, members of the Senate. The
21. present law is, as you all know, that a person can be sentenced
22. to probation. Part of the terms of that probation is, and it's
23. under sub-paragraph ten of that section of the law, that the
24. judge can sentence him to do...to perform some reasonable
25. public service. In the City of Joliet, we have an organization
26. known as the Joliet Urban High Crime Reduction Council, that
27. would like to take people that are being placed on probation
28. by the judge, and put them to work for useful purposes within
29. the City of Joliet. Now the problem with it is that the way
30. the law is presently worded, and that's what we're attempting
31. to change, the city would not be able to put this person under
32. Workmen's Compensation, and as a result, if they're going to
33. be doing projects for the city and somebody on probation gets

1. hurt, the city could very well be liable with no Workmen's
2. Comp coverage, so the city would like to see the law changed
3. to delete the words which say "...No person assigned to
4. a Public Service Employment Program shall be considered an
5. employee for any purpose." We want to strike those words
6. "...as an employee for any purpose." And if we take that
7. out of there, then they'll be eligible to come under Workmen's
8. Comp, and the city can use these people in that program. I'd
9. be happy to answer any questions.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? The question is shall Senate Bill
12. 1270 pass. Those in favor vote Aye, those opposed...Senator
13. Berning.

14. SENATOR BERNING:

15. Yes, I'm sorry, Mr. President. One quick question of
16. the sponsor.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Okay.

19. SENATOR BERNING:

20. Will this then bring people under the Public Employees
21. Pension Law system?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Sangmeister.

24. SENATOR SANGMEISTER:

25. No, absolutely not. That will not happen under the
26. change that we've got proposed here. That will not, and
27. they will not come under, obviously, Unemployment Comp, either.
28. Just Workmen's Comp.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? The question is shall Senate
31. Bill 1270 pass. Those in favor indicate by those in favor
32. vote Aye, those opposed Nay. The voting is open. Have all
33. those voted who wish? Have all those voted who wish? Take
the record. On that question, the Ayes are 53, the Nays are

1. none. Senate Bill 1270, having received the constitutional
2. majority, is declared passed. Senate Bill 1271, Senator
3. Regner. Senate Bill 1272, Senator Carroll. Senate Bill
4. 1277, Senator Nimrod. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1277.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate. Senate Bill 1277 was amended to delete the Pledge
14. of Allegiance on the Secondary Schools, and only apply to
15. Elementary. A very simple bill. It...what it says is that
16. they should...a pledge of allegiance shall be recited each
17. school day by pupils in the Elementary School. I'd be
18. happy to answer any questions. If there are none, we'd ask
19. for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. President. Senator Nimrod, are you familiar
24. with a case called West Virginia State Board of Education versus
25. Barnett?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Senator Netsch, I was handed a copy of that this afternoon,
30. and I am reading it and what I had indicated to the ACLU was
31. that I would look at it, and if there were some problems in it
32. that we would consider making any change or adjustment in the
33. House, and I told the party I would get back to her again.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Well, do you wish to take it from the record, Senator?

2. SENATOR NIMROD:

3. No, I indicated we were going to pass the bill to the
4. House, and if in fact there was an interference, that we
5. would certainly amend the...accordingly, so it wouldn't be
6. any problems with any court cases.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you. I think that the problem is a fatal one,
11. Senator Nimrod, and that it cannot be corrected. That was
12. a case decided by the United States Supreme Court in which
13. at issue was a required Pledge of Allegiance. It was held
14. by the United States Supreme Court to be a violation of the
15. Bill of Rights, and if I might, let me just read you a very
16. brief excerpt from...relatively brief excerpt from that
17. opinion. This is Justice Jackson speaking: "The case is
18. made difficult and the case was a required Pledge of Allegiance,
19. not because the principles of its decision are obscure, but
20. because the flag involved is our own. Nevertheless, we apply
21. the limitations of the Constitution with no fear that freedom
22. to be intellectually and spiritually diverse or even contrary
23. will disintegrate the social organization. To believe that
24. patriotism will not flourish if patriotic ceremonies are
25. voluntary and spontaneous, instead of a compulsory routine
26. is to make an unflattering estimate of the appeal of our
27. institutions to free minds. We can have intellectual individualism
28. and the rich cultural diversity that we owe to exceptional minds
29. only at the price of occasional eccentricity and abnormal attitudes.
30. When they are so harmless to others or to the state as those
31. we deal with here, the price is not too great..." I would
32. like to finish. "But freedom to differ is not limited to
33. things that do not matter much..."

End of Reel #8

1. That would be a mere shadow of freedom. The test of its
2. substance is the right to differ as to things that touch
3. the heart of the existing order. If there is any fixed
4. star in our constitutional constellation it is that no
5. official, high or petty, can prescribe what shall be
6. orthodox in politics, nationalism, religion or other
7. matters of opinion, or for citizens to confess by word or
8. act their faith therein. We think the action of the local
9. authorities in compelling the flag Salute and Pledge trans-
10. cends constitutional limitations on their power and invades
11. the sphere of intellect and spirit which it is the purpose
12. of the First Amendment to our Constition to reserve from
13. all official control.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. That was very brief. Senator Wooten.

16. SENATOR WOOTEN:

17. Thank you, Mr. President. I...I suppose that we really
18. shouldn't debate this because it really isn't that serious
19. a matter and yet the thing that bothers me about this, is
20. not what the ACLU says or what the Supreme Court says, it's
21. just that by compelling such things, we actually cheapen
22. things that are very important. If you compel people to do
23. things, you really cheapen the whole process. I don't know
24. where we ever got in the idea, you know, that we have to
25. show. We have to make visible sign of things, but where
26. it's under compulsion, it really doesn't mean anything and
27. I'm afraid we'll too...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Proceed.

30. SENATOR WOOTEN:

31. ...we might to easily in haste...okay, I'll quit. We
32. might...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. I think we've talked too much, not you specifically, but
2. I think we've talked so much, we've worn out the electrical
3. system. But proceed, Senator.

4. SENATOR WOOTEN:

5. ...and I think the...to get rid of this quickly...passing
6. it. But I do think that we damage ourselves and as I say, we
7. cheapen the Pledge of Allegiance by forcing it on folks. It
8. just...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. There's approximately ten more speakers wishing to address
11. themselves on this...on this item, which...Senator DeAngelis.

12. SENATOR DeANGELIS:

13. Will the sponsor yield to a question?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. He indicates he will.

16. SENATOR DeANGELIS:

17. Senator Nimrod, what is the penalty for those who refuse
18. to do this?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Nimrod.

21. SENATOR NIMROD:

22. There...there is no penalty. All we're doing is saying
23. that it becomes part of the statute that they would do it.

24. So it's up to the school boards to enforce this up to the
25. local electorate to enforce it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator DeAngelis.

28. SENATOR DeANGELIS:

29. So that means that someone does not have to observe this
30. and they would not be penalized. Is that correct?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Nimrod.

33. SENATOR NIMROD:

34. Well, if, in fact, it's the mandate of the State to have

1. it in the School Code then I think whatever disciplinary
2. action is taken, it will be taken by that individual school
3. board or that individual school. And whatever rules they
4. have, they would apply.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Geo-Karis, you're on the list here, I...just a moment,
7. Senator DeAngelis.

8. SENATOR DeANGELIS:

9. I don't know if the members of the Body are aware, but
10. there is a very large religious group which prohibits its
11. members from the Pledge Allegiance and the saluting of the
12. flag. And they represent a fairly substantial number of
13. students in elementary school. Now, my question is this,
14. do you have a conflict between religious freedom and...and
15. this?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yeah...I'd...Senator DeAngelis, I think that what you
20. just brought up is what I referred to in my opening remarks
21. and if there is, in fact, a conflict for that, we would then
22. amend it in the House, but I think under present circumstances,
23. the words that were related to me by the ACLU were that it
24. may, the way it's written, it may involve us. And I think
25. rather that hold up the bill involved, I think we ought to
26. go ahead and proceed and I'll address it in the House.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Well, we have many more speakers. Senator Knuppel, Lemke,
29. Hall, Geo-Karis and Nedza wish to speak. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Two things, I just hope that those children of the illegal
32. ...aliens aren't forced to say this because they're not citizens,
33. one and two, I just say that when Senator Netsch gets up and

1. reads that garbage, you know. My child learned from me
2. telling him, don't do this or do do that. And anytime you
3. think that you can teach a child something, I don't know
4. how many Senator Netsch has raised, but by God the way you
5. teach them is by telling them and by correcting them and
6. by leading them and this is the way to learn to love our
7. country. And I...I don't know, I...I just really, it
8. amazes me that these people get up and read that kind of
9. garbage that Jackson had there, his advise from the
10. Supreme Court, I rate just about as highly as I do the
11. advise from Congress.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Lemke.

14. SENATOR LEMKE:

15. Mr. President and fellow Senators, this is another example
16. of the ACLU with their great wisdom. They support the Nazi's
17. marching in Skokie and they're against the American's giving
18. ...giving the Pledge of Allegiance to the flag. If this isn't
19. a outrageous attack on Americanism is...is to have the ACLU
20. come out and say you can't have the kids saying Pledge of
21. Allegiance to the flag. You listen to the Supreme Court, you
22. wonder if we need a Supreme Court. It's always been my
23. contention that the best way for merit selection of Supreme
24. Court Judges is to let them run for election in this Country.
25. We'll see how many are retained. They get on to the bench,
26. they get appointed and annointed and they do what they want
27. to do. They're look...looking for liberalism, yet we can't
28. even say a Pledge Allegiance to the flag. I don't know what's
29. happening to this country. Maybe we ought to abolish the
30. Supreme Court and have a dictatorship like in Russia because
31. in Russia at least they say a pledge allegiance to their own
32. flag.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Hall.
2. SENATOR HALL:
3. Will the sponsor yield for a question?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Indicates he will.
6. SENATOR HALL:
7. Senator, what do you hope to accomplish by this?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Nimrod.
10. SENATOR NIMROD:
11. I'll tell you, Senator Hall, what disturbed me and brought
12. this to the point of turning into...to put in a piece of
13. legislation is that boys and girls graduated from high school
14. when I'd asked them to say the Pledge of Allegiance, don't
15. even know it. And this is an arbitrary thing and I think it's
16. a total disaster. And we have our children going through and
17. we see the kind of actions and the lack of patriolism that
18. exists in our area, what can we expect if we don't ask them
19. to perform such a simple function as knowing the Pledge of
20. Allegiance.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Hall.
23. SENATOR HALL:
24. Well, Senator, I hope you were listening when Senator Netsch
25. read that to you and also to what Senator Wooten had had. You
26. know, nothing gets me worse than these fellows who come here
27. that sleep in red, white and blue pajamas and...salute the flag
28. every night and then come in here and want to have this kind of
29. legislation put on the book. It's really cheapening it and...and
30. he used the right terms when he did it. This...this is unfortunate
31. that you would introduce a bill like this Senator.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Geo-Karis.
34. SENATOR GEO-KARIS:

1. Mr. President and Ladies and Gentlemen of the Senate. Briefly,
2. I don't think it cheapens the children to learn about patriotism
3. and loyalty at an early age. They get all their benefits in
4. this country like I did and I'm an immigrant of immigrant parents.
5. I'm very grateful to whatever this country has given to me and
6. I disagree violently with the...ACLU that supports a bunch of
7. Nazis who...represented...murdering and rape and yet for something
8. like this, they take an opposite stand. I believe we teach
9. children at an earlier age to become better citizens and I don't
10. think it cheapens it at all. I'm all for it.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Nedza.

13. SENATOR NEDZA:

14. Thank you, Mr. President. I think we should ask the Veterans
15. of two World Wars and two smaller conflicts, namely the Korean
16. and the Vietnam War that allows us to stand here and debate an
17. issue such as this. If it is constitutionally wrong, then I
18. think we would have to address ourselves to the members of the
19. House who Pledge Allegiance to the flag every morning and to
20. this Body who has a prayer at the opening of all of their
21. ceremonies.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President and members of the Senate. If there's two
26. things that you should teach your children, it's to have respect
27. for your God and Country. You should teach your children to
28. pray and you should teach your children to respect your Country.
29. For God and country, because that's the basis on which this
30. nation was founded. It was founded by religious people and
31. had a love for their country and the principles and purposes
32. on which your country was founded should be preserved and
33. freedom is not free, it must be earned and preserved by each

1. succeeding generation. And that's what you're doing when you
2. teach your children about respect for their country and their
3. God. And if they want to pray in the schools and if they want
4. to recite the Pledge of Allegiance to their country, it should
5. be authorized and I think this is good legislation. And deep
6. down in your heart, each and every one of your know that
7. you should pray and you should respect your country.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Nimrod may close if he so desires.

10. SENATOR NIMROD:

11. Mr. President, all I can say is it's an expression of
12. our concern for patriotism for our country. I ask for a
13. favorable roll call.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. The question is shall Senate Bill 1277 pass. Those in
16. favor 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 45, the Nays
19. are 4, 1 Voting Present. Senate Bill 1277, having received
20. a constitutional majority is declared passed. Senate Bill
21. 1281, Senator Bruce. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1281.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President. This removes a problem that has
30. developed in the State Employees Group Insurance relative to
31. retirees and their children. Under the Statute as passed in
32. 1971 when we may not have been as sensitive to problems of
33. sexism, we said that only the husband could enroll the children
34. of retired State employees and we had one lady who objected

1. and the commission thought it would be an...ideal thing to allow
2. either the male or the female retired employee to enroll their
3. dependent children.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there discussion? The question is shall Senate Bill
6. 1281 pass. Those in favor vote Aye, those opposed Nay,
7. the voting is open. ...all those voted who wish? Have all
8. those voted who wish? Take the record. On that question the
9. Ayes are 57, the Nays are none. Senate Bill 1281, having
10. received a constitutional majority is declared passed.
11. Senate Bill 1284, Senator Bruce. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1284.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. All this does, Mr. President and members of the Senate, is
20. exactly as it says on the Calendar. Raises the Revenue Bonds
21. for hospital districts from seven percent to nine percent per
22. year. Ask for a favorable vote.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is shall Senate Bill
25. 1284 pass. Those in favor vote Aye. Those opposed vote Nay.
26. The voting is open. Have all those voted who wish? Have all
27. those voted who wish? Take the record. On that question the
28. Ayes are 54, the Nays are 1. Senate Bill 1284 having received
29. a constitutional majority is declared passed. Senate Bill 1287,
30. Senator Wooten. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1287.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Wooten.
3. SENATOR WOOTEN:
4. Thank you, Mr. President. Senate Bill 1287 sets out in detail
5. procedures to be followed in keeping tract of who owns a mobile
6. home and how taxes can be collected and notices given. I think
7. it's purely technical in nature and passed unanimously out of
8. committee. I don't think there are any difficulties with it.
9. I'd appreciate a favorable roll call.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Daley.
12. SENATOR DALEY:
13. Sponsor yield to a question?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Indicates he will.
16. SENATOR DALEY:
17. The mobile home, what type is it?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Wooten.
20. SENATOR WOOTEN:
21. This...this does not do anything new in the law, it has
22. to do with the Mobile Home Privilege Tax. It just clears
23. up processes of collection of that...tax notification. We
24. had a new county treasurer come in this year and he discovered
25. that there were just a lot of things not spelled out as to
26. how...how things should be done. For example, you have to
27. file an affidavit with the county treasurer, if there's an
28. error made. It doesn't say when, so this gives it a time
29. limit of six months. You have to notify when there's been
30. a change in ownership. Sometimes they send out tax bills
31. and they find there have been two or three owners in the
32. intervening time and they have no record of it. It's simply
33. an attempt to just keep the record...record straight.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Daley.
3. SENATOR DALEY:
4. Do you have to file with the County Treasurer's Office?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Wooten.
7. SENATOR WOOTEN:
8. I think so. It requires...yes, this has to do with
9. county treasurers. I think all of the paper work goes
10. back and forth between the home...the owners, the park
11. owners and the county treasurer.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Daley.
14. SENATOR DALEY:
15. Is there a penalty for not paying your tax or...?
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Wooten.
18. SENATOR WOOTEN:
19. Yeah, I...I think it is handled with a lien. That's
20. the way it is in the law right now, Senator. This does
21. not address...this does not address anything substantive
22. in the law, as it exists today.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Daley.
25. SENATOR DALEY:
26. You're telling me, if there's an error in a tax bill and
27. if you don't pay your tax bill or if there's an error, they
28. put a lien on your mobile home? How do you ever sell it?
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Wooten:
31. SENATOR WOOTEN:
32. Senator Daley, I think if there's any law that needs
33. changing, it's the whole...process of laws that have to do

1. with mobile homes. I think Senator Graham has a bill which
2. addresses this and it attempts to clean up some of these things.
3. I don't touch any of the substantive matters in the present law.
4. None at all.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Daley.

7. SENATOR DALEY:

8. Then why do we need the bill?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Wooten.

11. SENATOR WOOTEN:

12. To clarify the collection and reporting procedures, that's
13. it.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Yes, Mr. President, I rise in support of the bill. I think,
18. if, for no other reason, the current law does not require tax-
19. payers to be notified at all when their lien is going to be
20. placed on their home. I think that this is a very important
21. item, so that the taxpayer or the mobile home owner would
22. know that there's been a mistake or that there's a lien
23. going to be placed on his property. This is a field where
24. I think we are all interested, because our county assessors
25. and county collectors cannot, at this point, have a legitimate
26. claim, yeah, to know which and what homes are...homeowners
27. have moved which haven't...I would support this bill as a
28. basic, a beginning to clarify that whole home...Mobile Home
29. Tax Law.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. I echo the remarks of Senator Savickas that this does make

1. it easier for the assessor, for the county treasurer, for the
2. park owner. It puts it really...the owners of the park owner
3. to make sure that there's even handing us in the...in the
4. handling of these bills because the mobile...Mobile Home Tax
5. Law when we put into effect about six years was by nature
6. because we're deal...effect the personal property aspect or
7. the real estate aspect and therefore we should work on it
8. and this is a good bill because it makes it...much more
9. comprehensive and cohesive.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Wooten may close
12. if he so desires.

13. SENATOR WOOTEN:

14. Thank you, Mr. President. I...I think Senator Savickas
15. touched on the most important thing, that it does give
16. a mobile home owner a chance to find out what is happening
17. because right now it does not, you're not required to notify
18. taxpayers when a lien has been placed on the mobile home
19. for unpaid tax. I agree, that law should probably be changed,
20. but until we get around to a comprehensive change, this, at
21. least, gives the mobile home owner guarantees that he'll have
22. some notice of what's going on. I solicit a favorable roll
23. call.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. All right. The question is shall Senate Bill 1287 pass.
26. Those in favor vote Aye. Those opposed Nay. The voting is
27. open. Have all those voted who wish? Have all those voted
28. who wish? Take the record. On that question the Ayes are
29. 56, the Nays are 1, Senate Bill 1287, having received a
30. constitutional majority is declared passed. Senator Rock, for
31. what purpose do you arise? Senate Bill 1289, Senator Mitchler.
32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 1289.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate. Senate Bill 1289

8. is a bill that will require telephone companies to charge all

9. increased cost arising from credit card calls only to credit

10. card customers with no increase in rates to other classes

11. of telephone users. This bill was introduced to assure that

12. the nontelephone credit card users will not be charged for

13. increased expense arising out of fraudulent use of telephone

14. credit cards. That's about as simple as I can explain it.

15. You have any questions, I'll be glad to respond. Ask for a

16. favorable roll call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there discussion? The question is shall Senate Bill

19. 1289 pass. Those in favor vote Aye. Those opposed Nay. The

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

21. voted who wish? Take the record. On that question the Ayes

22. are 47, the Nays are 8. Senate Bill 1289, having received

23. a constitutional majority is declared passed. Senate Bill

24. 1292, Senator McMillan. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1292.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator McMillan.

31. SENATOR McMILLAN:

32. Senate Bill 1292 is the first of a series of eleven bills

33. that are the product of the Governor's Advisory Committee on

1. Taxes, which in turn were the...was the result of the referendum
2. where the people of Illinois very overwhelmingly voted that
3. they wanted limits on taxes and spending. Senate Bill 1292
4. provides a limit on the growth of real estate taxes by placing
5. a limit on the growth of tax extensions on all local units of
6. government. This particular bill, first of all, would require
7. the Department of Local Government Affairs to certify in July
8. of each year a particular percentage which reflects the growth
9. in the personal income in Illinois for the previous year, a
10. percentage by which the extensions of every unit of Local
11. Government would be allowed to grow during that next year.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SENATOR ROCK:

15. Yes, thank you, Mr. President and Ladies and Gentlemen
16. of the Senate. Senator McMillan and Senator Rhoads and Senator
17. Walsh, this is, as I'm sure everybody's aware, the administrations
18. tax program and I wonder whether...we might not be better
19. advised to set a time certain tomorrow and...and take it up
20. at that time. I just think that we're going...we're going
21. to try to wind down here around six o'clock and if we can get
22. through with some of the other matters, we will...we're both
23. having caucuses and I think we can set a definite time to
24. argue this out. I'm just afraid that this bill in particular
25. is going to take a little more time than a half an hour.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. You wish to take it out of the record, Senator?

28. SENATOR McMILLAN:

29. Can we agree on a time of say, 10:30 in the morning? Take
30. up?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

34. Well, our suggestion, or at least what I had spoken with

1. Senator Shapiro about was that we were going to try to caucus
2. until from 10:30 until about 1:00 o'clock to afford both
3. the caucus and the opportunity for a bite of lunch and then
4. come back on the Floor at 1:00 o'clock and...and as far as
5. I'm concerned we could do it right at that point. Now, Senator
6. Shapiro indicated that he...he wished to take up the trans-
7. portation or the road program at that point. But we can...
8. suggest that in that either 1:00 o'clock or 2:00 o'clock we'll
9. just go right to this order of business and do it, if that's
10. acceptable. Do the whole series of bills.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there leave? Leave is granted. Senator Rock, did you
13. wish recognition? Senator Rock.

14. SENATOR ROCK:

15. Yes, thank you, Mr. President and Ladies and Gentlemen of
16. the Senate. As you all were aware, we were cordially invited
17. to visit with the members of the Supreme Court this afternoon.
18. They had had a reception for us from about 2:00 until 5:00.
19. I had suggested to them, frankly, that the timing was just
20. bad. That we were not...we were quite busy about the peoples
21. business here and we're just, frankly, unable to take advantage
22. of their hospitality. And I wish to inform the membership
23. that as of about five minutes ago, I had spoken a little
24. earlier with the Chief Justice and explained to him that
25. many of our members would be able to get over there and I
26. apolized on...on all our behalfts. But the...the Chief Judge
27. and three of his colleagues walked a platter of hors d'oeuvres
28. from the Supreme Court over to my office for the benefit of
29. the membership and they also brought one over to the Speaker's
30. Office. So that there are some...some hors d'oeuvres available
31. in the office and anyone who wished to avail themselves of.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. As to Senate Bill 1292, it has been taken out of the record.

1. Senate Bill 1293, Senator McMillan. Oh, that...I'm sorry,
2. the whole series is being held. Senate Bill 1307, Senator
3. Lemke. You wish the bill read? Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1307.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Lemke.

10. SENATOR LEMKE:

11. The bill does exactly what it says. It helps private
12. educational organizations by exempting them from paying a
13. utility tax. I think it's foolish to have them pay a tax
14. and then us reimburse them back. So I think this is a...a
15. good bill and I ask for its favorable consideration.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator McMillan.

18. SENATOR McMILLAN:

19. Mr. President, members of the Senate. I understand full-
20. well the sponsors objective, but, in fact, no other unit of
21. government is exempt from paying these particular taxes and
22. from that standpoint, it seems highly irregular that we
23. suddenly begin to provide this exemption for the educational
24. institutions in question. We get into a difficult situation
25. of juggling taxes, one group pays them and one group don't,
26. but we allow no other group...no other local unit of govern-
27. ment to be exempt. No State unit of government is exempt
28. and it seems to me we ought to be consistent and not allow
29. the exemption in this case.

30. PRESIDENT:

31. Any further discussion? Senator Lemke may close the debate.

32. SENATOR LEMKE:

33. I think it's a...a good bill to help education by and this
34. is going to help the educational institutions in the State that

1. are private and efficient to accomplice the purpose and save
2. some tax dollars and I ask for its favorable adoption.

3. PRESIDENT:

4. The question is shall Senate Bill 1307 pass. Those in
5. favor will vote Aye. Those opposed will vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who wish?
7. Have all voted who wish? Take the record. On that question
8. the Ayes are 28, the Nays are 24, none Voting Present. The
9. sponsor has requested further consideration be postponed.
10. So ordered. 1309, Senator Grotberg. On the Order of Senate
11. Bills 3rd reading, Senate Bill 1309. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1309.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. Thank you, Mr. President and members of the Senate. The
20. bill does exactly what the digest on the Calendar says it
21. does. For those of you who recall, when we created this
22. act we excluded pooling, risk pooling for these, for Workmen's
23. Comp. and Unemployment Comp. and we have found the risk pooling
24. thing so successful with the not-for-profit organizations
25. that they can well handle an additional liability program within
26. it and they are seeking to drop the exemption from Workmen's
27. Comp. and other employer liability laws and to go ahead and
28. risk pool for them, saving thousands and hundreds of thousands
29. ...dollars already in the operating cost. I ask for a favorable
30. roll call.

31. PRESIDENT:

32. Is there any discussion? If not, the question is shall
33. Senate Bill 1309 pass. Those in favor will vote Aye. Those

1310
3rd reading
5-22-79

1. opposed will vote Nay. The voting is open. Have all voted who
2. wish? Have all voted who wish? Take the record. On that
3. question the Ayes are 55, the Nays are none, 1 Voting Present.
4. Senate Bill 1309, having received a constitutional majority
5. is declared passed. On the Order of Senate Bills 3rd reading,
6. Senate Bill 1310. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1310.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. Mr. President, Ladies and Gentlemen of the Senate. My
15. bill amends the School Code requiring the transportation of
16. school children to nonpublic schools with an area of ten
17. miles. It's also...it states, my amendments to it, state
18. that the transportation of these students across state lines
19. does not...will not...shall not be construed as to require
20. transportation of students across state lines or transportation
21. of students who are not residents of Illinois. In addition,
22. no district shall be required to provide transportation into
23. or through a school district in which transportation is not
24. being provided to any resident students. I urge a favorable
25. consideration of this bill because we've already allowed
26. the public school students who live past a mile and a half
27. from their school to be bused. We are supposed to guarantee
28. an education to children. The nonpublic schools do take a
29. big tax burden off of us and I certainly urge your respectful
30. consideration, favorable consideration for this bill.

31. PRESIDENT:

32. Is there any discussion? Senator Martin.

33. SENATOR MARTIN:

1. I realize it is dangerous to get up and talk against a
2. bill that will help, especially in my district, catholic
3. schools, of which I was a product. But I would tell you
4. that my school district and I think that our first obligation
5. is to the public schools, under...under our constitution,
6. under what we are supposed to do. That my district, the
7. second largest district in Illinois, is able to say with
8. the certainty, that if this bill passes, it will literally
9. break my public school system. The Senator can shake her
10. head no, but we do not fully fund the transportation area
11. of our school budgets. To increase that load, to do this
12. in districts that have wide spread busing is to, I think,
13. forget our obligation to the public schools. So, although
14. as people have said, these are people bills and everyone
15. likes them. Our obligation to the public schools of our
16. districts, and I cannot believe that this is not true in
17. every single downstate district. While we do not fully
18. fund that formula to impose this on our public school
19. districts, is, I believe, a dereliction of our duty. And
20. I would respectfully ask you to vote No on this bill and
21. if you are a downstator, I believe another vote is actually
22. irresponsible.

23. PRESIDENT:

24. Is there any further discussion? Senator Knuppel.

25. SENATOR KNUPPEL:

26. Well, I'm a downstator and I want you to know that the
27. people sending their kids to private school are paying the
28. same taxes that are...those who are sending to public schools
29. and that...and that this in no way will break the public schools
30. because their parents are more than paying their way for this.
31. And I would just say this, that it is a people bill, but that
32. isn't the reason I'm for it. Anytime we're helping children,
33. anytime we're helping people educate children, we're helping

1. Illinois and America and I'd ask leave of this Body if I
2. could be joined as cosponsor with Senator Geo-Karis on this
3. bill. Geo-Karis, Knuppel, hyphenated.

4. PRESIDENT:

5. You've heard the request. Is leave granted? Leave is
6. granted. Any further discussion? Senator Geo-Karis may
7. close the debate. Oh, I beg your pardon, Senator Bruce.

8. SENATOR BRUCE:

9. I just want to echo the comments of Senator Martin and
10. rise in opposition to this bill. We had this bill in
11. committee, it was supposed to be substantially amended.
12. Amendment No. 1, as far as I can read it, has very little,
13. if any, impact since most school districts already provide
14. transportation services and I don't know how it will apply
15. to areas that have both elementary and secondary districts.
16. I want you to know that this bill goes far beyond any trans-
17. portation proposal we've ever seen in this Body by saying
18. that a public school can be required to transport a student
19. up to ten miles beyond its district lines. Now I have
20. nonpublic schools in my district and we transport a great
21. ..many of those students to and from school. If they
22. are more than one and a half miles from their attendance
23. center and within our district. This bill goes far beyond
24. that by saying any student can be transported to any
25. school as long as it's...ten miles of my district, a public
26. school district. And that goes beyond what I consider fair-
27. ness in this whole controversy of who is going to transport
28. nonpublic students. As I cited in the committee, the bill
29. not only applies to nonpublic school students, but to public
30. school students. In my district, if a student lived ten
31. miles north of a district that is fifteen miles long, we
32. would be required to send a student bus up to pick up the
33. student ten miles north of my district who attends a public

1. school, transport him all the way through East Richland to
2. ten miles south to attend attendance center. I don't think
3. that anyone anticipated that we're going to transport kids
4. some thirty-five miles a day, one child, because he isn't...
5. particularly care to attend the public school center that he's at.
6. It certainly goes beyond that when it talks about nonpublic
7. students. We did say that we're only going to transport
8. Illinois residents and you can't require them to transport
9. students outside the State of Illinois, that's an improvement,
10. but it still requires public school districts to transport
11. kids ten miles outside their district and I stand in opposition
12. to the legislation.

13. PRESIDENT:

14. Further discussion? Senator DeAngelis.

15. SENATOR DeANGELIS:

16. Thank you, Mr. President. I think we have to stop the
17. philosophy that a step forward for somebody else is a step
18. backward for us. The fact is that these schools do serve a
19. purpose, they are in fact need, they do pay taxes as Senator
20. Knuppel said and in this area...in this era of conservation
21. of energy and scarce resources, I really think it would be
22. wise to, in fact, support this kind of activity.

23. PRESIDENT:

24. Further discussion? Senator Collins.

25. SENATOR COLLINS:

26. Question of the sponsor.

27. PRESIDENT:

28. She indicates she will yield, Senator Collins.

29. SENATOR COLLINS:

30. Senator Geo-Karis, I remember this bill in committee too
31. and I thought there was some serious discussion and if I'm
32. not mistaken, some kind of commitment to really amend this
33. bill on 2nd reading. Well, based on what Senator Bruce has

1. just said, the bill still had the same basic objections that
2. were raised in committee.

3. PRESIDENT:

4. Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. I did amend this bill. First of all, I reduced it
7. from fifteen miles to ten miles. Then I also put a provision
8. in Amendment 2, which says that this provision shall not
9. be construed as to require transportation of the...of students
10. across state lines or transportation of students who are
11. not residents of Illinois. And the other...the 3rd Amendment
12. I put on is, no district shall be required to provide trans-
13. portation into or through a school district in which trans-
14. portation is not being provided to any resident students.
15. I did make three...these three...amendments. In fact, even
16. the Department of Education said that they were an improve-
17. ment.

18. PRESIDENT:

19. Senator Collins.

20. SENATOR COLLINS:

21. What do you mean by nonresident, by resident student though?
22. That...that...that, are you saying that that the bill now the
23. 3rd Amendment would say that...that...that...if...if, if the
24. school district had to provide transportation for students
25. within that district along the route that a nonpublic, a
26. private school student then could be picked up?

27. PRESIDENT:

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. I...I wonder if you wouldn't mind restating your question
31. because I'm frankly not quite...sure I understand it.

32. PRESIDENT:

33. Senator Collins.

1. SENATOR COLLINS:

2. You said your 3rd Amendment said something to the effect,
3. which I don't have the amendment here, that's my problem, that
4. you wouldn't provide...the...the district wouldn't provide
5. the transportation...to a nonresident, transportation that
6. was not provided to a...to a resident of that particular
7. district.

8. PRESIDENT:

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. My, the amendment I was talking about, Senator Collins,
12. was that no district shall be required to provide transportation
13. into or through a school district in which transportation is
14. not being provided to any resident students. That's what I
15. said.

16. PRESIDENT:

17. Any further discussion? Senator Geo-Karis may close the
18. debate.

19. SENATOR GEO-KARIS:

20. Mr. President, Ladies and Gentlemen of the Senate. Under
21. the present law the assembly, the General Assembly of both
22. Houses has already met this problem in many ways. Under
23. the present law a student can ride a school bus to the edge
24. of a district and transfer to another school bus in an adjoining
25. district. Now again, and under present law, high school district
26. can transport elementary school children through a high school district
27. crossing several elementary school district lines. And thirdly,
28. under present law, it's safer and more efficient and more economic
29. a district may set up...separate lines for students attending
30. nonpublic school districts, schools rather. This bill leaves
31. to the local district where the child resides, the option of
32. choosing the most efficient way to met the mandate of the bill.
33. Now, we have...we have to consider that our private schools

1. pay a big amount...the parents of those children pay a big
2. amount in taxes, which saves us, the rest of us taxpayers
3. from that sum. I think this is a very worthwhile bill, it
4. does help the child get an education as Senator Knuppel says
5. and I certainly urge your favorable consideration of this
6. bill.

7. PRESIDENT:

8. The question is shall Senate Bill 1310 pass? Those
9. in favor will vote Aye. Those opposed will vote Nay.
10. The voting is open. Have all voted who wish? Have all
11. voted who wish? Have all voted who wish? Take the
12. record. On that question the Ayes are 38, the Nays are
13. 13, 3 Voting Present. Senate Bill 1310, having received
14. a constitutional majority is declared passed. 1314, Senator
15. Daley. 1316, Senator Chew. On the Order of Senate Bills 3rd
16. reading, Senate Bill 1316. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1316.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Chew.

23. SENATOR CHEW:

24. Mr. President and fellow members, this bill will go a long
25. way toward having service station retailers from intentionally
26. mixing gasoline with water and the motorists that buy gasoline
27. when their supply is at its lowest point, have been getting
28. part water and part gasoline. One of the networks in Chicago
29. did a complete study and investigation on this and found that
30. many, many, many of our stations were guilty of the practice
31. and there is no law at the time that can deal with this problem.
32. So we drew up this bill and it is a consumer protection bill,
33. and I'd ask for a favorable roll call.

1. PRESIDENT:

2. There any discussion? Senator Johns.

3. SENATOR JOHNS:

4. Well, Senator Chew, I got to ask you a question. I've
5. been in the business about twenty years, what will you do
6. where a tank develops and the...and the dealer is not aware
7. of it and the water comes into the tank?

8. PRESIDENT:

9. Senator Chew.

10. SENATOR CHEW:

11. Senator Johns, this bill allows one inch of water in the
12. storage tanks so it's not water free, but it was found that
13. some storage tanks had as much as eight inches of water...in
14. there so, but this allows one. So if it gets over one, and
15. the bill also requires the service station operator to take
16. a measurement in his storage tank each day to ascertain what
17. is the water level. Now, as the supply trucks bring in this
18. gasoline, it can easily be pumped out from the same mechanism
19. that he pumps the gas, but it has to go into a waste and not
20. into somebody's car. So we're allowing one inch as the same
21. law that New York State has.

22. PRESIDENT:

23. Senator Johns.

24. SENATOR JOHNS:

25. Thank you, Mr...Mr. President. Most of our field tanks
26. are about, the pumps pump from about three inches off the
27. bottom. This allows for condensation. You...you have a
28. change of temperature when you drop cold gasoline a lot
29. of times into a tank and it sweats and so forth. But many
30. of these...I have never known many of...of any dealers to
31. really intentionally do this. If you had an eight inch
32. tank of water, you'd be pumping just about pure water. Also
33. this harms the gasoline pump because it will rust in some ways

1. because that water coming through there. I admire what you're
2. trying to do and if you got a problem like that, if I vote
3. just neutral or don't vote at all, you'll understand. I've
4. been in the business and I know most of the dealers never have
5. intended to ever do this. It's just one out of a bunch maybe
6. that does it.

7. PRESIDENT:

8. Any further discussion? Wait just a minute...any further
9. discussion? If not, Senator Chew may close the debate.

10. SENATOR CHEW:

11. Senator, I can understand it might be a conflict of
12. interest in your case, but it's a widespread happening in
13. Chicago. I don't know about downstate, where you've got
14. maybe some towns with one service station. I don't know.
15. But it has been found that, as I said, some of the storage
16. tanks that NBC did a series on, had as much as eight inches
17. of water. Now, in talking to the petroleum companies, they
18. more or less condoned that kind of mixture, but they said,
19. well if somebody's car is damaged from water and gas, we
20. will review the claim. Well, now with the high cost of gas
21. today, every drop you buy ought to be gasoline and if there's
22. one ounce of water in it, it's too much. And I would ask for
23. a favorable roll call.

24. PRESIDENT:

25. The question is shall Senate Bill 1316 pass. Those in
26. favor will vote Aye. Those opposed will vote Nay. The
27. voting is open. Have all voted who wish? Have all voted who
28. wish? Take the record. On that question the Ayes are 44, the
29. Nays are 8, 1 Voting Present. Senate Bill 1316, having received
30. a constitutional majority is declared passed. That was the 81st
31. piece of legislation we have dealt with today and we have now,
32. as again, a status report, we have some two hundred and eighty-
33. four bills remaining on 3rd reading and forty-five on 2nd reading.

1. We will commence again tomorrow at 9:00 o'clock in the
2. morning. I think this is a logical place to stop. We obviously
3. are not going to get all the way through. We will stop with a
4. bill under my sponsorship and we will commence at 9:00 o'clock
5. in the morning. I would urge the members to try to be here
6. right on time. We'll get started on 2nd readings and recalling
7. from 3rd to 2nd and hopefully be in a position then when we
8. break from our respective caucuses to just proceed on the
9. Calendar. And we will probably have to work tomorrow evening.
10. Now, we'll see how we go tomorrow. Yes, Senator Rupp.

11. SENATOR RUPP:

12. Thank you, Mr. President. I'd like to make a motion
13. that in regard to Senate Bill 901, in checking it's been
14. noticed that the Senate Bill 901 was not posted at the time
15. when...

16. PRESIDENT:

17. Well, can we...can we hold that motion until tomorrow, we
18. will be on that order of business.

19. SENATOR RUPP:

20. That's what I just...that's what I just suggested...

21. PRESIDENT:

22. Yeah, we're...we'll be on that order of business tomorrow
23. rather than get into that at this point. Senator Maragos, for
24. what purpose do you arise.

25. SENATOR MARAGOS:

26. Mr. President, would it be alright...that leave of the
27. Body to go to resolutions, joint resolutions, which was discussed
28. yesterday with you.

29. PRESIDENT:

30. Yes.

31. SENATOR MARAGOS:

32. Senate...Joint Resolution 50 to be passed out, it a congratulatory,
33. but I want to get it over to the House if I can.

1. PRESIDENT:
2. Yes.
3. SENATOR MARAGOS:
4. Okay. There is a Senate Joint Resolution of a congratulatory
5. nature which Senator Maragos has requested, is requesting, leave
6. of the Body to take up at this time. With leave of the Body we
7. will go to the Order of Resolutions. Is leave granted? Leave
8. is granted. Resolutions. Senate Joint Resolution 50 has
9. already been placed on the Consent Calendar. Senator Maragos
10. seeks leave of the Body to suspend the rules for the purpose of
11. the immediate consideration and adoption of this joint resolution.
12. Is leave granted? Leave is granted. On the Order of Resolutions,
13. Senate Joint Resolution 50. Senator Maragos.
14. SENATOR MARAGOS:
15. Mr. President and members of the Senate. Senate Joint
16. Resolution 50 is a congratulatory and commemorating resolution
17. of the Archbishop, the Greek Orthodox Archbishop of the United
18. States, his eminence, Archbishop Iakovos and we need it for...and
19. I would like to have all sponsors, all members of the Senate
20. be cosponsors of this resolution.
21. PRESIDENT:
22. Senator Maragos seeks leave of the Body to show all members
23. as cosponsors. Is leave granted? Leave is granted. Senator
24. Maragos now moves the adoption of Senate Joint Resolution 50.
25. All in favor signify by saying Aye. All opposed. The Ayes have
26. it. The resolution is adopted. Further announcements or business.
27. Senator Philip.
28. SENATOR PHILIP:
29. I'd like to make an announcement, Mr. President.
30. PRESIDENT:
31. Yes...
32. SENATOR PHILIP:
33. Remind...remind the baseball players, we have practice tonight.

1. Hopefully within a half hour, Lincoln Park, same diamond. Let's
2. get everybody out tonight.
3. PRESIDENT:
4. Senator Nedza.
5. SENATOR NEDZA:
6. Mr. President, the expediency of time because the hour is
7. getting late and I think we should have...do some business with
8. one more bill, therefore, Senate Bill 1215, I would move to Table.
9. PRESIDENT:
10. That motion is always in order. Senator Nedza moves to
11. Table...on the Order of Senate Bills 3rd reading, Senate Bill
12. 1215, Senator Nedza moves that that bill lie upon the Table.
13. All in favor signify by saying Aye. All opposed. The Ayes
14. have it. The bill is Tabled. Further business or further
15. announcements to come before the Senate. If not, Senator
16. Shapiro moves that the Senate stand adjourned until Wednesday,
17. May 23 at the hour of 9:00 o'clock a. m. The Senate stands
18. adjourned.
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