

81st GENERAL ASSEMBLY

REGULAR SESSION

MAY 25, 1979

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of nine having arrived, the Senate will come to  
3. order. Prayer by Father Hugh Cassidy, Blessed Sacrament  
4. Church and will our guests in the galleries please rise.

5. FATHER CASSIDY:

6. (Prayer by Father Cassidy)

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 Monday, May the 21st, Tuesday, May the 22nd, Wednesday, May  
12. the 23rd and Thursday, May the 24th in the year 1979 be postponed  
13. pending arrival of the printed Journals.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Heard the motion. Is there discussion? All in favor say Aye.  
16. Opposed Nay. The Ayes have it. The motion prevails.

17. Committee Reports.

18. SECRETARY:

19. Senator Donnewald, Chairman of the Assignment of Bills Committee,  
20. assigns the following bills to committee:..House Bills: Appropriations  
21. I, 8, 702, 1168, 1170, 1236, 1580, 1630, 1639, 1641, 1648, 1656,  
22. 1758, 1954, 2426, 2486, 2487, 2575, 2577, 2652 and 2680.  
23. Appropriations II, 398, 1205, 1595, 1645, 1652, 1776, 1902, 2176,  
24. 2202 and 2578. Elementary and Secondary Education, 2212.  
25. Higher Education, 1901. Elections and Reapportionment, 752,  
26. 2446, 2618. Executive, 2014, 2485. Executive Appointments and  
27. Administration, 1134. Finance and Credit Regulations, 1693,  
28. 2373, 2436, 2597. Insurance and Licensed Activities, 1468, 1477.  
29. Judiciary I, 445, 1038, 1484, 1690, 2462, 2777. Labor and Commerce,  
30. 1235. Local Government, 1269, 1499, 2016, and 2146. Pensions,  
31. Personnel and Veterans Affairs, 2234. Public Health, Welfare  
32. and Corrections, 1686, 1937, and 1953. Revenue, 1158, 1770, 2180.  
33. Transportation, 2450.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. 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 Senate  
6. the House of Representatives passed bills with the following  
7. titles in the passage of which I am instructed to ask concurrence  
8. of the Senate, to-wit:

9. House Bills 15, 153, 197, 513, 510, 715, 814, 918,  
10. 1045, 1255, 1258, 1288, 1351, 1355, 1356, 1401, 14...1523, 1538,  
11. 1568, 1596, 1608, 1623, 1644, 1657, 1692, 1717, 1911, 1925,  
12. 1972, 1997, 2003, 2032, 2071, 2111, 2144, 2145, 2147, 2148, 2153,  
13. 2159, 2155, 2184, 2201, 2209, 2231, 2237, 2269, 2305,  
14. 2307, 2308, 2309, 2365, 2411, 2412, 2413, 2414, 2562, 2563, 2564,  
15. 2565, 2566, 2567, 2569, 2649, 2650, 2651, 2690, 2691, 2708, 2730.

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

17. Mr. President - I am directed to inform the Senate the  
18. House of Representatives has concurred with the Senate in the  
19. pasage of a bill with the following title:

20. Senate Bill 769 together with House Amendment No. 1.

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

22. Mr. President - I am directed to inform the Senate  
23. the House of Representatives adopted the following Joint  
24. Resolution in the adoption of which I am instructed to ask the  
25. concurrence of the Senate, to-wit:

26. House Joint Resolution 57 and it's congratulatory.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Consent Calendar. Resolutions.

29. SECRETARY:

30. House Joint Resolution 1...Senate Joint...Senate Resolution  
31. 179, it's...offered by Senator Maitland and it's congratulatory.

32. Senate Resolution 180 offered by Senator DeAngelis and all  
33. members and it's congratulatory.

1. Senate Resolution 181 offered by Senator Mitchler and it's
2. congratulatory.
3. Senate Resolution 182 offered by Senator Berning and it's
4. congratulatory.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Consent Calendar.
7. SECRETARY:
8. Senate...Senate Resolution 183 offered by Senator Newhouse and
9. D'Arco.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Executive. All right. Senator Rock.
12. SENATOR ROCK:
13. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
14. Our colleagues from the other side of the aisle apparently are
15. still meeting. I would suggest that the Senate stand at ease until
16. we're ready to start.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. The Senate will stand at ease subject to the call of the Chair.
19. While we are in recess, Senator Vadalabene, do you have an
20. announcement?
21. SENATOR VADALABENE:
22. Yes, thank you, Mr. President and members of the Senate.
23. We have here to my rear gallery, the Eunice Smith School from the
24. City of Alton. Fred Woodard is here who is escorting them around
25. the State Capital and seeing all the sites around the Springfield
26. area and I'd like for them to stand and be recognized.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Please stand and be recognized by the Senate.
29. PRESIDENT:
30. The Senate will come to order. Senator Maitland, for what purpose
31. do you arise?
32. SENATOR MAITLAND:
33. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
I'd ask leave of the Body to suspend the rules and ask for  
immediate consideration of Resolution 179.

1. PRESIDENT:  
2. You've heard the request. Is leave granted? Resolutions.  
3. Senator Maitland has asked for the immediate consideration and  
4. adoption of Senate Resolution 179. It's a congratulatory resolution.  
5. Is there any discussion? If not, Senator Maitland moves the  
6. adoption of Senate Resolution 179. All in favor signify by  
7. saying Aye. All opposed. The Ayes have it. The resolution is  
8. adopted. Senator Vadalabene, for what purpose do you arise?  
9. SENATOR VADALABENE:  
10. Yes, thank you, Mr. President. On a point of personal  
11. privilege, Sir.  
12. PRESIDENT:  
13. State your point.  
14. SENATOR VADALABENE:  
15. I think we ought to recognize probably one of the finest  
16. Gentlemen that embraces our Senate, today is the 79th birthday  
17. of Walter Shaw, our custodian here and I'd like for everyone to rise  
18. and recognize Walter Shaw on his birthday.  
19. PRESIDENT:  
20. Walter, happy birthday. Senator Vadalabene.  
21. WALTER SHAW:  
22. I wish to thank everyone...been awful nice to me ever since  
23. I've been here...in the Senate. Thank you.  
24. PRESIDENT:  
25. Happy birthday, Walter. All right. While we're...Senator  
26. Donnewald, for what purpose do you arise?  
27. SENATOR DONNEWALD:  
28. Yes, Mr. President. Yesterday, I put a bill on the wrong line  
29. which is understandable on the Committee on Assignments of Bills,  
30. House Bill 547 was inadvertently placed in Welfare and Public  
31. Health. It should have been placed in Revenue which is on the line  
32. below. I move now that it be rereferred to the Committee on  
33. Revenue.

1. PRESIDENT:  
2. You've heard the motion. All in favor signify by saying Aye.  
3. All opposed. The Ayes have it. So ordered. All right. Gentlemen,  
4. if I can have...Gentlemen and Ladies, if I can have your attention  
5. we will begin where we left off last night on Senate Bills,  
6. 3rd reading, the middle of page 4 with Senate Bill 515. All  
7. right. Senator Mitchler, are you ready? All right. On the Order of  
8. Senate Bills, 3rd reading, Senate Bill 515. Read the bill,  
9. Mr. Secretary.

10. SECRETARY:  
11. Senate Bill 515.  
12. (Secretary reads title of bill)  
13. 3rd reading of the bill.

14. PRESIDENT:  
15. Senator Mitchler.

16. SENATOR MITCHLER:  
17. Mr. President and members of the Senate. This legislation  
18. amends the Travel Regulation for State employees, increasing  
19. the mileage reimbursement to twenty cents per mile. This bill updates  
20. the language of the Act. The effective date will be January 1,  
21. 1980. Presently the rates for reimbursement are set by the Department  
22. of Administrative Services which is under the jurisdiction of the  
23. Governor's Travel Control Board. Presently, State employees are  
24. reimbursed thirteen cents per mile. Now, this varies thirteen cents,  
25. fifteen cents, seventeen cents, twenty cents as in the case of the  
26. General Assembly. So to make it even throughout the State because  
27. I feel that somebody that's using their car in the operation of  
28. a business should be paid the same rate and the rate that has  
29. been established by this Body for our group is twenty cents and  
30. a number of the commissions and other agencies are twenty cents  
31. so this would make it uniform, twenty cents across the board and  
32. I don't think that the increase at this time is out of line inasmuch  
33. as you know very well that the cost of operating an automobile in the  
conducting of your business certainly is going up every day. And I

1. think this would be a good...I'd ask for a favorable roll call and I'll  
2. accede to Senator Regner for his amendment that he would like to  
3. explain in his minute.

4. PRESIDENT:

5. Senator Regner.

6. SENATOR REGNER:

7. Yes, Mr. President, members. I know Senator Davidson seeks  
8. recognition...recognition to speak on this bill also, as he did  
9. last week. The amendent gives the General Assembly the authority  
10. to approve negotiated contracts with the...that the Department  
11. of Personnel makes with various union organizations. I know Senator  
12. Davidson is going to make a statement to the effect that we do have  
13. control by the budget process. The answer to that is it's too  
14. late. Once it gets to that point, the chief executive and his  
15. bureaucrats are going to ask us to be nothing more than rubber  
16. stamps for them. I think the Legislature certainly should have the  
17. opportunity to decide whether or not and to approve contracts  
18. that are negotiated because we do have the responsibility of approving  
19. the expenditures necessary on these contracts. He's also going to  
20. say that...you did last time.

21. PRESIDENT:

22. All right. Watch your time, now. We're back under the Donnewald  
23. rules, so I would encourage...

24. SENATOR REGNER:

25. He's also...okay. We're also going to hear a statement that the  
26. contracts shouldn't be...have the right of review and checking by  
27. the General Assembly and they...there is nothing different about  
28. that because these contracts go back to the union members also.  
29. Even after the negotiations are supposedly finished, the union  
30. still has to approve them. That's nothing more than the General  
31. Assembly is asking for in this amendment and I think it's a good bill.  
32. As it stands now, much better than it was before and it certainly  
33. should be approved.

1. PRESIDENT:

2. Further discussion? Senator Netsch. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Mr. President and Ladies and Gentlemen of the Senate. I can go...  
5. I can go for the raise and -the mileage, but I cannot support  
6. the amendment that makes the House...both Houses review the  
7. negotiated agreements that affect the pay of State employees.  
8. We don't have enough time to do other very meaningful business  
9. of the House and that would take many, many hours of negotiations  
10. and therefore, I'm going to have to vote Present on this bill.

11. PRESIDENT:

12. Further discussion? Senator Davidson.

13. SENATOR DAVIDSON:

14. Mr. President and members of the Senate. This bill as  
15. amended, does exactly what Senate Bill 337 tried to do which you  
16. defeated, which is on Postponed Consideration. The synopsis  
17. of the bill for the mileage increase is fine. I have no problem  
18. with that. But when you hung on the amendment that says each one  
19. of you, all two hundred and thirty-six of you or a majority  
20. thereof, are going to have to approve any negotiated contracts  
21. when you have not been a party to the negotiation or else you're  
22. going to start sitting in to be a party to the negotiations, this  
23. bill as amended is a terrible bill. I would respectfully ask you  
24. to defeat this bill and then he can take it and take the amendment  
25. off and pass it to do some good for people who need help on  
26. mileage. But as present, this bill is terrible. I urge a No vote.

27. PRESIDENT:

28. Further discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Well, I would just tell State employees that it was the  
31. amendment which killed the bill.

32. PRESIDENT:

33. Further discussion? Senator Bruce.

1. SENATOR BRUCE:

2. I...I just can't believe what I...you know, rubber stamps.  
3. I've never seen Senator Regner in all the time I've been here be  
4. a rubber stamp as he characterized himself this morning. Senator  
5. Regner, let me speak on your behalf that you are not, in fact, a  
6. rubber stamp and neither is Senator Carroll or Senator Buzbee or  
7. Senator Sommer and I have great confidence in the ability of those  
8. fore...forementioned people to review the budget and act  
9. responsibly. I don't think that if Governor Walker were back  
10. as you did in the old days, lay over and play dead. I don't  
11. think that would happen in the future. I think you would continue  
12. to scrutinize budgets and I don't think if Governor Thompson  
13. was here that you're going to give him a free ride on any of  
14. his negotiated settlements. I remember you and Senator Buzbee  
15. last year lopping off fifty-six million dollars worth of negotiated  
16. agreements last year. That doesn't seem to be the behavior of  
17. a rubber stamp and I think, Senator, I have confidence in you and  
18. Senator Sommer to take a look at all these negotiated settlements  
19. as they wile their way through the standard appropriations process  
20. and have your input into that. I don't think you need this  
21. additional authority to sit down here and say that on every  
22. negotiated settlement we're going to agree or disagree on whether  
23. or not sick leave is going to be increased from ten days to eleven  
24. days or whether we're going to have another paid holiday or whether  
25. or not we're going to increase the group life insurance program  
26. or whether we're going to have deferred compensation. You guys  
27. do an excellent job in the Appropriations Committee on monitoring  
28. all the Governor's that I have seen you work with and I think  
29. that you have the ability and I have the confidence in your  
30. ability that you will continue in those fine efforts to reduce  
31. the Governor's budget anytime he has a negotiated settlement.

32. PRESIDENT:

33. Any further discussion? Senator Mitchler may close the debate.



1. SENATOR MITCHLER:

2. Mr. President and members of the Senate. You're voting on two  
3. things in this bill. The one is to increase the State employees  
4. mileage to twenty cents. I'm going to ask for a favorable vote on  
5. that and I'm also going to ask for a favorable vote on the Regner  
6. amendment that I cosponsored in putting onto this bill. Now, for  
7. us to stand here and say that you want an agency of State government  
8. to go into collective bargaining on salary increases, and all the  
9. other benefits that cost the taxpayer money without the taxpayer  
10. having a chance to say anything about their increases. Now,  
11. Governor Walker put this collective bargaining agreement through  
12. by Executive Order. Governor Thompson has continued it and I want to  
13. say that the estimate to the cost to the taxpayer for these AFSMCE  
14. negotiations for wages total about fifty-four million dollars.  
15. Now, if you're talking about tax relief and helping the people  
16. reduce their taxes, you can't come in with this type of thing and  
17. jam it down their throat and hand the taxpayer the bill. I don't  
18. pay it. I have to approve it when the Governor hands it to me in his  
19. budget and that...

20. PRESIDENT:

21. Your time has expired, Senator.

22. SENATOR MITCHLER:

23. ...that is something that you shouldn't go to. So, I'm going to  
24. ask for a favorable vote on the bill as amended.

25. PRESIDENT:

26. The question is shall Senate Bill 515 pass. Those in favor  
27. will vote Aye. Those opposed will vote Nay. The voting is open.  
28. Have all voted who wish? Have all voted who wish? Take the  
29. record. On that question the Ayes are 20, the Nays are 27, none  
30. Voting Present. Sponsor has requested that further consideration  
31. be postponed. So ordered. 519, Senator Collins. On the Order of  
32. Senate Bills, 3rd reading, Senate Bill 519. Read the bill, Mr.  
33. Secretary.

1. SECRETARY:

2. Senate Bill 519.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Collins.

7. SENATOR COLLINS:

8. Thank you, Mr. President. Senate Bill 519 adds spousal rape  
9. to the Illinois Rape Statute. The bill as amended sets up two  
10. categories under which a husband can be convicted of rape of his  
11. wife and those conditions of which I compromised to with Senator  
12. Sangmeister, Senator Bowers and Senator Egan, I think. They did  
13. work out a compromise amendment. It is not all what the  
14. bill started out to be, but I do feel that it is a step in the  
15. right direction. Recognizing that, I accepted the amendment  
16. and what the amendment does now, it sets...puts back all rape  
17. to a Class X felony with the exception of spousal rape. Under  
18. this bill a man can be charged with raping his wife if they are  
19. legally separated or if there is a divorce proceedings and progress  
20. in the courts. Unless in those cases, a judge has ordered  
21. reconciliation. I will be happy to answer any questions and I  
22. will ask for a favorable roll call.

23. PRESIDENT:

24. Is there any discussion? If not, the question is shall Senate  
25. Bill 519 pass. Those in favor will vote Aye. Those opposed will  
26. vote Nay. The voting is open. Have all voted who wish?  
27. Have all voted who wish? Take the record. On that question the  
28. Ayes are 32, the Nays are 12, 1 Voting Present. Senate Bill 519  
29. having received a constitutional majority is declared passed.  
30. 525, Senator Lemke. 526, Senator D'Arco. Noon tomorrow Charlie.  
31. Senator D'Arco on 526. Do you wish that called? Senator...Senator  
32. D'Arco. Senator D'Arco moves to Table Senate Bill 526. All in  
33. favor signify by saying Aye. All opposed. The Ayes have it.  
The bill is Tabled. 527, Senator Lemke. 528, Senator D'Arco.

1. On the Order of Senate Bills, 3rd reading, Senate Bill 528.  
2. Read the bill, Mr. Secretary.  
3. SECRETARY:  
4. Senate Bill 528.  
5. (Secretary reads title of bill)  
6. 3rd reading of the bill.  
7. PRESIDENT:  
8. Senator D'Arco.  
9. SENATOR D'ARCO:  
10. Thank you, Mr. President. What this does is establishes  
11. qualifications for barber teacher examination applicants and lessens  
12. the requirements for those who wish to teach barbering to  
13. other people who are apprentice...apprentices in the barber program.  
14. I know of no opposition to the bill and I ask for a favorable  
15. vote.  
16. PRESIDENT:  
17. Is there any discussion? If not, the question is shall...I  
18. beg your pardon. Senator Demuzio.  
19. SENATOR DEMUZIO:  
20. One quick question. This only relates to those who are going to  
21. be teaching those students in an apprenticeship program, is that  
22. what...is that what you're saying?  
23. PRESIDENT:  
24. Senator D'Arco.  
25. SENATOR D'ARCO:  
26. Yeah, the...the requirements for a person to become a teacher  
27. barber used to be that there were...you needed five years  
28. experience as a barber. Now, we're lessening that requirement  
29. to include one thousand hours of training as a student barber in  
30. lieu of that because they can't get enough qualified teacher  
31. barbers to teach apprentices to become barbers. That's the gist  
32. of the bill. There is no problem with the bill.  
33. PRESIDENT:  
Any discussion? If not, the question is shall Senate Bill 528

1. pass. Those in favor will vote Aye. Those opposed will vote  
2. Nay. The voting is open. Have all voted who wish? Have all  
3. voted who wish? Take the record. On that question the Ayes  
4. are 43, the Nays are 2, none Voting Present. Senate Bill 528  
5. having received a constitutional majority is declared passed.  
6. 532, Senator Johns. On the Order of Senate Bills, 3rd reading,  
7. Senate Bill 532. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 532.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. Thank you, Mr. President. Ladies and Gentlemen of the Senate,  
16. if I can have your attention, this bill addresses the Federal  
17. Coal Reclamation fees that are charged to the State of Illinois  
18. provides that fifty percent of the monies received by the State  
19. under the Federal Surface Mining Control and Reclamation Act of  
20. 1977 be paid to coal producing counties in Illinois based on the  
21. county share of total tonnage of coal mined in the State. The other  
22. fifty percent would be deposited in the General Revenue Fund  
23. and would be used in accordance with the Federal Reclamation Act  
24. and the State Surface Mine Land Conservation and Reclamation Act.  
25. The money available under this Federal Act consists of funds  
26. generated by a reclamation fee which is actually a form of a severance  
27. tax of thirty-five cents per ton on strip mine coal and fifteen  
28. cents per ton on deep mined coal. The states are eligible to receive  
29. up to fifty percent of the monies generated by the fee within  
30. their borders. There's about ten million dollars out in Washington  
31. awaiting our plans and this would distribute that money once it's  
32. obtained. That's it, Mr. President.

33. PRESIDENT:

Is there any discussion? Senator McMillan.

1. SENATOR McMILLAN:

2. Mr. President and members of the Senate. There are two problems  
3. with this bill. Number one, whether we like it or not,  
4. Federal money only comes if we comply with their plans and if  
5. this bill would be adopted we would not get any Federal funds.  
6. So, even though the counties would like to have it, one half of  
7. zero is zero and I think that's very significant. The second  
8. problem with it is under 532 the money would go to coal producing  
9. counties which means it would all go into those places  
10. that are now doing a relatively good job of reclamation and none  
11. of it would be available for those rotten God awful places  
12. where we really need some effort to clean up the countryside.  
13. I know it's well intended. I think it's bad bill and I would  
14. urge a No vote.

15. PRESIDENT:

16. Further discussion? Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, I had two questions of the sponsor. Number one, was this the  
19. bill where we took the percentages out so that it does not provide  
20. specifically half and half. It just provides that the agency that's  
21. appointed may or is it mandatory?

22. PRESIDENT:

23. Senator Johns.

24. SENATOR JOHNS:

25. I think this is the one where we took the ten percent out. It  
26. mandated we use that ten percent for that reclamation fee. What we've  
27. got to realize here I talked to Representative Tom McMasters, and  
28. he's preparing the Mine Reclamation Laws for the State of Illinois.  
29. And once those pass, this would tie in with those bills to give  
30. to the counties that produced the coal, fifty percent of the money.  
31. Now, as I understand it, one of the former speakers said that nobody  
32. else would get any of the money, but the State gets fifty percent of  
33. this money also. But what I want this to do to go back to the  
counties from which the coal was severed.

1. PRESIDENT:

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, I have...I have some of those counties in my district,  
5. too, but I think there's something to what he said about these  
6. being Federal funds and we can't say how they are to be expended  
7. and I think we supported this bill out of the Senate Ag  
8. if I remember the bill correctly. It may have been a different  
9. bill to provide that they...that they would be able to do this  
10. should...should that fit in. But we didn't earmark any specific  
11. amount. Now, I find out either there's amendment put on or something  
12. else that earmarks a specific amount. I think that...I think  
13. that's damaging in the bill to its future. I'll support the bill  
14. here, but...Senator, but I think you have some grave questions  
15. and the Governor may have to veto it or the House may have to  
16. amend it.

17. PRESIDENT:

18. All right. Any further discussion? Senator Weaver.

19. SENATOR WEAVER:

20. Thank you, Mr. President. Well, I think we're going to have to  
21. watch this, Senator, 'cause we're diverting as much as ten million  
22. dollars from land reclamation to general purposes and this  
23. may jeopardize receipt of general funds and so I think until  
24. you work this out, we better vote No on this bill.

25. PRESIDENT:

26. Is there any further discussion? Senator Johns may  
27. close the debate.

28. SENATOR JOHNS:

29. It seems...it seems kind of funny that to keep speaking as if  
30. all of this money is going to the counties where the coal is  
31. severed, only fifty percent. What I am trying to tell them is that  
32. I've been working with the House sponsors of legislation to enable  
33. us to get this money, Representative McMasters and the counties  
will receive fifty percent of this money. That's where the problems

1. are, where the coal is severed, where the roads are broken down,  
2. where the bridges are torn down, where the sewers are broken  
3. into by trucks hauling the coal. It's a good bill. It can  
4. be...it can be made better. There's no question. As all of  
5. you have said here today, and in the past, there's no bill that  
6. comes out of here that's perfect, but we can work to make it  
7. better and I appreciate a favorable roll call.

8. PRESIDENT:

9. The question is shall Senate Bill 532 pass. Those in favor  
10. will vote Aye. Those opposed will vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Have all voted  
12. who wish? Take the record. On that question the Ayes  
13. are 30, the Nays are 25, none Voting Present. Senate Bill 532  
14. having received a constitutional majority is declared passed.  
15. Senator Weaver, for what purpose do you arise?

16. SENATOR WEAVER:

17. Verification of the affirmative votes.

18. PRESIDENT:

19. Senator Weaver has requested a verification. Will all the  
20. Senators please be in their seats. The Secretary will read the  
21. affirmative votes.

22. SECRETARY:

23. The following...the following voted in the affirmative:  
24. Senator Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,  
25. Demuzio, Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns,  
26. Jerome Joyce, Jeremiah Joyce, Knuppel, Lemke, Maragos, McLendon,  
27. Merlo, Nash, Nedza, Newhouse, Sangmeister, Savickas, Vadalabene,  
28. Washington, Wooten, Mr. President.

29. PRESIDENT:

30. Senator Weaver.

31. SENATOR WEAVER:

32. Senator D'Arco.

33. PRESIDENT:

Senator D'Arco on the Floor? Senator D'Arco is on the Floor.

1. SENATOR WEAVER:

2. Geo-Karis.

3. PRESIDENT:

4. Senator Geo-Karis on the Floor? Senator Geo-Karis on the  
5. Floor? Strike Senator Geo-Karis's name. Roll has been verified.

6. The Ayes are 29, the Nays are 25, none Voting Present. Senate

7. Bill 532 having failed to receive a constitutional majority is

8. declared lost. 534, Senator Schaffer. On the Order of Senate

9. Bills, 3rd reading, Senate Bill 534. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 534.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. President and members of the Senate. Senate Bill 534

18. as amended, provides in counties smaller than five hundred

19. thousand that townships with a population of twenty-five hundred

20. or less receive a double allocation of the Motor Fuel Fund,

21. support they get from the State. On a county by county basis,

22. during the recent winter, it became pretty obvious to me and

23. I think to most of the people in my area that the units of

24. government that were really hurting in the ability to take care

25. of the road, were the supersmall townships. We've also built

26. into the bill by amendment, a safety clause saying that in this

27. reallocation, that no township could suffer more than a twenty

28. percent reduction. It probably doesn't apply to too many counties

29. in the State, but I would point out to you that the larger townships

30. all receive considerable Federal Revenue Sharing and are the

31. beneficiaries of large amounts of property taxes. But the small

32. township under twenty-five hundred, this winter, and well, frankly

33. in general, just are having a hard time keeping their roads

above water or plowed.



1. PRESIDENT:

2. Is there any discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, we have a problem that was illustrated by Senator  
5. McMillan's bill the other day about units of...units of local  
6. government and all this will do and I have some small townships,  
7. I'm sure, in my district, a lot of them, that's got less than  
8. twenty-five hundred population, but I just don't think that's  
9. the way to help them bail their problem out, to give them a crutch  
10. to get along on. If they're not an economically sizeable unit  
11. I don't know. Unless this bill would have a cut-off date on it  
12. sometime, how we can go along, subsidizing inefficient units  
13. of local government just because they're small and because we  
14. have more of them than anyplace else. The next thing you'll  
15. know, it will be the fire districts and then someone else.

16. PRESIDENT:

17. Any further discussion? Senator Joyce.

18. SENATOR JEROME JOYCE:

19. Yes, Mr. President, thank you. I rise in support of this  
20. bill. We subsidize large townships and governments everyday in this  
21. Chamber and I think that it's time we do something for the smaller  
22. townships. I'd urge an Aye vote.

23. PRESIDENT:

24. Any further discussion? Senator Schaffer may close.

25. SENATOR SCHAFFER:

26. These...these little units of government, I think, provide  
27. valuable services and they are hurting. This bill is an attempt  
28. to help them. Appreciate a favorable roll call.

29. PRESIDENT:

30. Question is shall Senate Bill 534 pass. Those in favor will  
31. vote Aye. Those opposed will vote Nay. The voting is open.  
32. Have all voted who wish? Have all voted who wish? Take the  
33. record. On that question the Ayes are 50, the Nays are 3, none  
Voting Present. Senate Bill 534 having received a constitutional

1. majority is declared passed. 536, Senator Regner. On the Order of  
2. Senate Bills, 3rd reading, Senate Bill 536. Read the bill,  
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 536.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Regner.

10. SENATOR REGNER:

11. Mr. President and members. Currently in the...in my  
12. district and I understand other places in the State, there is  
13. a situation that exists where people are double taxed because  
14. of being in a township library district and a municipal library  
15. district. What this bill does is allows the people in such a  
16. situation if they choose, to have a referenda to decide whether or  
17. not they want to be in the village or the township library  
18. district or the municipal library district. It doesn't mandate  
19. the referenda but it does allow them to have a referenda if they  
20. choose to decide which district they want to be included in and  
21. taxed in and ask for a favorable roll.

22. PRESIDENT:

23. Is there any discussion? If not, the question is shall  
24. Senate Bill 536 pass. Those in favor will vote Aye. Those opposed  
25. will vote Nay. The voting is open. Have all voted who wish?  
26. Have all voted who wish? Take the record. On that question the Ayes  
27. are 49, the Nays are 2, none Voting Present. Senate Bill 536 having  
28. received a constitutional majority is declared passed. 538,  
29. Senator Hall. 540, Senator Lemke. I beg your pardon. On the  
30. Order of Senate Bills, 3rd reading, Senate Bill 540. Read the bill,  
31. Mr. Secretary.

32. SECRETARY:

33. Senate Bill 540.

(Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Lemke.

4. SENATOR LEMKE:

5. This bill has been requested by the Illinois Circuit Court...  
6. Clerks of the Circuit Court requesting that...be a change in the  
7. minimum and maximum compensation allowed to pay Clerks of the Circuit  
8. Court in each county. Ask for its adoption.

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall Senate  
11. Bill 540 pass. Those in favor will vote Aye. Those opposed  
12. will vote Nay. The voting is open. Have all voted who wish?  
13. Have all voted who wish? Take the record. On that question the  
14. Ayes are 44, the Nays are 6, 1 Voting Present. Senate Bill  
15. 540 having received a constitutional majority is declared passed.  
16. 546, Senator Rhoads. On the Order of Senate Bills, 3rd reading,  
17. Senate Bill 546. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 546.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Thank you, Mr. President and members of the Senate. Senate Bill  
26. 546 is the annual appropriation to State Board of Elections.  
27. As it reported out of committee, it contained two million three  
28. hundred and thirty-nine thousand dollars. As amended on the Floor  
29. yesterday to provide for increased cost of judges of election  
30. as provided in Senate Bill 80, an additional five hundred  
31. and fifty-five thousand seven hundred was added on for a new total  
32. of two million eight hundred and ninety-four thousand seven  
33. hundred. I would ask for its favorable adoption.

SB 552  
3rd Reading  
5-25-79

1. PRESIDENT:  
2. Is there any discussion? If not, the question is shall Senate  
3. Bill 546 pass. Those in favor will vote Aye. Those opposed  
4. will vote Nay. The voting is open. Have all voted who wish?  
5. Have all voted who wish? Take the record. On that question the  
6. Ayes are 49, the Nays are 3, none Voting Present. Senate Bill 546  
7. having received a constitutional majority is declared passed.  
8. 552, Senator Berman. On the Order of Senate Bills, 3rd reading,  
9. Senate Bill 552. Read the bill, Mr. Secretary.

10. SECRETARY:  
11. Senate Bill 552.  
12. (Secretary reads title of bill)  
13. 3rd reading of the bill.

14. PRESIDENT:  
15. Senator Berman.

16. SENATOR BERMAN:  
17. Thank you, Mr. President. Senate Bill 552 addresses two  
18. of the technical procedures involved in hearings involving  
19. placement of children for special education services. The first  
20. change is that it allows and specifies that the hearing officer  
21. may continue the hearing until there is a basis for a final decision  
22. on the record. It's merely a clarification so...to indicate our  
23. intent that the hearing officer ought to complete the hearing  
24. as to all issues. The second portion of it provides that once  
25. a placement has been determined in a nonpublic facility, the  
26. costs of that nonpublic facility will begin to run sixty days  
27. after the request for the placement. This is already in the law as  
28. far as the sixty day evaluation is concerned, but the reason  
29. for this specification is that the Illinois Office of Education  
30. raised an issue as to when the School Board would legally be  
31. bound to start the payments. We've amended this also to  
32. provide that any delay in the sixty day period cannot be a delay  
33. that was caused by the parents. With that explanation, I'd be glad

1. to respond to any questions and I ask for a favorable vote.

2. PRESIDENT:

3. Any discussion? Senator Davidson.

4. SENATOR DAVIDSON:

5. Mr. President and members of the Senate. I rise in support of

6. this bill. This is a good bill to correct the problem that we had

7. not covered when we passed the special ed package last year.

8. Appreciate a Yes vote.

9. PRESIDENT:

10. Any further discussion? If not, the question is shall Senate

11. Bill 552 pass. Those in favor will vote Aye. Those opposed

12. will vote Nay. The voting is open. Have all voted who wish?

13. Have all voted who wish? Take the record. On that question the

14. Ayes are 51, the Nays are 1, none Voting Present. Senate Bill

15. 552 having received a constitutional majority is

16. declared passed. 555, Senator Berman. 556, Senator Nash.

17. Senator Nash on the Floor? I can't see him. On the Order of

18. Senate Bills, 3rd reading, Senate Bill 556. Read the bill, Mr.

19. Secretary.

20. SECRETARY:

21. Senate Bill 556.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Nash.

26. SENATOR NASH:

27. Mr. President and Ladies and Gentlemen of the Senate.

28. This bill amends the Fair Employment Practices Act, makes

29. it an unfair employment practice for a successor employer to not

30. honor a collective bargaining contract. Defines collective

31. bargaining and prescribes procedures for modification or

32. termination of a collective bargaining contract. This bill means that

33. if you own a business and you sell it to me and you have a contract

signed with the union, I have to honor that contract.

1. PRESIDENT:

2. Is there any discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you, Mr. President and members of the Senate. This is a  
5. magnificent bill. It means if Senator Nash wanted to sell me  
6. his business because he's so loaded with payroll he's going  
7. broke, that I have to buy his broken down business and I think  
8. that is just a wonderful way to save all the businesses in the  
9. world, to get saddled with all the bad news when you buy it  
10. and none of the good news. I certainly hope you've got some  
11. merchandise in your store that goes with it, Senator Nash.  
12. Please, vote against this terrible, terrible bill.

13. PRESIDENT:

14. Further discussion? Senator Lemke.

15. SENATOR LEMKE:

16. This bill simply does what is nominally done in contractual  
17. law when you buy a business. You take over the business, you  
18. take over the assets in the...in the...in liabilities. It's  
19. as simple as that. You enter into contracts, contracts should  
20. be recognized. A person should not be allowed to get out of  
21. his contract that he agrees to. He shouldn't sit down and agree  
22. to a contract if he can't and when you sell a business, if you...  
23. of the lease goes with the business, I mean anything goes with the  
24. business. Why can't this contract go with the business. I ask  
25. for adoption of this.

26. PRESIDENT:

27. Any further discussion? Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. President and members of the Senate. Many times employers  
30. will sell a business to a dummy corporation and then to ask for their  
31. assets in order to avoid a...a valid labor contract and that's...  
32. this is one approach that would state to the employer who wants  
33. to get from under by using a ruse...having another corporation  
take its place and still have a controlling interest in the successor

1. corporation that in the event that such an action takes place that he  
2. will not get away by subterfuge to avoid a labor contract  
3. and I ask for your support.

4. PRESIDENT:

5. Any further discussion? Senator Savickas.

6. SENATOR SAVICKAS:

7. Yes, Mr. President and members of the Senate. All this bill does  
8. is guarantee that those employees that are working for a firm once  
9. a contract is negotiated for one, two or three years, that they  
10. have continuity in their employment. They have worked out this  
11. contract, have agreed to it, are willing to work for it. They  
12. expect that they will be employed at this business for a period  
13. of time and they planned their future and their lives on this.  
14. This bill does nothing more than say that if you have the contract  
15. you must live up to it or renegotiate. It doesn't say that you  
16. cannot renegotiate. The second part of it says that the party  
17. offers to meet and...confer with the purpose of negotiating  
18. a new contract or a contract containing the proposed modifications.  
19. This does not obligate any business in any way. As we all know  
20. as businessmen, that when you negotiate to buy a business, you  
21. thoroughly investigate it and you know what the liabilities are  
22. in this business. And if you're willing to buy it with those  
23. liabilities, and these people that are your employees, have a  
24. stake in it because they feel that you have bought it, you know  
25. their agreements and that you're willing for them to do the work.  
26. All of a sudden someone comes in and throws them out and the  
27. ...contract and says well, I didn't sign it. You can't work for  
28. me anymore. I think this is a fair bill. It protects the little  
29. worker, the man who will need his job, who needs...who needs  
30. something to protect his job to show that he has some continuity  
31. so that he can plan his life. I would support Senate Bill 556.

32. PRESIDENT:

33. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

1. Briefly, Mr. Chairman, I have received a number of telephone  
2. calls and letters on this matter and this does seem to be of  
3. some great urgency. I certainly intend to support him and hope  
4. that everyone on this side will do the same.

5. PRESIDENT:

6. Any further discussion? Senator Nash may close the debate.

7. SENATOR NASH:

8. I ask for a favorable roll call.

9. PRESIDENT:

10. The question is shall Senate Bill 556 pass. Those  
11. in favor will vote Aye. Those opposed will vote Nay. The voting  
12. is open. Have all voted who wish? Have all voted who wish?  
13. Take the record. On that question the Ayes are 30, the Nays  
14. are 22, 1 Voting Present. Senate Bill 556 having received  
15. a constitutional majority is declared passed. Senator Grotberg,  
16. for what purpose do you arise?

17. SENATOR GROTBORG:

18. Let's count the green votes.

19. PRESIDENT:

20. Senator Grotberg has requested a verification, I take it.  
21. Will all the Senators please be in their seats. The Secretary  
22. will read the affirmative vote.

23. SECRETARY:

24. The following voted in the affirmative: Berman, Bruce,  
25. Buzbee, Carroll, Chew, Coffey, Collins, Demuzio, Donnewald,  
26. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel,  
27. Lenke, Maragos, McLendon, Nash, Nedza, Netsch, Newhouse, Rupp,  
28. Sangmeister, Savickas, Vadalabene, Washington, Wooten, Mr.  
29. President.

29. PRESIDENT:

30. Senator Grotberg, question anybody's presence?

31. SENATOR GROTBORG:

32. Senator Coffey.

33.



Handwritten scribbles in the top left corner.

- 1. PRESIDENT:
- 2. Senator Coffey on the Floor? Senator Coffey on the Floor?
- 3. Strike his name, Mr. Secretary. All right. No further questions?
- 4. The roll has been verified. The Ayes are 29, the Nays are 22,
- 5. 1 Voting Present. Sponsor has requested that further consideration
- 6. be postponed. So ordered. 559, Senator Carroll. On the Order
- 7. of Senate Bills, 3rd reading, Senate Bill 559. Read the bill,
- 8. Mr. Secretary.
- 9. SECRETARY:
- 10. Senate Bill 559.
- 11. (Secretary reads title of bill)
- 12. 3rd reading of the bill.
- 13. PRESIDENT:
- 14. Senator Carroll.
- 15. SENATOR CARROLL:
- 16. Why thank you, Mr. President and Ladies and Gentlemen of the
- 17. Senate. This bill, as I'm sure most of the Body is already
- 18. aware, is a recodification of the Credit Union Act. Harold, please.
- 19. There were several amendments placed on the bill yesterday. I,
- 20. as the sponsor, when I was sure those members who were successful
- 21. in that attempt, that the...I will instruct the House sponsor that
- 22. those amendments are to stay on the bill. If they come back with-
- 23. out them, I will not concur in the House removal of those
- 24. amendments. The will of this Body has spoken as to those amendments
- 25. that have been adopted. This will allow the credit unions to, in
- 26. effect, come into the 20th century by recodification so that their
- 27. Act is understandable. It will give greater strength to the
- 28. Department of Financial Institutions in administering this type
- 29. of institution. There have been great powers given to the
- 30. Director of Financial Institutions to regulate the credit unions.
- 31. This will allow the credit unions to serve again only their members.
- 32. They are not banks, they are not savings and loans, they do
- 33. not seek outside people and they do not service businesses or
- outside people. They strictly service those who are now defined as

1. the new definition of common bond. I think basically, the  
2. membership here is aware now that these will be insured  
3. under a Federal Act that they will have the share draft authority  
4. which the Department of Financial Institutions gave them in 1974  
5. and I would be willing to answer any questions under the new one  
6. minute rule and ask for a favorable roll call.

7. PRESIDENT:

8. Any discussion? Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President and Ladies and Gentlemen of the Senate. I am a  
11. cosponsor with Senator Carroll. Under the present law, the Department  
12. of Financial Institutions lacks the rule making authority to keep  
13. the credit unions going straight. And I understand the Department  
14. of Financial Institutions supports this bill and I speak in favor  
15. of it.

16. PRESIDENT:

17. Further discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. I never speak on banking bills because  
20. I don't know anything about banking. But this is one where we've  
21. all had a lot of mail, I know, and I was pretty much inclined  
22. to vote for this bill until I find out that the provision for  
23. the credit union's ability to...to let their customers issue checks  
24. is still in the bill and it just seems to me that that does give  
25. unfair competition...unfair competitive advantage to credit  
26. unions who have no capital investment as a bank does, to come in  
27. and be able to do all of the business's business just like a bank  
28. does including issuing checks and I...for that reason, I'm going  
29. to vote No on the bill.

30. PRESIDENT:

31. Further discussion? Senator Bloom.

32. SENATOR BLOOM:

33. Thank you, Mr. President. Briefly, in response to the last  
speaker. A checking account is a debtor - creditor relationship. Share

1. drafts are evidence of equity ownership in the credit union. In  
2. my district, we have about twenty-two thousand people that have been  
3. using this service provided by the credit union to their membership.  
4. I don't think that should be a factor in your vote on this bill.  
5. Thank you.

6. PRESIDENT:

7. Further discussion? Senator Mitchler.

8. SENATOR MITCHLER:

9. Mr. President and members of the Senate. Very briefly, I rise in  
10. support of this legislation. I have never found that credit  
11. unions have acted jealously towards the expansion of services,  
12. facilities or what have you of savings and loans and banks  
13. and I think that they're doing a job for the people they serve and  
14. the people they serve want this. For example, the Aurora Burlington  
15. Credit Union informed me last Saturday night that they have over  
16. two hundred participants in the share draft program. Now, when you  
17. say you don't like that program, you don't have to take  
18. advantage of it, but there's two hundred people back there in that one  
19. credit union that do like it and to tell them that they can't  
20. have it, by objecting to it, is wrong. This is good legislation.  
21. It's the recodification of the credit union and strengthens it.  
22. I am in full support of Senator Carroll's bill.

23. PRESIDENT:

24. Further discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, this bill has been bouncing  
27. around for some time and I had hoped that Senator Carroll would have  
28. referred it back...to the committee for further study. There  
29. are several problems. I agree that recodification is necessary  
30. and desirable. But this goes a great bit...a great deal farther  
31. than just recodification. What concerns me is every financial  
32. institution is trying to get into the other guy's act. Now, here  
33. we're allowing the credit unions to get into the savings and loan  
business. We're allowing them to do some of the things that banks

1. are allowed, but we're not establishing proper regulation  
2. as to reserve requirements, liquidity and many other aspects that  
3. are visited upon other financial institutions. There must come  
4. a day where both the Federal Government and the State Government  
5. redefine those activities that are allowed by each financial  
6. institution. Each one has unique missions, they were designed to  
7. serve certain purposes, but particularly, we've got to assure  
8. the depositing public that each and everyone of these financial  
9. institutions has security to the depositors. I would hope Senator  
10. Carroll, that this bill or a bill coming from the House could be  
11. modified to safeguard those depositors and more realistically,  
12. define the mission of each financial institution. I realize  
13. it's a job of both...on the Federal level and the State level  
14. but I don't think this bill is in the shape that you really want  
15. it or that is going to best serve the people of the State of  
16. Illinois.

17. PRESIDENT:

18. Any further discussion? Senator Carroll may close the debate.

19. SENATOR CARROLL:

20. Thank you, Mr. President...excuse me, Ladies and Gentlemen  
21. of the Senate. There has been no real change under this proposal  
22. in the reserve requirements that had always existed for credit  
23. unions. Senator Weaver referred to my Crudacrantz bill which is  
24. in Financial Institutions for further study over the summer. The  
25. Crudacrantz bill is the one that says that all financial  
26. institutions will be basically the same. They will all have the same  
27. powers and duties so that one doesn't keep coming in here year after  
28. year and try and steal the business of the other and then the other  
29. comes back and retaliates. So, as you will recall, I amended  
30. a bill in the last committee meeting to now be called the  
31. Crudacrantz Act and to allow all financial institutions the same  
32. powers, duties, and responsibilities and should we actively work  
33. toward that goal, obviously credit unions would then come into the  
Crudacrantz Act and become one of the other Crudacrantzes just

1. like banks and savings and loans. At this time, though, I think  
2. we need the recodification and the efforts of the Director of  
3. Financial Institutions to do a better job of oversight of  
4. credit unions and I would ask for a favorable roll call.

5. PRESIDENT:

6. The question is shall Senate Bill 559 pass. Those in  
7. favor will vote Aye. Those opposed will vote Nay. The voting  
8. is open. Have all voted who wish? Have all voted who wish?  
9. Have all voted who wish? Take the record. On that question the Ayes  
10. are 33, the Nays are 13, 6 Voting Present. Senate Bill 559  
11. having received a constitutional majority is declared passed.

12.

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End of reel.

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- 1.
2. Gentlemen, if I can have your attention, Channels 3 and 20
3. have again requested permission to film and tape the proceedings.
4. Is leave granted? In the opinion of the Chair, leave is not
5. granted. 561, Senator Berning. On the Order of Senate Bills
6. 3rd reading, Senate Bill 561. Read the bill, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 561.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDENT:
12. Senator Berning.
13. SENATOR BERNING:
14. Thank you, Mr. President and members of the Senate. This
15. is a special appropriation to the Board of Education to reim-
16. burse a school for the developmentally disabled and mentally
17. retarded in Lake County for costs that have not been reimbursed.
18. The figure is a hundred and fifty thousand or so much, thereof,
19. as may be necessary. Mr. President, I will pleased to explain
20. the justification for this and without belaboring it, let me
21. just point out that the Department of Children and Family Services
22. have requirements for night time supervision by wide-awake
23. personnel. This has not always been observed by most institutions,
24. but has been by the Klingburg Schools. Justification for this
25. night time supervision was...dramatically emphasized the early
26. part of this year when two small boys wandered away form another
27. institution during the night. No one heard them leave, the door,
28. of course, locks behind them, they couldn't get back in, no one
29. heard their cries and they froze to death, Ladies and Gentlemen.
30. They froze to death. There isn't any way that you and I can
31. justify the lack of adherence to the departmental requirement
32. that there be wide-awake night time supervision for these
33. institutions. Now, Klingburg School has been providing this.

1. And as an example of the tragedies which have been adverted,  
2. because of their security personnel at night and their security  
3. system, the alerting system. Let me just quickly recite two.  
4. One, at 2:00 o'clock in the morning a young boy exited the  
5. boys building through a rear fire escape and left the grounds.  
6. His...his exit was alerted...

7. PRESIDENT:

8. Senator...would you mind concluding your remarks.

9. SENATOR BERNING:

10. ...very well, Mr. President. Let me just say that we  
11. have several instances of unfortunate examples of death or  
12. injury to these children because there has not been adequate  
13. provision made for scrutiny. Klingburg School has been providing  
14. this, they have not been reimbursed and this is authorization  
15. to the Board of Education to reimburse them.

16. PRESIDENT:

17. Senator Grotberg. Yes, Senator Maragos, for what purpose  
18. do you arise?

19. SENATOR MARAGOS:

20. I thought we adopted again and reempathize the Donnewald  
21. rule to please have the speaker speak the one minute.

22. PRESIDENT:

23. We are making that attempt. Senator Grotberg.

24. SENATOR SROTBERG:

25. Just to rise in support of this bill. Unaccustomed as  
26. we are to bailing out anybody, these crucial schools, several  
27. youngsters of which in my neighborhood are in that school must  
28. survive. I no of no other way, given the fact that the state  
29. has put them out of business as to put this one back where it  
30. belongs. Serving those...children that just can't help them-  
31. selves. One of the key systems in the State of Illinois is  
32. at stake in this bill.

33. PRESIDENT:

1. Further discussion? Senator Buzbee.

2. SENATOR BUZBEE:

3. Mr. President I'm...I'm sure that...that the cause and  
4. the school is a good one. However, I don't think we can get  
5. in the business of coming in and appropriating money outside  
6. of departments to pay off bills where there happens to be  
7. a dispute between the department and...and the person who  
8. has the bill. It seems to me that there are procedures that  
9. need to be gone through. I opposed this bill in committee.  
10. I don't think we can just go start to pay off the bills.  
11. They can go to the Court of Claims or they can continue the  
12. negotiations with the department, but if we start this, why there's  
13. going to be a flood of bills coming in asking us to pay them  
14. when the department has refused to or while they're still  
15. negotiating. For that reason, why, I'm opposing this bill.

16. PRESIDENT:

17. Further discussion? Senator Schaffer.

18. SENATOR SCHAFFER:

19. Mr. President, Senator Buzbee's logic is sound. This is  
20. a miserable precedent for us to set, but I'm going to vote for  
21. it. I'm going to vote for it because I think it's time we send the  
22. Governor's Purchase Care Review Board a message. The type of  
23. school that Senator Berning is talking about is being reimbursed  
24. on a basis of about nineteen dollars and eighty cents a day  
25. per child. That's less than a Holiday Inn Room in Springfield.  
26. In private...in State institutions we pay as much as a hundred  
27. and twenty-six dollars a day to take care of the same type of  
28. child and yet people wish to get from the State institutions  
29. into the private institutions. That Purchase Care Review  
30. Board has got to see the light of day and reality and perhaps  
31. this bill will send them the message.

32. PRESIDENT:

33. Further discussion? Senator Geo-Karis.



1. SENATOR GEO-KARIS:

2. Mr. President and Ladies and Gentlemen of the Senate. I  
3. think it's only just and fair to pay these costs out. The Klingburg  
4. School does a fantastic job for the mentally retarded youngsters  
5. and it would be a travesty injustice if we didn't do what  
6. we're supposed to do and what the Purchase Care Board should  
7. have done.

8. PRESIDENT:

9. Any further discussion? Senator Berning may close the  
10. debate.

11. SENATOR BERNING:

12. Just briefly, Mr. President. This matter cannot go to  
13. the Court of Claims since obviously it is not a part of an  
14. existing appropriation which has defaulted or lapsed, which  
15. is the only basis for a Court of Claims claim. This is an  
16. appropriation to cover costs which we have mandated for these  
17. various schools to provide. Many of them have not, Klingburg  
18. has and they have not been reimbursed. I solicit your favorable  
19. consideration.

20. PRESIDENT:

21. The question is shall Senate Bill 561 pass. Those in  
22. favor will vote Aye. Those opposed will vote Nay. The voting  
23. is open. Have all voted who wish? Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question  
25. the Ayes are 26, the Nays are 15, 5 Voting Present. Senate  
26. Bill 561...sponsor has requested further consideration be  
27. postponed. So ordered. 565, Senator Netsch. On the Order of  
28. Senate Bills 3rd reading, Senate Bill 565. Read the bill, Mr.  
29. Secretary.

30. SECRETARY:

31. Senate Bill 565.  
32. (Secretary reads title of bill)  
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Netsch.

3. SENATOR NETSCH:

4. Thank you, Mr. President. The bill as amended in accordance  
5. with the request of the Chairman and Minority Spokesman on behalf  
6. of the members of Judiciary I does only this. It provides a  
7. redemption period for buyers who've defaulted under the Retail  
8. Installment Sales Act and the Retail Installment Motor Vehicle  
9. Sales Act.

10. PRESIDENT:

11. Is there any further discussion? If not, the question  
12. is shall Senate Bill 565 pass. Those in favor will vote Aye.  
13. Those opposed will vote Nay. The voting is open. Have all  
14. voted who wish? Have all voted who wish? Take the record.  
15. On that question the Ayes are 46, the Nays are 5, none Voting  
16. Present. Senate Bill 565 having received a constitutional  
17. majority is declared passed. 588, Senator Regner. On the Order  
18. of Senate Bills 3rd reading, Senate Bill 588. Read the bill,  
19. Mr. Secretary.

20. SECRETARY:

21. Senate Bill 588.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members of the Senate. This is appropriation  
28. for eighty million, eight hundred and twenty-three thousand, six  
29. hundred fourteen dollars for the ordinary and contingent expenses  
30. of the Department of Law Enforcement. I ask for a favorable  
31. roll call.

32. PRESIDENT:

33. Is there any discussion? If not, the question is shall

1. Senate Bill 588 pass. Those in favor will vote Aye. Those  
2. opposed will vote Nay. The voting is open. Have all voted who  
3. wish? Have all voted who wish? Take the record. On that question  
4. the Ayes are 49, the Nays are 4, none Voting Present. Senate  
5. Bill 588 having received a constitutional majority is declared  
6. passed. 598, Senator Berning. On the Order of Senate Bills 3rd  
7. reading, Senate Bill 598. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 598.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Berning.

14. SENATOR BERNING:

15. Thank you, Mr. President. Senate Bill 598 is a bill requested  
16. by the Department of Personnel. Clarifies the section of the Code  
17. regarding appointments from eligible lists, specifically it amends  
18. the Personnel Code to insure that an agency will have the discretion  
19. of making its job selection from no fewer than three available  
20. eligibles, including those from the next lower category when there  
21. are not sufficient higher category eligibles to provide a full  
22. selection of three from that higher category. This will simply  
23. allow the Department of Personnel and...department seeking employees  
24. a selection of at least, from at least three people when there  
25. may be fewer than three in the top category.

26. PRESIDENT:

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. Once again I am shocked and  
30. horrified that Senator Berning is sponsoring a bill which would  
31. bring back the patronage system. Now I happen to favor patronage  
32. to a limited extent, but I think this is a good bill to introduce  
33. in 1983, not in 1979. I don't happen to like the person who would

1. ...who would be making these decisions. I like the person  
2. all right, but I don't think I would like the decisions he  
3. would make as to the hiring of these potential employees.  
4. This is nothing more than a...a doing away with the Personnel  
5. Code, patronage type system and like I said, I think it's a  
6. good thing to do in 1983, but not in 1979 and for that reason  
7. I appose the bill.

8. PRESIDENT:

9. Any further discussion? Senator Berning may close.

10. SENATOR BERNING:

11. Contrary to the good Senator's interruption, this has  
12. nothing to do with patronage. These are from eligible  
13. applicants and when there are not three, as now set forth in  
14. the Statutes in the top category, maybe there's only one.  
15. The requesting agency ought to have the...authority to go to  
16. the next category in order to have at least three to select  
17. from. That's all it does, Mr. President, Ladies and Gentlemen  
18. of the Senate. I solicit your vote.

19. PRESIDENT:

20. The question is shall Senate Bill 598 pass. Those in  
21. favor will vote Aye. Those opposed will vote Nay. The voting  
22. is open. Have all voted who wish? Have all voted who wish?  
23. Take the record. On that question the Ayes are 27, the Nays  
24. are 25, 1 Voting Present. Senate Bill 598 having failed to  
25. receive a constitutional majority is declared lost. 602,  
26. Senator Savickas. Senator Savickas on the Floor? Yes, Senator  
27. Knuppel, for what purpose do you arise?

28. SENATOR KNUPPEL:

29. I've had a request from Senator Vince Demuzio to appear  
30. as hyphenated cosponsor of Senate Bill 1100. I...I accept...  
31. that I ask leave of the Body for him to be so shown.

32. PRESIDENT:

33. You've heard the request. Is leave granted? Leave is  
granted. Senator Savickas on 602. On the Order of Senate Bills

1. 3rd reading, Senate Bill 602. Yes, Senator Savickas.
2. SENATOR SAVICKAS:
3. Mr. President, we have a few questions on it. Could we pass
4. this for a few minutes?
5. PRESIDENT:
6. 603, Senator Nash. On the Order of Senate Bills 3rd reading,
7. Senate Bill 603. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 603.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDENT:
13. Senator Nash.
14. SENATOR NASH:
15. Mr. President, Ladies and Gentlemen of the Senate. Senate
16. Bill 603 requires all candidates with township office to be
17. nominate by primary election by eliminating the party caucus.
18. That's essentially what this bill does. I ask for a favorable
19. roll call.
20. PRESIDENT:
21. Any discussion? Senator Rhoads.
22. SENATOR RHOADS:
23. Thank you, Mr. President. A question of the sponsor if
24. he will yield.
25. PRESIDENT:
26. He indicates he will yield. Senator Rhoads.
27. SENATOR RHOADS:
28. Senator Nash, the applicability of this is to both Cook
29. County and to downstate counties. Is that correct?
30. PRESIDENT:
31. Senator Nash.
32. SENATOR NASH:
33. Yes.

1. PRESIDENT:

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Now, what is the...you didn't explain the part of the

5. ...bill dealing with electronic voting devices.

6. PRESIDENT:

7. Senator Nash.

8. SENATOR NASH:

9. On counties of forty to thirty-five thousand population  
10. requires they have electronic voting systems instead of paper  
11. ballots. It eliminates the paper ballots, just exactly the  
12. way you want Mark.

13. PRESIDENT:

14. Further discussion? Senator Grotberg.

15. SENATOR GROTEBERG:

16. I will yield to Senator Philip on the caucus business,  
17. but we got some thirty thousand...

18. PRESIDENT:

19. Senator Philip has not sought recognition.

20. SENATOR GROTEBERG:

21. Okay. But we've got some thirty thousand, I think that's  
22. where it is now and...forty thousand, we're lowering it.

23. PRESIDENT:

24. Further discussion? Senator Coffey.

25. SENATOR COFFEY:

26. Yes, Mr. President and members of the Senate. I think  
27. the part on the electronic voting machines...I, in many counties  
28. they already have them. I think it ought to be an option of the  
29. ...of the local county, when and if, in fact, they can afford  
30. those machines. I don't think we ought to mandate it and I  
31. think we ought to oppose this bill.

32. PRESIDENT:

33. Further discussion? Senator McMillan. Further discussion?

1. Senator Wooten.  
2. SENATOR WOOTEN:  
3. Question of the sponsor.  
4. PRESIDENT:  
5. Indicates he will yield. Senator Wooten.  
6. SENATOR WOOTEN:  
7. Senator...Senator Nash, do I understand that now, by  
8. amendment this has nothing to do with delegate selection?  
9. PRESIDENT:  
10. Senator Nash.  
11. SENATOR NASH:  
12. Yes, Senator Wooten.  
13. PRESIDENT:  
14. Further discussion? If not, Senator Nash may close the  
15. debate.  
16. SENATOR NASH:  
17. I ask for a favorable roll call, Mr...  
18. PRESIDENT:  
19. I beg your pardon, Senator...Senator Philip finally sought  
20. recognition. Senator Philip.  
21. SENATOR PHILIP:  
22. Thank you, Mr. President. I have a question of the sponsor.  
23. PRESIDENT:  
24. Indicates he will yield. Senator Philip.  
25. SENATOR PHILIP:  
26. ...Am I to assume this mandates voting some type of electronic  
27. voting for downstate counties?  
28. PRESIDENT:  
29. Senator Nash.  
30. SENATOR NASH:  
31. It eliminates the paper ballot, Senator Philip.  
32. PRESIDENT:  
33. Senator Philip.  
SENATOR PHILIP:

1. Senator, do we have some paper ballots in Cook County?

2. PRESIDENT:

3. Senator Nash.

4. SENATOR NASH:

5. No...no paper ballots in Cook County, Senator Philip.

6. PRESIDENT:

7. Senator Philip.

8. SENATOR PHILIP:

9. Well, I just talked to...speak to the bill, Mr. President.

10. No. I, you're mandating smaller counties, I don't know who's

11. going to pay for it. I'm sure that Cook County isn't. You're

12. also doing away with the caucus system. And let me say this,

13. that in small townships downstate, now I have in my own county,

14. one township that has twelve precincts. Now to open up voting

15. and go to a primary for twelve precincts is ridiculous. The other

16. party in a lot of cases don't even have a full slate. And to go

17. to an expensive primary for minor offices, it just doesn't make

18. any sense at all and I would suggest that we vote No on this.

19. PRESIDENT:

20. Any further discussion? Senator Joyce.

21. SENATOR JEROME JOYCE:

22. Yes, Mr. President, I...I kind of agree with Senator Philip,

23. you know. And...and as a matter of fact the township I live in

24. is one precinct. And to go for a primary in that seems a little

25. ridiculous to me. I'd urge a no vote.

26. PRESIDENT:

27. Any further discussion? Senator Donnewald.

28. SENATOR DONNEWALD:

29. Well, I had this baby for Session after Session. Finally,

30. on their own, the County Board of Clinton County adopted a

31. voting device and they're tickled to death with it. It's saving the

32. money in addition to getting the ballot count in four hours

33. after the polls close and it eliminates a lot of mistakes,



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1. intentionally or unintentionally with the paper ballot, irrespective  
2. of what size it is.

3. PRESIDENT:

4. Any further discussion? Senator Nash may close.

5. SENATOR NASH:

6. I ask for a favorable roll call on this good bill that will  
7. eliminate vote fraud.

8. PRESIDENT:

9. The question is shall Senate Bill 603 pass. Those in favor  
10. will vote Aye. Those opposed will vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Take the  
12. record. On that question the Ayes are 23, the Nays are 29, 1

13. Voting Present. Senator Nash has requested further consideration  
14. be postponed. So ordered. Leave has been requested, if I can  
15. have the attention of the Body, leave has been requested for  
16. the Associated Press to take still photos. Is leave granted?  
17. Leave is granted. On the Order of Senate Bills 3rd reading,  
18. Senator Bill 604. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 604.  
21. (Secretary reads title of bill)  
22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. Yes, Mr. President and members of the Senate. This...bill  
27. deals with delegates to the Democratic National Nominating  
28. Convention. It basically has thirteen...sixteen parts. I will  
29. just discuss the summary on it. This bill requires seventy-five  
30. percent of the Democratic delegates and alternates to the  
31. Presidential Nominating Convention to be elected at the district  
32. level and twenty-five percent at large. It repeals the present  
33. formula for determining how many delegates are to be elected

1. from each district. And it requires the board to make such  
2. a determination according to a formula certified by the State  
3. Central Committee as being in compliance with party rules, these  
4. are National Party Rules. And it requires the selection of an  
5. additional number of delegates from party leaders. It permits  
6. a presidential candidate to remove himself as the expressed  
7. preference of a candidate for delegate and requires the State  
8. Central Committee to impose affirmative action obligations on  
9. presidential candidates. Also to develop outreach programs  
10. and to conform to party rules. If there are any questions that  
11. I can answer, I will try to do so.

12. PRESIDENT:

13. Is there any discussion? Senator Rhoads.

14. SENATOR RHOADS:

15. Thank you, Mr. President, members of the Senate. As has  
16. been observed on prior occasions on this series of bills that  
17. the rules affecting the Democratic and Republican Party at  
18. the national level are vastly different. If these bills affected  
19. only the Democratic Party, as Senator Savickas has represented  
20. in debate, then there would be no reason for any Republican  
21. presumably to speak on them. In point of fact they do not affect  
22. only the Democratic Party, they do affect the Republican Party.  
23. If you look on page 5, line 7 of the amendment, we're dealing  
24. with a section of the Statute which affects both parties.  
25. A person named as a presidential preference may file...within  
26. five days after the last day for filing petitions. A signed  
27. request from the State Board of Election that his name be  
28. stricken as a presidential preference as a candidate for  
29. delegate or alternate delegate. In other words, we are giving  
30. the presidential candidate a Veto...Veto power over who may or  
31. may not run in his name. It does not affect just the Democratic  
32. Party, it affects the Republican Party as well. Because we have  
33. vastly different rules, we don't know what rules the Republican

1. Party may adopt in the year 1980. I would be very hesitant for
2. members on this side of the aisle to support a bill that affects
3. our party by the dictates of the Democratic National Committee
4. and therefore urge opposition to the bill.
5. PRESIDENT:
6. Further discussion? Senator Wooten.
7. SENATOR WOOTEN:
8. Question of the sponsor.
9. PRESIDENT:
10. Indicates he will yield, Senator Wooten.
11. SENATOR WOOTEN:
12. Senator Savickas, I have a note here that this bill incorporates
13. all of the material in bills of...in this whole series of bills,
14. its all put in to one bill, is that correct?
15. PRESIDENT:
16. Senator Savickas.
17. SENATOR SAVICKAS:
18. Yes.
19. PRESIDENT:
20. Senator Wooten.
21. SENATOR WOOTEN:
22. Does this include the alternate B Provision in which we
23. could start electing folks at caucus instead of in direct
24. primary.
25. PRESIDENT:
26. Senator Savickas.
27. SENATOR SAVICKAS:
28. Well, it...it changes the alternate B Provision by
29. providing for twenty-five percent. And it modifies that
30. provision.
31. PRESIDENT:
32. Senator Wooten.
33. SENATOR WOOTEN:

1. I really would like to know how, Senator Caucus, Senator  
2. Caucus, gosh, the dominant man in our caucus, of course, but  
3. Senator Savickas.

4. PRESIDENT:  
5. Senator Savickas.

6. SENATOR SAVICKAS:  
7. Yes, Senator, it would be done basically through a formula  
8. that's determined by the State Central Committee that would  
9. conform with the national party rules.

10. PRESIDENT:  
11. Senator Wooten.

12. SENATOR WOOTEN:  
13. I understand the seventy-five, twenty-five percent apportion-  
14. ment. What I want to know is, is either the seventy-five percent  
15. or the twenty-five percent, can they be elected by caucus or must  
16. they be elected by direct vote?

17. PRESIDENT:  
18. Senator Savickas.

19. SENATOR SAVICKAS:  
20. No, Senator, they don't have to be elected by direct vote,  
21. they could be elected by caucus. There's three, three ways  
22. that they could comply within.

23. PRESIDENT:  
24. Senator Wooten.

25. SENATOR WOOTEN:  
26. Well, then I guess I'm rising in opposition to the bill,  
27. Senator, because I oppose choosing these delegates by caucus.

28. PRESIDENT:  
29. Further discussion? Senator Lenke. Senator Bruce. Is there  
30. any further discussion? Senator Bruce.

31. SENATOR BRUCE:  
32. Thank you, Mr. Chairman, members of the...thank you Mr. President,  
33. members of the Senate. I rise in opposition to Senate Bill 604 for

1. two reasons. First of all the problem is...is how are you  
2. going to distribute delegates? There are two...two separate  
3. problems. The distribution of the actual number of delegates  
4. and secondly, the selection of those delegates. The present  
5. formula calculates district population and vote in the district  
6. for party presidential candidates combined in a ratio with  
7. State population and votes in the State for party presidential  
8. candidates. The formula that will be devised by this act, just  
9. says, the formula as certified to the board by the State Central  
10. Committee. Now I don't know exactly how we delegate to the  
11. State Central Committee, the State of Illinois, the power to  
12. write laws, but it seems to me that we ought to determine in  
13. this Body the distribution of delegates to the National Democratic  
14. Convention. And to say in this act, as it does, that the delegates  
15. in number and distribution of those delegates shall be by rule  
16. of the Democratic State Central Committee, flies in the face  
17. of our obligation to enact legislation. Additionally in that  
18. particular section of the Statute, is the fact that seventy-five  
19. percent of the delegates will be elected and twenty-five percent  
20. of those delegates will be at large. A far more significant number  
21. of at-large delegates to be selected by party functionaries  
22. than we have in the past. Thereby denying everyone, whether by  
23. caucus or by election, the right to be involved. That's the  
24. first problem, that is how many numbers of delegates.

25. PRESIDENT:

26. Your time has now expired.

27. SENATOR BUZBEE:

28. The second...second one involves the question of the convention  
29. versus election, the bill...quite...clearly states that it can be  
30. by party convention and not by election and that is the very bad  
31. part of this legislation.

32. PRESIDENT:

33. Further discussion? Senator Shapiro.

SENATOR SHAPIRO:

1. Mr. President and Ladies and Gentlemen of the Senate.  
2. It is not the desire of this side of the aisle to be obstruc-  
3. tionists on this series of bills. But the bills do include  
4. the Republican Party and that's why we are objecting to them.  
5. We don't want to be included in the internal ongoings of the  
6. Democrat Party anymore than I'm sure that the opposite would  
7. happen. So therefore I'm asking the members of this side  
8. of the aisle to refrain from voting for this bill and two others  
9. that include the Republican Party as far as delegate selection  
10. is concerned.

11. PRESIDENT:

12. Senator Savickas may close.

13. SENATOR SAVICKAS:

14. Yes, I understand some of the concerns here. I would like  
15. to remind the Republican members that this is permissive. They  
16. do not have to follow these guidelines as the Republican Party  
17. and if it's that obnoxious to them, I am sure that if we are  
18. able to pass this bill out of the Senate, we can work to amend  
19. that in the House. I would like to remind you...my fellow  
20. Democrats, that this legislation is a product of the Democratic  
21. National Committee's Committee on Delegate Selection and their  
22. Rule C, 7-C requires that seventy-five percent of the delegates  
23. be elected at the district or lower level and twenty-five percent  
24. at large. And this bill does repeal a formula for allocating  
25. delegates to congressional districts that is not in conformity  
26. with the National Democratic Party rules. It does it by removing  
27. the loophole primary system and it...eliminates another provision  
28. of Illinois laws that conflict with party rules. These alternate  
29. selections and these concerns for the delegate selection are...

30. PRESIDENT:

31. Would you conclude your remarks, Senator.

32. SENATOR SAVICKAS:

33. ...National Committee suggestions. I would solicit your

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1. your favorable support for this bill.

2. PRESIDENT:

3. The question is shall Senate Bill 604 pass. Those in favor  
4. will vote Aye. Those opposed will vote Nay. The voting is  
5. open. Have all voted who wish? Have all voted who wish? Have  
6. all voted who wish? Take the record. On that question the Ayes  
7. are 21, the Nays are 35 Voting Present. Senate Bill 604 having  
8. failed to receive a constitutional majority is declared lost.  
9. 605, Senator Nash. 606. 607, Senator Savickas. On the Order  
10. of Senate Bills 3rd reading, Senator Bill 607. Read the bill,  
11. Mr. Secretary.

12. SECRETARY:

13. Senate Bill 607.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes, Mr. President and members of the Senate. In anticipation  
20. of some opposition to 604 that obviously was in the wrong area,  
21. Senate Bill 607 was drafted with the elimination of the affirmative  
22. action in the outreach programs, which we thought may have some  
23. concern to the members. In other areas it is the basic same  
24. consideration as Senate Bill 604. It still follows the guidelines  
25. of the Democratic National Committee and I would urge your adoption  
26. of Senate Bill 607.

27. PRESIDENT:

28. Is there any discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Thank you, Mr. President, members of the Senate. As was  
31. pointed out on the last bill under consideration, the same amend-  
32. ment has been placed on this bill. We also have on page 5 beginning  
33. on line 3 the...the same provisions which affect the Republican

1. Party as well as the Democratic Party. The Republican Party several  
2. years ago after the McGovern Commission had come up with its  
3. findings for the Democrats, appointed a Rule 29 Committee.  
4. We took an entirely different tact from the Democratic Party, we  
5. specifically said that in no case...shall State law ever be pre-  
6. empted by Republican Party National Rules. This is...this is  
7. not a good bill for the Republican Party. I doubt that it's  
8. a good bill for the Democratic Party, but it certainly does affect  
9. our party and ought to be opposed.

10. PRESIDENT:

11. Is there any discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. I think the same objections to 604 apply to this bill.

14. PRESIDENT:

15. Further discussion? Senator Lemke.

16. SENATOR LEMKE:

17. You know, as Chairman of Elections Committee, the Democratic  
18. National Party our fellow Senators requested this. I am not happy  
19. with the Democratic National Party, I was at the convention.  
20. Those people are some of your Independent Democratic friends  
21. that want these rules. I support these bills reluctantly, you  
22. understand. Whether they pass or fail, I could give a damn. If  
23. they fail we can go back to the old system we used to have when  
24. the Democratic Party was strong and represented the various  
25. groups of people. But now we have a weak Democratic Party and  
26. we elect goofs as...as delegates to...to committees. They come  
27. up with silly rules and you guys are against them now. Well,  
28. these are all independents that put these rules in. I'm going  
29. to support this bill. If you guys want to go against it, you  
30. guys killed the Independent Democratic movement in the party,  
31. fine, we'll go back to the old system, which I'm happy with.

32. PRESIDENT:

33. Further discussion? Senator Savickas may close.



1. SENATOR SAVICKAS:

2. Yes, I would suggest that these recommendations by the  
3. Democratic National Committee should be adopted. I think when  
4. we discuss our concern and our need to be at the next presidential  
5. selection convention, that we in Illinois do not jeopardize  
6. our position for our seating by not adopting the Democratic  
7. National Committee's rules. If for no other reason, I think they  
8. should be adopted so that we will, in Illinois, have a voice in  
9. the selection of our next presidential candidate. I would move  
10. for the adoption of Senate Bill 607.

11. PRESIDENT:

12. Question is shall Senate Bill 607 pass. Those in favor  
13. will vote Aye. Those opposed will vote Nay. The voting is open.  
14. Have all voted who wish? Have all voted who wish? Have all  
15. voted who wish? Take the record. On that question the Ayes  
16. are 17, the Nays are 33, 4 Voting Present. Senate Bill 607,  
17. having failed to receive a constitutional majority is declared  
18. lost. 613, Senator Regner. On the Order of Senate Bills 3rd  
19. reading, Senate Bill 613. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 613.  
22. (Secretary reads title of bill)  
23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members of the Senate. Currently the law  
28. is such that for the creation of a new county it takes a majority  
29. of the people voting in the election. In most cases in referenda  
30. type of operations like this, it takes a majority of the people  
31. voting on the issue and that's what this bill does, it changes  
32. that Statute to say it takes a majority of the people voting  
33. on the issue rather than those voting the election on a referenda

1. for creation of a new county. I ask for a favorable roll call.

2. PRESIDENT:

3. There any discussion? Senator Savickas.

4. SENATOR SAVICKAS:

5. Yes, Mr. President, once again we have our new Lincoln  
6. County Bill coming in without any concern for all the people  
7. of the counties or the suburbs surrounding Chicago. This bill  
8. is put in without the concern of our present county hospitals,  
9. our present county systems of government, the problems that  
10. would be envisioned, the lost of tax base, the...loss of tax  
11. revenue, the increased costs of setting up new governments,  
12. where we would have now new county assessors, new county  
13. treasurers, new county sheriffs, new county governments, with  
14. a lower tax base. We should be thinking in terms of consolidating  
15. small counties so that they would have a proper tax base to pay  
16. for these services. At the present time, we have throughout  
17. Illinois a great many counties that are no larger than a half  
18. a dozen precincts in Chicago. Counties that have all these  
19. governments and cannot support them on the present tax base.  
20. I would suggest to our good Senator...

21. PRESIDENT:

22. Your time has expired.

23. SENATOR SAVICKAS:

24. ...that's all he...he's introduced this in a frivolous  
25. manner, it should be taken seriously because at the time when  
26. our counties and our local governments are hard pressed for  
27. funds for all of our services, that this would be a detriment  
28. to the State of Illinois. I would urge its defeat.

29. PRESIDENT:

30. Any further discussion? Senator Regner may close.

31. SENATOR REGNER:

32. Well, Mr. President and members. In spite of what...what  
33. Senator Savickas said regarding cost, there are specific provisions  
in the Statutes right now for the transfer of property and for the

1. payment of taxes. It wouldn't cost anymore at all, in fact, for  
2. an area, he did mention Lincoln County, it doesn't form any particular  
3. county at all, it just allows people to choose. But for that  
4. particular park that I know he did...refer, it would actually  
5. lower the taxes for them. And just as a matter of fact, I think  
6. Leyden Township, Proviso Township and Oak Park Township would be  
7. well named Rock County.

8. PRESIDENT:

9. The question is shall Senate Bill 613 pass. Those in favor  
10. will vote Aye. Those opposed will vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Take the  
12. record. On that question the Ayes are 27, the Nays are 27, 1  
13. Voting Present. Senate Bill 613 having failed to receive a  
14. constitutional majority is declared lost. 614, Senator Regner.  
15. On the Order of Senate Bills 3rd reading, Senate Bill 614.  
16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 614.  
19. (Secretary reads title of bill)  
20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Regner.

23. SENATOR REGNER:

24. Well, Mr. President and members. This is another bill  
25. that would help along the ways of people in an area who want  
26. a freedom of choice. Whoever the original drafters were of  
27. legislation regarding petitioning were very unfair in this.  
28. The petitions right now for a referenda, just to put it on  
29. the ballot requires a majority of all the registered voters  
30. in the area. Now, if that's fair, why do you even need an  
31. election if you can get that amount of signatures on a petition.  
32. What this bill does, it reduces the amount of petitions...  
33. signatures on a petitions necessary to hold the referenda  
34. to ten percent of the registered voters, which is still higher

1. than any other petition requirement in the Statute and I ask for  
2. a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? Senator Savickas.

5. SENATOR SAVICKAS:

6. Yes, Mr. President and members of the Senate. After my  
7. comments I would seek a same roll call as we had before. This bill  
8. again tends to allow dissidents and not the people who are  
9. concerned truly with county government or government at the  
10. local level. That it would allow dissidents to sign a petition  
11. and get it passed and put on the ballot. Total disregard for what  
12. the cost of such an election would be. The present law where  
13. it says for a majority is laudable, it's realistic because if  
14. you cannot get a majority of the people in that area wishing  
15. to separate and have a county, what is the sense of having an  
16. election and going through the cost and going through the  
17. motions just so some politicians can enhance their own political  
18. stature with a group of dissidents that may have a problem with  
19. their local community groups. I would oppose this position.

20. PRESIDENT:

21. Any further discussion? Senator Regner may close.

22. SENATOR REGNER:

23. Well, if Senator Savickas's argument holds any water, I  
24. would suggest that he and I get together next year and introduce  
25. a series of bills which require a majority of registered voters  
26. to sign petitions to get anything on a ballot for a referenda.

27. PRESIDENT:

28. The question is shall Senate Bill 614 pass. Those in favor  
29. will vote Aye. Those opposed will vote Nay. The voting is open.  
30. Have all voted who wish? Have all voted who wish? Take the record.  
31. On that question the Ayes are 27, the Nays are 21, 1 Voting Present.  
32. Senate Bill 614 having failed to receive a constitutional majority  
33. is declared lost. 619, Senator Joyce. On the Order of Senate Bills  
3rd reading, Senate Bill 619. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 619.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Joyce.

7. SENATOR JEREMIAH JOYCE:

8. Thank you, Mr. President, members of the Senate. Senate  
9. Bill 619 increases by two hundred dollars the compensation paid  
10. to certified Illinois Assessing Officers. It is recommended...  
11. it is Recommendation 15 of the Governor's Advisory Commission  
12. on Taxes and I know of no serious...opposition to this. I urge  
13. your favorable consideration.

14. PRESIDENT:

15. Is there any discussion? If not, the question is shall  
16. Senate Bill 619 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 50, the Nays are 3, none Voting Present.  
20. Senate Bill 619 having received the constitutional majority  
21. is declared passed. 624, Senator Bruce. On the Order of  
22. Senate Bills 3rd reading, Senate Bill 624. Read the bill, Mr.  
23. Secretary.

24. SECRETARY:

25. Senate Bill 624.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President, members of the Senate. Senate  
32. Bill 624 involves teacher reinstatement after hearing officer  
33. or court has ordered a school board to reinstata a teacher. The

1. problem that has developed is that in the sense of fairness,  
2. we have found that school boards have not reassigned school  
3. teachers who have taken their hearing before the board and  
4. then taking it before a hearing officer and often times before  
5. the courts to insure that their rights are protected. Once  
6. they have received a decision, favorable to their views, they  
7. are then reinstated. And what has happened, the school boards  
8. have not reinstated them to positions of professional equality,  
9. but have replaced them in other areas. One teacher who  
10. took a case all the way up to the Appellate Court was assigned  
11. full time having...taught for more than fifteen years as an  
12. English teacher, was assigned full time as a study hall teacher  
13. in the classes which were rowdy and the sort of disciplinary  
14. study halls. All day long, all...all year. This bill simply  
15. states that justice will be done in that whenever a teacher  
16. is reinstated by a hearing officer or any adjudication, they  
17. shall be reassigned by the board to a position, and the operative  
18. language is, substantially similar to the one which that teacher  
19. held prior to that teacher's suspension or dismissal. It's  
20. a bill that only says that there should be fairness in the  
21. proceedings and I would ask for your favorable consideration.

22. PRESIDENT:

23. Any discussion? Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President and Ladies and Gentlemen of the  
26. Senate. I rise in opposition to Senate Bill 624. I think this  
27. is, once again, placing an undue burden upon...on school boards.  
28. In fact, they might be forced into creating a position that does  
29. not now exist. I think that in most instances around this State,  
30. school boards do act in good faith when that position or a like  
31. position would once again be available, that teacher would be  
32. placed in that position. But I think they indicate that you have  
33. to put her...he or she back in to a position of substantially that  
same nature, is putting an undue burden upon that school board.

1. I would resist this legislation and ask the members to vote it  
2. down.
3. PRESIDENT:  
4. Further discussion? Senator Martin.
5. SENATOR MARTIN:  
6. Question to the sponsor.
7. PRESIDENT:  
8. Indicates he will yield. Senator Martin.
9. SENATOR MARTIN:  
10. If, for instance, the person was a department head, Senator,  
11. let's say of the Spanish Department, what would a school board do  
12. if that is the only Spanish Department, for instance, in the  
13. district?
14. PRESIDENT:  
15. Senator Bruce.
16. SENATOR BRUCE:  
17. I would think that if they can find a position substantially  
18. similar to the head of the Spanish Department, that teacher could  
19. be...reinstated there. If, in fact, there isn't a position sub-  
20. stantially similar to that she would have to be or he would have  
21. to be reinstated and the person presently holding that position  
22. would have to be put someplace else.
23. PRESIDENT:  
24. Senator Martin.
25. SENATOR MARTIN:  
26. So the bill does call for removing someone from a job that  
27. they've gotten through, you know, wasn't...wasn't anything  
28. they did so that you would have someone who is possibly a depart-  
29. ment head, possibly in a rather specific specialized position, this  
30. bill would say that that teacher has to be moved out of the job?
31. PRESIDENT:  
32. Senator Bruce.
33. SENATOR BRUCE:

1. No, it does not. It states that they shall be replaced  
2. in a position substantially similar to that from which they  
3. were suspended or fired, that's all.

4. PRESIDENT:

5. Further discussion? Senator Shapiro.

6. SENATOR SHAPIRO:

7. Well, Mr. President, Ladies and Gentlemen of the Senate.  
8. I...I just want to reiterate with a statement as to some of  
9. the questions that are being asked. The bill as now amended  
10. says that the position to which the teacher is reinstated  
11. shall be...shall be subject to the approval of the hearing  
12. officer or a court, which rendered the final decision. I  
13. contend that that takes the entire power away from the school  
14. board and this bill should be defeated.

15. PRESIDENT:

16. Any further discussion? Senator Bruce may close.

17. SENATOR BRUCE:

18. Well, I don't know what is an undue burden on anyone  
19. when you say justice is to be done. Now, we're talking about  
20. school teachers who have adjudicated by an independent hearing  
21. officer or a court to have been unjustly dismissed or fired  
22. by a school board. We're not talking about some guy that  
23. walks in off the street and says I want a new job. We're  
24. talking about who...people who were fired, who has hired attorneys,  
25. took these cases all the way up to Appellate Courts and Supreme  
26. Courts and go back to their schools and say, and they are told  
27. they will be hall room supervisors and study hall supervisors.  
28. What is wrong with a bill that says substantially similar. What  
29. is wrong with a bill that says you're going to have do justice.  
30. Sure, they're going to have to move some people, but why should  
31. a school board be able to say to a teacher, for some reason you  
32. were fired and when you go back we can do anything with you we  
33. want to. That doesn't seem fair to me and I'd ask for a favorable vote.



1. PRESIDENT:
2. The question is shall Senate Bill 624 pass. Those in favor
3. will vote Aye. Those opposed will vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question the Ayes are 35, the Nays are 17, none
6. Voting Present. Senate Bill 624 having received a constitutional
7. majority is declared passed. 629, Senator Bruce. On the Order of
8. Senate Bills 3rd reading, Senate Bill 629. Read the bill, Mr.
9. Secretary.
10. SECRETARY:
11. Senate Bill 629.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDENT:
15. Senator Bruce.
16. SENATOR BRUCE:
17. Thank you, Mr. President. Perhaps I won't be as excited on
18. this one, it's a...and I apologize for maybe getting a little
19. exercised. Oh, thank you, John. Senator Knuppel has...Senator
20. Knuppel says...
21. PRESIDENT:
22. Senator Bruce.
23. SENATOR BRUCE:
24. Yes, thank you, Mr. President. This just deals with Section
25. 9 of the Uniform Commercial Code. Why it wasn't on the Agreed
26. Bill List, I don't know. It just exempts or adds a new word
27. to the filing requirements for, and adds the word, transmission,
28. for electric cooperatives to clarify problems they are presently
29. having with the National REA and the CFC. And it just puts
30. them in the same status as public utilities presently are on
31. both filing...financing statements and continuation statements.
32. PRESIDENT:
33. Any discussion? Senator Grotberg.

1. SENATOR GROTEBERG:

2. Senator Bruce, the bill is news to me, but if all things  
3. go well in a few months I will be turning on a hundred KW's  
4. of old revised water driven generators at the Hotel Baker in  
5. St. Charles, I'm trying very hard. And we're going to sell  
6. that electricity to the City of St. Charles. Are you making  
7. me a public utility?

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. No, sir. This is a very technical amendment to the  
12. Uniform Commercial Code dealing with electric co-ops. It has  
13. nothing to do with private generators of electricity. It just  
14. says that the continuation statements shall be filed in the  
15. same manner and form as public utilities. The problem is we  
16. have co-ops who both transmit and distribute. The language does  
17. not include, it says distribution only and it just handles  
18. transmitting and distribution co-ops. Supported by the Illinois  
19. Association of Electric Co-Operatives.

20. PRESIDENT:

21. Is there any discussion? If not, the question is shall  
22. Senate Bill 629 pass. Those in favor will vote Aye. Those opposed  
23. will vote Nay. The voting is open. Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question the  
25. Ayes are 40, 50, the Nays are none, 3 Voting Present. Senate  
26. Bill 629, having received a constitutional majority is declared  
27. passed. 630, Senator Bruce. On the Order of Senate Bills 3rd  
28. reading, Senate Bill 630. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 630.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Bruce.

2. SENATOR BRUCE:

3. Thank you, Mr. President. The bill has been substantially  
4. amended since its introduction. It deals with, actually legis-  
5. lators who also serve as school teachers back in their respective  
6. districts. Senator McMillan added Amendment No. 2 to clarify  
7. exactly how we're going to compute pension credit, it just...  
8. the present act says that if a teacher is elected to serve in  
9. the General Assembly, the board shall grant him a leave of absence.  
10. The language is added for all or part of the school year, if he so  
11. ...so requests. The problem has developed with one of our colleagues  
12. that the school board has taken the attitude that he can only be  
13. gone on a week to week basis rather than a daily basis. This clarifies  
14. the fact that he could ask for a leave for part of the week as  
15. opposed to a full week. I think it affects probably six people  
16. in the State of Illinois, maybe seven. I can't remember exactly  
17. how many teacher House members we have. And I would...ask for a  
18. favorable vote.

19. PRESIDENT:

20. Any discussion? Senator Mitchler.

21. SENATOR MITCHLER:

22. Well, sort of question why the teacher is given special  
23. preference here. How about somebody who works for the city  
24. clerks office in Oswego. Why aren't they allowed to do this?  
25. Or any other local government? And on the other hand, now I  
26. understand when they're down here, they're off the payroll up  
27. there. Why don't you put in here that when they're up there,  
28. they're off the payroll down here. You can't be drawing two  
29. salaries from two separate governmental agencies at once. Can't  
30. be doing two things at once, when you're in a classroom you can't  
31. be serving your constituency and I don't know why they have to  
32. have this special preference. It's up to the local school  
33. district to decide what they want to do.

1. PRESIDENT:

2. Further discussion? Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. I rise in support of this bill.  
5. It's come to our attention that some of these school districts  
6. are acting arbitrarily in relation to the time that's allowed  
7. for elected legislators to serve in the General Assembly. I  
8. think that's it's a important issue. If we can't protect people  
9. that are willing to come from the teaching profession and serve  
10. in the General Assembly and have been elected by their constituents  
11. to do so, I really don't know what we're...what we're all about.  
12. And I think that this is an important safeguard and that's all  
13. it is is a safeguard so that there is not any kind of undue  
14. pressure or discrimination against elected legislators who  
15. happen to be teachers. I urge your support.

16. PRESIDENT:

17. Any further discussion? Senator Berning.

18. SENATOR BERNING:

19. Yes, Mr...Mr. President. A question of the sponsor.

20. PRESIDENT:

21. Sponsor indicates he will yield. Senator Berning.

22. SENATOR BERNING:

23. Under the amendment, Senator Bruce, as I interpret page 2  
24. line 4, other employment benefits based upon length of service.  
25. I interpret that as...as pension credits, how do you interpret  
26. that?

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. That is the way I interpret it and as has been interpreted  
31. by the State Teacher Retirement Board. They are giving...they  
32. are given a day for day credit for every day they teach. For  
33. every day they are absent they get no credit.

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. That isn't entirely the way I would interpret it. The whole  
5. new section starting at the bottom of the page of page 1, a teacher  
6. granted a leave of absence to serve in the General Assembly shall  
7. suffer no loss of public health, insurance benefits or seniority  
8. and credit for time served in the General Assembly. In other words  
9. the time in the school system is counting for the time in the  
10. General Assembly is countin for the time in the school system. It  
11. appears to me that this is doing nothing but building up double  
12. benefits and double longevity.

13. PRESIDENT:

14. Any further discussion? Senator Bruce may close the debate.

15. SENATOR BRUCE:

16. Well, I...is Senator Mitchler on the Floor? Senator Mitchler,  
17. six Senators have said we accept the trade of the person working  
18. in the county or city clerks office in Oswego and if you're  
19. transfer their name, we'll send you back up there. We accept the  
20. trade. No...the...the person as it...as a school teacher is not  
21. paid under State Statute, in fact, we cannot be compensated for  
22. two public employment or public service jobs at the same time.  
23. That...that is prohibited by the Statutes, Senator, and so we're  
24. not changing that at all. They cannot be paid from two...two  
25. places at the same time. And I ask for a favorable roll call.

26. PRESIDENT:

27. The question is shall Senate Bill 630 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 record.  
30. On that question the Ayes are 41, the Nays are 14, none Voting Present.  
31. Senate Bill 630, having received a constitutional majority is  
32. declared passed. 654, Senator McMillan. All right, if I can  
33. have the attention of the membership. We are approaching a bill

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- 1. in which the media has some substantial interest, I'm told, and
- 2. Channels 3, 17 and 20 now request permission to film the proceedings.
- 3. Is leave granted? Leave is granted. Leave is granted. 654,
- 4. Senator McMillan. On the Order of Senate Bills 3rd reading,
- 5. Senate Bill 654. Read the bill, Mr. Secretary.

6. SECRETARY:

- 7. Senate Bill 654.
- 8. (Secretary reads title of bill)
- 9. 3rd reading of the bill.

10. PRESIDENT:

- 11. Senator McMillan.

12. SENATOR McMILLAN:

13. Mr. President, members of the Senate. This bill is one  
14. that has had very careful scrutiny by both sides of the aisle.  
15. It makes basically three changes in the act with regard to the  
16. lottery. One is that it allows for a two year period, slight  
17. change in the practice of the past. One that would allow some  
18. of the lottery games to have a...a smaller profit requirement  
19. in hopes of having a larger volume and therefore return more  
20. revenue to the State. This second change would allow for the lottery  
21. superintendent to have greater discretion in deciding who shall  
22. be a lottery agent. And the third one changes the provisions  
23. for compensating the banks for their effort in distributing  
24. the tickets and handling the money. I think its had its  
25. problems worked out and I would seek a favorable roll call.

26. PRESIDENT:

- 27. Is there any discussion? Senator Wooten.

28. SENATOR WOOTEN:

- 29. Question of the sponsor.

30. PRESIDENT:

- 31. He indicates he will yield, Senator Wooten.

32. SENATOR WOOTEN:

- 33. Why do you eliminate the prohibition on placing names of public officials on lottery tickets and promotional materials?

1. PRESIDENT:  
2. Senator McMillan.  
3. SENATOR McMILLAN:  
4. I don't believe that's still in the...  
5. PRESIDENT:  
6. Senator Wooten.  
7. SENATOR WOOTEN:  
8. I'm just waiting for an answer.  
9. PRESIDENT:  
10. Senator McMillan.  
11. SENATOR McMILLAN:  
12. It was just to clean up. That's why we put it in there.  
13. PRESIDENT:  
14. Senator Wooten.  
15. SENATOR WOOTEN:  
16. So you're saying public officials can have their names on  
17. lottery tickets now?  
18. PRESIDENT:  
19. Senator McMillan.  
20. SENATOR McMILLAN:  
21. The...the superintendent says there's no room on the  
22. ticket for that kind of thing and that's why they're...they'd  
23. like to put it on the back, but that's why they've written in  
24. to take it off.  
25. PRESIDENT:  
26. Senator Wooten.  
27. SENATOR WOOTEN:  
28. I don't...not worried about present lottery tickets, Senator,  
29. I'd think that's a real defect. I...I'm for giving participants  
30. a better break in prizes, but I really don't think you ought to  
31. eliminate that prohibition. I think that is subject to abuse.  
32. PRESIDENT:  
33. Further discussion? Senator McMillan may close.

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1. SENATOR McMILLAN:

2. Again let me reiterate the...the things been gone over very  
3. carefully, let's let it go up or down, it has pretty wide spread  
4. support I think.

5. PRESIDENT:

6. Question is shall Senate Bill 654 pass. Those in favor  
7. will vote Aye. Those opposed will vote Nay. The voting is open.  
8. Have all voted who wish? Have all voted who lwish? Take the  
9. record. On that question the Ayes are 41, the Nays are 5, none  
10. Voting Present. Senate Bill 654, having received a constitutional  
11. majority is declared passed. 659, Senator Demuzio. On the Order  
12. of Senate Bills 3rd reading, Senate Bill 659. Read the bill,  
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 659.  
16. (Secretary reads title of bill)  
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. Thank you, Mr. President and Ladies and Gentlemen of the  
22. Senate. Senate Bill 659 is indeed the hazardous waste bill. What  
23. it does in its current form, it combines not only Senate Bill 1132  
24. of Senator Grotberg's and this bill and makes substantial other  
25. changes, but in essence what it is doing, it defines hazardous  
26. waste as a waste which may contribute to an increase in the mortality  
27. or the irreversible or incapacitating illness or pose a hazard to  
28. human health or the environment when improperly handled and frankly  
29. these are the materials that have, or the...the adjectives that  
30. have been described in the Federal Resource Recovery and Conservation  
31. Act of this year. I want to point out that there were some problems  
32. in the committee by virtue of the fact that Chicago was concerned  
33. that...that it may have the definition may allude to the municipal



1. garbage. We have cleared that up in the amendment which excludes...  
2. exclusively eliminates solid or dissolved materials in domestic  
3. sewerage or in irrigation return flows or in industrial discharges  
4. regulate under the Clean Air and Clean Water Act. It excludes at  
5. Senator Geo-Karis request, radio active materials and municipal  
6. waste. It does have certain restrictions on the issuance of new  
7. sights within a new corporate limits or at least one and a half  
8. miles of the corporate limits as defined in 630-78 of a municipality  
9. without the approval of the governing body of that municipality  
10. or within two miles of an active fault zone or above an abandoned  
11. coal mine or within a thousand feet of an existing well or public  
12. water supply. I'm well aware of the opposition that has been  
13. generated to this bill by the State Chamber of Commerce and the  
14. Illinois Manufactures Association. And I would like to point out  
15. that there are still some questions that the...Chicago has in  
16. reference to this bill. What I would ask today is that my colleagues  
17. support...Senate Bill 659 to pass it out of this Body over to the  
18. House to give us an additional two or three weeks to continue to  
19. work on a reasonable compromise and to see whether or not that we  
20. can reach some king of an agreement. At least solves my problem  
21. back home in the city of..Municipality of Wilsonville. I'm well  
22. aware of the objections, the two page objections that have been  
23. passed out by the Chamber of Commerce. I'm also aware of the  
24. Illinois Manufactures objections and for a time sake, this morning,  
25. Mr. President, I'm aware of those objections. I'm just asking  
26. my colleagues to pass this bill out of the Senate over to the  
27. House so we can continue to work on a compromise.

28. PRESIDENT:

29. Any discussion? Senator...Senator Donnewald, for what purpose  
30. do you arise?

31. SENATOR DONNEWALD:

32. Question of the sponsor.

33. PRESIDENT:

Indicates he'll yield.

1. SENATOR DONNEWALD:

2. Will you take the barrel off the desk if I vote for it?

3. PRESIDENT:

4. Senator Savickas.

5. SENATOR SAVICKAS:

6. Yes, Mr. President and members of the Senate. Senator  
7. Demuzio did state some true facts. That the City of Chicago,  
8. the Sanitary District, do have some concern with this, but he  
9. has indicated his desire to not only accommodate Chicago, Cook  
10. County, but also all of the municipalities that may have a  
11. problem in their municipality with this bill. And as suggested  
12. that in the House, in their committee, that they can work on  
13. these accommodations. I would suggest that this bill is of great  
14. importance and is of great concern to all of us and that we should  
15. support it and any objections, I am sure, can be met in committee  
16. in the House. I would ask the members on...this General Assembly  
17. to support this bill.

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End of Reel #2

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1. PRESIDENT:

2. Further discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you, Mr. President. Very briefly, I have spent  
5. six years killing legislation like this and I was the lucky  
6. one to inherit from the EPA the administration's bill on this  
7. subject. The time has come that we must do something about  
8. hazardous waste that is spreading the carcinogens, the detrimental  
9. materials throughout our State. This bill does it. It may  
10. be doing it too well. I would like my friends in industry and  
11. business to know that they've got a friend on the inside on  
12. this side of the aisle that also wants about two more weeks for  
13. them to come in and find out whether or not we can find a bill  
14. that they can live with through the efforts of the State of  
15. Illinois or else the Congress, the United States Army is going  
16. to be out telling them what to do sooner or later on this  
17. deadly subject. This is our best attempt. It's the result  
18. of over ten days of...conference with two very hard nosed  
19. guys in the Attorney General's Office and Mike Mosey of the  
20. EPA. We've had a lot of engineering input into it. It may  
21. be a little too stiff in some areas, but we want to get the  
22. vehicle over and in coming over our way if the House doesn't  
23. Table it before midnight tonight. It's Representative Sharp's  
24. bill that deals with the same subject. We will have a good two  
25. weeks for business and industry and generators of hazardous  
26. waste to get out...down here and testify with a specific law  
27. that is now in the shape everybody can read. I ask for your...  
28. favorable vote on this side of the aisle.

29. PRESIDENT:

30. Is there any further discussion? There's the television  
31. cameras. Senator Davidson.

32. SENATOR DAVIDSON:

33. Will he yield for a question?

1. PRESIDENT:

2. He indicates he will yield.

3. SENATOR DAVIDSON:

4. On your explanation you passed out it says the applicants  
5. must continuously monitor and maintain a hazardous waste  
6. disposal site for, at least, twenty years after closure of the  
7. site and the present law is three years. Is there an escrow  
8. fund that the operator or the applicant must put up or...or  
9. where is the financial part dealing with whose going to monitor  
10. or...for twenty years and pay the cost?

11. PRESIDENT:

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Yes, the...the answer to your question, the generators are  
15. ...are going to be paying the cost. That specific provision  
16. was lifted from Senator Grotberg's bill with some modifications  
17. and it...it indeed will be utilized for the...for the monitoring  
18. of, but there has been some objections because we lifted the  
19. cap on the amount of money that...that will be coming into the  
20. fund. It's something also that we're subjected to negotiations  
21. on and about and it is something that we'll...we'll take up in...  
22. in the next two weeks in the House if we're permitted to get  
23. the bill out of the Senate.

24. PRESIDENT:

25. Further discussion? Senator Demuzio may close.

26. SENATOR DEMUZIO:

27. Well, I just might add that I...I indeed would like to have  
28. the opportunity for an additional period of time to continue to  
29. work on...on this bill. I hope that it is one that we can come  
30. back with a...a compromise that meets, at least, the concerns  
31. that...that I have and I would ask my colleagues to...to give me  
32. that support.

33. PRESIDENT:

1. The question is, shall Senate Bill 659 pass. Those in  
2. favor will vote Aye. Those opposed will vote Nay. The voting  
3. is open. Have all voted who wish? Have all voted who wish?  
4. Take the record. On that question, the Ayes are 40, the Nays  
5. are none, 6 Voting Present. Senate Bill 659 having received  
6. the constitutional majority is declared passed. 661. Yes,  
7. Senator Lemke, for what purpose do you arise?

8. SENATOR LEMKE:

9. You know, to...we passed a rule to speed time in getting  
10. bills out, now I thought we even had a rule earlier and now  
11. we're leaving the television cameras back in, we're going to  
12. be here...I'm going home when the next plane...last plane  
13. leaves for Chicago and if the bills don't pass, they don't  
14. pass. I don't care, but if you people want to be here all  
15. next week...I'm talking...if you want to be here talking about  
16. Senate bills all next week, that's all fine, but if you leave these  
17. television cameras on, you're going...you see what's happening.  
18. We get all these people getting up giving their speeches...

19. PRESIDENT:

20. All right. The...the point is well taken.

21. SENATOR LEMKE:

22. ...for the television.

23. PRESIDENT:

24. On the Order of Senate Bills, 3rd reading, Senate Bill  
25. 661. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 661.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Yes, thank you, Mr. President. On a...on a point of personal

1. privilege before I start, I should point up in my...in my last  
2. remarks in regards to Senate Bill 659, that the request of  
3. Senator Geo-Karis in...in removing radioactive waste from that  
4. bill was a legal one because the radioactive waste did not  
5. even pertain to that...section of the EPA Act. It...it pertained  
6. to Public Health and I want that for the record. Senate Bill  
7. 661 amends the Environmental Protection Act regarding conflict  
8. of interest of EPA employees. It stipulates that no person who  
9. has served as an officer or an employee of the EPA shall within  
10. two years after termination of service appear before the EPA  
11. or render any service on behalf of any person in relationship  
12. to any case or application which he personally dealt with during  
13. his employment or about which he had any confidential information.  
14. There is a Class A misdemeanor penalty provision in the bill. It is one  
15. that is patterned after the Federal legislation that pertains to  
16. U.S. EPA employees and I know of no organized opposition to this  
17. bill.

18. PRESIDENT:

19. Any discussion? Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. Mr. President and Ladies and Gentlemen of the Senate. I'm  
22. all for this bill. Just recently a young man is with a certain  
23. company and landfills who was with the EPA and believe me, if  
24. there isn't a conflict of interest there, I don't what is. I'm  
25. all for it and I support wholeheartedly.

26. PRESIDENT:

27. Further discussion? Senator Berning.

28. SENATOR BERNING:

29. Well, just a question of the sponsor. What is different  
30. about what you're addressing here and a legislator coming down  
31. as a representative of business, industry, labor or what is  
32. different in restricting employment here as opposed to our  
33. recent determination that by a hearing officer we mandate that

1. someone can go back into a job whether the job is there or not.  
2. It seems to me that we are getting into some areas here where  
3. the legislature just ought not to be sticking its nose and I  
4. don't see any reason that a person who is out of one area of  
5. activity should be prevented from participating in another.

6. PRESIDENT:

7. Further discussion? Senator Johns.

8. SENATOR JOHNS:

9. Just one word, Mr. President. I think legislation of this  
10. kind ought to cover more than just this field. I can remember  
11. under Governor Walker when our insurance...Director of Insurance  
12. quit after giving rate increases to the insurance industry and  
13. then went to work for the insurance industry. Same kind of deal.

14. PRESIDENT:

15. Is there any further discussion? Senator Demuzio may close.

16. SENATOR DEMUZIO:

17. Well, thank you, Mr. President. There's no intention on  
18. my part to deny anyone the opportunity to...to seek employment.  
19. The facts are that we've had many employees of the Environmental  
20. Protection Agency here in Illinois that have left that agency  
21. that went into work for private enterprise dealing with the same  
22. subject matter from whence they...they came and I think that it's  
23. only usual ordinary and...and actually natural that we would  
24. disallow them to have that fraternity type of relationship back  
25. with their own agency for a period of two years because the  
26. Federal Government, indeed, does it and to answer you, Senator  
27. Berning, to say what's the difference, there is no difference in  
28. the question that you answer and if you should put the bill in  
29. I'd be glad to support it. I would ask for your favorable  
30. consideration.

31. PRESIDENT:

32. The question is, shall Senate Bill 661 pass. Those in  
33. favor will vote Aye. Those opposed will vote Nay. The voting

1. is open. Have all voted who wish? Have all voted who wish?  
2. Take the record. On that question, the Ayes are 36, the Nays  
3. are 15, 3 Voting Present. Senate Bill 661 having received the  
4. constitutional majority is declared passed. Top of page 7.  
5. Senator D'Arco, 665. On the Order of Senate Bills, 3rd reading,  
6. Senate Bill 665. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 665.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. Thank you, Mr. President and my fellow Senators. What  
15. Senate Bill 665 does is to authorize community colleges to  
16. enter into labor agreements, which require employees who are not  
17. members of the labor organization to pay the organization a fee  
18. for its services in relation to their employment. There was a  
19. Supreme Court decision of Abood versus the Detroit Board of  
20. Education in which the Supreme Court upheld legislation  
21. authorizing fair share contract provisions, which do this thing  
22. that I have said. What happens is the union gets involved in  
23. a collective bargaining agreement with the Community College  
24. Board and it costs a great deal of money to non-union employees  
25. benefit from the arbitration agreement. They benefit from the  
26. ...grievance procedures. They can file a grievance just like  
27. anybody else. They take all the benefits of the arrangement  
28. between the union and the Community College Board for these  
29. collective bargaining agreements, but they don't contribute  
30. to the costs of these agreements and what this legislation is  
31. about is to say that they should pay an amount equivalent to  
32. the amount that a union employee pays in terms of union dues  
33. minus the contribution that the union may make for political or



1. ideological reasons. The Supreme Court said that you can't  
2. have them pay for that amount that the union contributes to  
3. political or ideological causes. I think it's a good bill. I  
4. would hope that you would think so.

5. PRESIDENT:

6. Any discussion? Senator DeAngelis.

7. SENATOR DeANGELIS:

8. Thank you, Mr. President. I always get a little concerned  
9. about a bill that has on the face of it an intent to do some-  
10. thing that's already permitted. The only conclusion that I  
11. can draw that it really permits to do more than what, in fact,  
12. it intends to do. This bill is cleverly written. Yesterday,  
13. we voted a tenure bill. It's totally unnecessary and as I told  
14. Senator D'Arco in committee, I think he's really trying to  
15. cover a pig with perfume. I wish...I urge opposition to this  
16. bill.

17. PRESIDENT:

18. Further discussion? Senator Keats.

19. SENATOR KEATS:

20. We just passed Senate Bill 147 that gives community college  
21. teachers tenure. I think it is rather questionable to say some-  
22. one who is covered by either tenure or Civil Service, it's virtually  
23. the same thing, to say to that individual that they must be  
24. forced, against their will, to pay a fee to an organization  
25. to keep their job. You have to remember, someone who is covered  
26. by what is equivalent to Civil Service can lose their job if  
27. this bill passes if they pay...pay to fail that...if they fail  
28. to pay that fee. I question if we would like to say to the Civil  
29. Service Code or the tenure laws that you can get bounced because  
30. you are not paying whatever a union demands of you.

31. PRESIDENT:

32. Further discussion? Senator Nimrod. Is there any further  
33. discussion? Senator D'Arco may close.

5/25/67  
M. J. ...  
5/25/67

1. SENATOR D'ARCO:

2. Well, I never...I...if this thing is a pig...what with  
3. perfume on it or something, that's beautiful...that's really  
4. great, but you're wrong. You're absolutely wrong because you're  
5. saying that they can do this now and this is a camouflage and  
6. that I really want to do something that is other than what the  
7. bill does, that's not true. They can't do it now. They need  
8. legislation to authorize the community board and the labor  
9. union to enter into this agreement. Without legislation the  
10. fair share contract provisions are invalid. That's what the  
11. Supreme Court said in the Abood case, so I'm not doing  
12. soemthing deceitful. I'm not trying to deceive anybody. You  
13. know what the bill does, as far as Senator Keats argument is  
14. concerned is...you know...if the legislation passes, the non-  
15. union employees should be required to pay a fee and if he  
16. doesn't pay a fee, I don't know what the repercussions would be,  
17. but it seems absurd to me to suggest that he's going to lose his  
18. job if this bill happens to pass. I move for the favorable vote.

19. PRESIDENT:

20. The question is, shall Senate Bill 665 pass. Those in favor  
21. will vote Aye. Those opposed will vote Nay. The voting is  
22. open. Have all voted who wish? Have all voted who wish? Have  
23. all voted who wish? Take the record. On that question, the  
24. Ayes are 27, the Nays are 23, 1 Voting Present. Senate Bill 665  
25. having failed to receive a constitutional majority is declared  
26. lost. 667, Senator Vadalabene. On the Order of Senate Bills,  
27. 3rd reading, Senate Bill 667. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 667.  
30. (Secretary reads title of bill)  
31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Vadalabene.

1. SENATOR VADALABENE:

2.           The purpose of Senate Bill 667 is to obtain for downstate  
3. civic centers a portion of the Race Track Fund revenues produced  
4. by their communities for the same uses and purposes that the  
5. legislature has given such funds to McCormick Place in Chicago.  
6. Currently, the downstate availability of funds from the Horse  
7. Racing Privilege Tax is estimated to be 24.7 million and unlike  
8. the funds given to McCormick Place the downstate convention  
9. centers would have to establish that they have an actual  
10. operating deficit before receiving any part of the subject funds,  
11. whereas, McCormick Place receives its funds regardless of whether  
12. or not it has any deficit. We all recognize that these downstate  
13. centers will produce a substantial amount of Sales Tax Revenue  
14. which benefits will not accrue...which benefits will accrue to  
15. them and eighty percent of these revenues will...will be received  
16. by the State of Illinois and should, in part, be returned to the  
17. public bodies, which generate them. All of this can be done within  
18. this funding mechanism without, in any way, jeopardizing the  
19. existing program of retiring debt or harmful potential use and I  
20. would appreciate a favorable vote.

21. PRESIDENT:

22.           Is there any discussion? Senator Mitchler.

23. SENATOR MITCHLER:

24.           Well, I think we ought to take a good look at this, Mr.  
25. President and members of the Senate. What we're sitting up here  
26. for the six existing civic centers is a separate fund whereby  
27. they can make an application and we pick up seventy-five percent  
28. ...up to seventy-five percent of their deficit operating expenses.  
29. Now, some of these aren't even built yet and they came down  
30. there and this is nothing but pork barrel. I know we've got a  
31. civic center in Aurora and I'm talking against it because in the  
32. original bill they could have gone up to about four hundred and  
33. eighty thousand dollars. Now, I understand from some of them that

1. that has been reduced by an amendment instead of the 3.5 million  
2. dollars it's now about 2 million dollars...a total. They've  
3. whittled it down a little bit, but I passed out this sheet to  
4. show you in the far right corner that each of the authorities  
5. original estimate of the total budget for their operation after  
6. five years would be and look at Aurora there, three hundred and  
7. twenty-five thousand six hundred dollars and already they got  
8. a hundred and fifty thousand dollar deficit operating expense for  
9. this year and it will probably be up to about three hundred  
10. thousand dollars. Now, in Aurora it only costs three hundred  
11. and sixty thousand dollars to operate...

12. PRESIDENT:

13. You're going to have to conclude your remarks, Senator.  
14. Your time has expired.

15. SENATOR MITCHLER:

16. ...to operate the RTA busses they run there. Now, this  
17. is setting a bad precedence...

18. PRESIDENT:

19. Further discussion? Senator Davidson.

20. SENATOR DAVIDSON:

21. Mr. President and members of the Senate. I rise in support  
22. of this bill. Now, this bill has been amended where there is a two  
23. million dollar limit that went into the fund. Most importantly,  
24. it's seventy-five percent of any actual deficit and then there's  
25. a further lid that the most any...the most any authority could  
26. ever get would be the five times the deficit of any one year and  
27. that's a total amount of money and this just came about because  
28. of the delay in the former Governor Walker impounding the interest  
29. money off of the bonds that had gone to the authorities in the  
30. first place. It caused a year and a half delay in the construction  
31. costs here. We're only asking for a deficit. We're only asking  
32. for a fair share. It comes out of the Race Track Fund and out of  
33. the Cigarette Tax Fund and I'd appreciate a favorable roll.

1. PRESIDENT:

2. Any...further discussion? Senator Bloom.

3. SENATOR BLOOM:

4. Briefly, Mr. President and fellow Senators. I rise in  
5. opposition. This is a terrible concept. Right now there are  
6. six that are going including mine. Even...even my mayor finally  
7. wrote me and backed off and said that he would not be pushing  
8. this. These things aren't built. In Peoria, we've set up,  
9. unfortunately, something with no accountability and what will  
10. happen is that we'll have a bunch of gold-plated white elephants  
11. around the State and year after year they'll be coming back in  
12. for operating deficits in the name of something abstract like  
13. civic pride. I think we owe it to the taxpayers not to encourage  
14. this. Let them get a bill and let them have some experience  
15. before they start coming down here with an empty cup. Thank you.

16. PRESIDENT:

17. Further discussion? Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President and Ladies and Gentlemen of the  
20. Senate. I rise in support of this concept for several reasons,  
21. not the least of which is Senator Sam is now standing on his  
22. platform, which means to me that this is one of his biggies.  
23. It's a first time that Mike has arisen in about fifteen years.  
24. The...the usage of language by both Senators Mitchler and Bloom  
25. would also give me reason alone to be supportive of the legislation,  
26. but what is most important is the way this bill has been amended  
27. by working with the sponsor to make use of some twenty-four million  
28. dollars that is, otherwise, sitting idly that is used for these  
29. types of projects. The money has been earmarked an original  
30. concept, basically, for McCormick Place originally and there's  
31. now twenty-four million sitting in the fund. This would allow  
32. the downstate civic centers into the utilization of that monies,  
33. a concept to which I totally agree. The money is there. It's

1. useful for this purpose. It was intended for this type of  
2. purpose and I think we should all be supportive of these type  
3. of centers throughout the State. I would urge support.

4. PRESIDENT:

5. Any further discussion? Senator Vadalabene may close the  
6. debate.

7. SENATOR VADALABENE:

8. Yes, thank you. Just briefly, let me say this. That we're  
9. all proud of our Capitol City of Springfield, Illinois and all  
10. of us in Springfield, all of us legislators should be proud that  
11. we are going to have something here in Springfield that will  
12. attract people from all over the country. Now, if Peoria  
13. doesn't want any of this funding and if...Aurora doesn't want  
14. any of this funding, they don't have to take it. They don't  
15. have to take it, but let's keep Springfield on the map. Let's  
16. have people say I'll see you in Springfield and I'll appreciate  
17. a favorable vote.

18. PRESIDENT:

19. The question is, shall Senate Bill 667 pass. Those in favor  
20. will vote Aye. Those opposed will vote Nay. The voting is  
21. open. Have all voted who wish? Have all voted who wish? Take  
22. the record. On that question, the Ayes are 32, the Nays are 19,  
23. 1 Voting Present. Senate Bill 667 having received the  
24. constitutional majority is declared passed. Senator Lemke having  
25. voted on the prevailing side moves to reconsider...Senator  
26. Mitchler, for what purpose do you arise?

27. SENATOR MITCHLER:

28. A verification of the affirmative votes.

29. PRESIDENT:

30. Senator Mitchler has requested a verification. Will all  
31. the members please be in their seats. The Secretary will read  
32. the affirmative votes.

33. SECRETARY:

1. The following voted in the affirmative: Berman, Bruce,
2. Buzbee, Carroll, Chew, Coffey, Collins, D'Arco, Daley, Davidson,
3. Demuzio, Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah
4. Joyce, Jerome Joyce, Knuppel, Lemke, Martin, McLendon, Merlo,
5. Nedza, Newhouse, Rupp, Savickas, Shapiro, Vadalabene, Washington,
6. Wooten, Mr. President.
7. PRESIDENT:
8. Senator Mitchler, do you question anyone...
9. SENATOR MITCHLER:
10. Senator Daley.
11. PRESIDENT:
12. Senator Daley is on the Floor.
13. SENATOR MITCHLER:
14. Senator Knuppel.
15. PRESIDENT:
16. Senator Knuppel. Is Senator Knuppel on the Floor? Is
17. Senator Knuppel on the Floor? Strike his name, Mr. Secretary.
18. SENATOR MITCHLER:
19. Senator Gitz.
20. PRESIDENT:
21. Is Senator Gitz on the Floor? Senator Gitz is on the Floor.
22. SENATOR MITCHLER:
23. Senator Vadalabene.
24. PRESIDENT:
25. Senator Vadalabene is on his soapbox. The roll has been
26. verified. The Ayes are 31, the Nays are 19, 1 Voting Present.
27. Senate Bill 667 having received the constitutional majority is
28. declared passed. Senator Lemke having voted on the prevailing
29. side moves to reconsider the vote by which Senate Bill 667 is
30. declared passed. Senator Johns moves to have that motion lie
31. upon the Table. All in favor signify by saying Aye. All
32. opposed. The Ayes have it. So ordered. Senator Maragos, for
33. what purpose do you arise?

1. SENATOR MARAGOS:  
2. Inadvertently I was called to the phone. I didn't get  
3. a chance. I would have voted Yes if I was at my switch at the  
4. time on 667...  
5. PRESIDENT:  
6. The record will so indicate. On the Order of Senate Bills,  
7. 3rd reading, Senate Bill 669. Read the bill, Mr. Secretary.  
8. SECRETARY:  
9. Senate Bill 669.  
10. (Secretary reads title of bill)  
11. 3rd reading of the bill.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Egan.  
14. SENATOR EGAN:  
15. Thank you, Mr. President and members of the Senate. This  
16. is the annual appropriation for the commission. I ask for your  
17. favorable vote.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Is there discussion? Senator Philip.  
20. SENATOR PHILIP:  
21. A question of the sponsor.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. He indicates he will yield. Senator Philip.  
24. SENATOR PHILIP:  
25. What's the increase over last year's, Senator?  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Senator Egan.  
28. SENATOR PHILIP:  
29. And how much...  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Senator Egan.  
32. SENATOR EGAN:  
33. Eighty-five thousand.



1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Philip. Senator Philip.  
3. SENATOR PHILIP:  
4. Yes.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. You're on. Do you have another question?  
7. SENATOR PHILIP:  
8. Yeah. I...I just want to know, what's the percent of  
9. increase it is and what's the budget last year versus this  
10. year?  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Egan.  
13. SENATOR EGAN:  
14. Well, we have a deficiency bill in...in the House on  
15. 3rd reading. When you add that to the old budget, this is  
16. about an eighty percent increase.  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Philip.  
19. SENATOR PHILIP:  
20. Just out of curiosity how do you justify an eighty percent  
21. increase?  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Egan.  
24. SENATOR EGAN:  
25. All right. I...that's a fair question and I...and I would  
26. like to tell you. I didn't want to take a lot of time but, the  
27. actuaries that have been working on the Pension Laws Commission  
28. since 1945 have been so tremendously underpaid that it came to  
29. the attention of the commission that we ought to pay them what  
30. they're worth, for a change and now we're going to have to pay  
31. their way. That's the reason for it, Senator. I...unfortunately,  
32. those are the facts. They've been working for nothing for years  
33. and I don't think that's right.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Philip.

3. SENATOR PHILIP:

4. You know, Senator, I certainly agree with that. I'd like  
5. to know what they were making in the previous years and what  
6. you intend to give them now?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Well, they were submitting a bill for a thousand dollars  
11. a month. I intend now to, at least, increase that by eighty  
12. percent.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Philip.

15. SENATOR PHILIP:

16. Just out of curiosity, is it a full time job? They work  
17. only for the commission?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Egan.

20. SENATOR EGAN:

21. Well, in the past that has not been so, but it is now.  
22. We've hired a full time actuary. The work is absolutely  
23. staggering. Ask Senator Berning. He...he goes to the meetings.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Philip. Is there further discussion? Senator Berning.

26. SENATOR BERNING:

27. Yes, Mr. President and members of the Senate. If you have  
28. just a moment to look at the digest or to look at the bills in  
29. front of us, you get some understanding of what the work load is.  
30. We demand...depend heavily on the actuaries. Our former  
31. actuarial advisor is no longer available to us and we have had  
32. to go to a full time staff actuary. There is no additional  
33. help in the office. We still...only have two girls running

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1. the office, so that the increase is justified, in my opinion, and  
2. if it is not all spent, of course, we will carefully...guide it  
3. and lapse it, but at this time it would appear that we do need  
4. this and I would urge a...favorable vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. (Machine cutoff) discussion? Senator Egan may close.

7. SENATOR EGAN:

8. I ask for your vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 669 pass. Those in favor  
11. vote Aye. Those opposed vote Nay. The voting is open. Have  
12. all voted who wish? Have all voted who wish? Take the record.  
13. On that question, the Ayes are 46, the Nays are 10, none Voting  
14. Present. Senate Bill 669 having received the required  
15. constitutional majority is declared passed. Senate Bill 689,  
16. Senator D'Arco. Senator D'Arco. Read the bill, Mr. Secretary,  
17. please.

18. SECRETARY:

19. Senate Bill 689.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. Thank you, Mr. President. The synopsis does not adequately  
26. indicate what the bill does. Now, the bill only pertains to  
27. optometric services and it says that the insurance company must  
28. give the subscriber a notice that he may, if he so desires, as  
29. well as an optometrist...I mean, as well as an ophthalmologist, he  
30. could get the same services from an optometrist. The Illinois  
31. Medical...Society is in favor of the bill and I know of no  
32. objection to it.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Grotberg.

2. SENATOR GROTBORG:

3. Yes, I think it's about time this situation was addressed.

4. Have you ever tried to buy glasses from an ophthalmologist. It

5. takes you two years to get an appointment and three times the

6. services that it takes to get your best service from an...

7. optometrist who often discovers what's wrong with your eyes.

8. He can always refer you, which they do, to the more medically

9. oriented ophthalmologist. We need them both in this Act. This

10. does it. I recommend an Aye vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator D'Arco may close.

13. SENATOR D'ARCO:

14. I ask for a favorable vote.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall Senate Bill 689 pass. Those in

17. favor vote Aye. Those opposed vote Nay. The voting is open.

18. Have all voted who wish? Have all voted who wish? Take the

19. record. On that question, the Ayes are 56, the Nays are none,

20. none Voting Present. Senate Bill 689 having received the

21. required...On that question, the Ayes are 57, the Nays are none,

22. none Voting Present. Senate Bill 689 having received the

23. required constitutional majority is declared passed. Senate

24. Bill 708, Senator Sommer. Read the bill, Mr. Secretary, please.

25. May we have some order, Ladies and Gentlemen? Read the bill,

26. Mr. Secretary.

27. ACTING SECRETARY: (MR. FERNANDES)

28. ...Senate Bill 708.

29. (Acting Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Sommer.

33. SENATOR SOMMER:

1. Mr. President and members, this Act...this bill represents  
2. an agreement between the medical providers and the State Depart-  
3. ment of Registration and Education. Currently, people who have  
4. these controlled substance numbers pay ten dollars a year.  
5. There are fourteen thousand of them and it's an absolute mess.  
6. This allows them to pay one time when they first get into the  
7. business of providing health care and that takes care of it. It  
8. saves us money. It saves them problems and it is an agreed bill.  
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? Senator Walsh. Further  
11. discussion? The question is, shall Senate Bill 708 pass. Those  
12. in favor 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 53, the Nays are none,  
15. none Voting Present. Senate Bill 708 having received the required  
16. constitutional majority is declared passed. Senate Bill 723,  
17. Senator Demuzio. Read the bill, Mr. Secretary, please.

18. ACTING SECRETARY: (MR. FERNANDES)

19. Senate Bill 723.

20. (Acting Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. Yes, thank you, Mr. President and Ladies and Gentlemen of  
26. the Senate. Senate Bill 723 was originally on the Agreed Bill  
27. list. It was an easement bill. I took it off the Agreed Bill  
28. list because, indeed, there was an agreement that the University  
29. of Illinois wished to put on that bill to convey three acres  
30. of land to John Wood Community College for the Ag Research  
31. Center in west central Illinois and that's precisely what the  
32. bill does and I would ask for a...a favorable support.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is, shall Senate Bill  
2. 723 pass. Those in favor vote Aye. Those opposed vote Nay.  
3. The voting is open. Have all voted who wish? Have all voted  
4. who wish? Take the record. On that question, the Ayes are  
5. 57, the Nays are none, none Voting Present. Senate Bill 723  
6. having received the required constitutional majority is declared  
7. passed. Senate Bill 724, Senator Carroll. Read the bill, Mr.  
8. Secretary.  
9. ACTING SECRETARY: (MR. FERNANDES)  
10. Senate Bill 724.  
11. (Acting Secretary reads title of bill)  
12. 3rd reading of the bill.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator Carroll.  
15. SENATOR CARROLL:  
16. Thank you, Mr. President and Ladies and Gentlemen of the  
17. Senate. This bill would allow the savings and loans of this  
18. State to provide the type of...mortgage payments whereby during  
19. the first fourth of a mortgage the payments can be reduced by  
20. the person taking out the loan and then picked up in the last  
21. three-fourths of the mortgage. The purpose of this is to allow  
22. basically, the younger families who are seeking to buy homes  
23. but they do not have the financial wherewithal to meet the  
24. mortgage payments in the beginning years but who know or feel  
25. that their income will go up substantially in future years to  
26. allow them to buy now...buy these homes and get a mortgage at  
27. a set interest rate. There's no variable within the interest  
28. rate. The only thing it provides is you defer some of the  
29. payments in the early years and pick them up again in the later  
30. years by having a schedule that has lesser payments the first  
31. fourth of the mortgage and higher payments the last three-  
32. fourths of the mortgage. This has been used very successfully  
33. in other states in allowing again, mainly, first time home buyers

1. the opportunity to buy housing...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Time, Senator.

4. SENATOR CARROLL:

5. ...and...and do so in a reasonable manner. I would answer

6. any questions and ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Maragos.

9. SENATOR MARAGOS:

10. Senator Carroll, this is permissive, is it not?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Carroll.

13. SENATOR MARAGOS:

14. It's a very good bill.

15. SENATOR CARROLL:

16. Yes, it is and it is a good bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Weaver.

19. SENATOR WEAVER:

20. Thank you, Mr. President. I think, in effect, what this

21. may tend to do, Senator Carroll, is to dry up the ninety-five

22. percent money and thus making it more difficult for younger

23. families to come up with the downpayment. I can appreciate

24. what you're trying to do, but I think it may backfire on you.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Okay. Senator Keats.

27. SENATOR KEATS:

28. Mr. President, will the sponsor yield?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. He indicates he will yield. Senator Keats.

31. SENATOR KEATS:

32. Is...would...would a bank be allowed to make this same

33. type of mortgage?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. No, Senator Keats, this is an amendment to the Illinois  
5. Savings and Loan Act, specifically.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Keats.

8. SENATOR KEATS:

9. Okay. So only a savings and loan will be allowed to do  
10. it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Carroll.

13. SENATOR CARROLL:

14. That's a different question. I don't know what's in the  
15. Banking Act or the Credit Union Act as to this type of loan.  
16. It's my understanding, in fact, from the credit unions that they  
17. could, in fact, make these type of mortgages under their current  
18. Act. I don't know about banks. This is an amendment to the  
19. Savings and Loan Act because it was felt they needed the  
20. specific statutory language to allow them to do this.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Keats.

23. SENATOR KEATS:

24. Okay, with that I would say I would certainly like to  
25. see it extended to, of course, all financial institutions. It's  
26. a good idea and even though I have a distinct conflict of  
27. interest it would probably make me vote against the bill and  
28. I'm voting for it anyway. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator...Senator Carroll may close.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of the  
33. Senate. As to Senator Keats' question, if we find that the banks



1. do not have this power now, I would be amenable to having it  
2. amended in the House to add that power. I think it should be  
3. offered to all. As to Senator Weaver, he and I have discussed  
4. this before. I don't...I'm not so sure that it will backfire,  
5. Senator Weaver. I hope it would not have that effect. I hope  
6. it would allow more people access. You may be right. It may  
7. dry up some of the ninety-five percent mortgages. I don't know  
8. that it will do that. I haven't heard that from savings and  
9. loans, although it might have that effect. They seem to say  
10. that it will actually make more money available, especially,  
11. to first time home buyers who would probably go in for that  
12. ninety-five percent money and maybe work both of these if they  
13. could. I would ask for a favorable roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is, shall Senate Bill 724 pass. Those in  
16. favor vote Aye. Those opposed vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Take the  
18. record. On that question, the Ayes are 49, the Nays are 4, 2  
19. Voting Present. Senate Bill 724 having received the required  
20. constitutional majority is declared passed. Senate Bill 730,  
21. Senator Egan. Read the bill, Mr. Secretary and can we clear the  
22. area. Senator Egan is...has legislation. Read the bill, Mr.  
23. Secretary, please.

24. ACTING SECRETARY: (MR. FERNANDES)

25. Senate Bill 730.

26. (Acting 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 and members of the Senate. Senate  
32. Bill 730 is for the Medical Society. They sent down a pretty  
33. nurse and a doctor who are specialists in emergency room care and

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1. the witnesses were totally convincing that they do, in fact,  
2. have a dangerous job in...in an emergency room. What this bill  
3. does is increase the penalty to aggravated battery...any assault  
4. on employees or agents serving in emergency room facilities.  
5. It's simply that and nothing more and I ask for your support.  
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is, shall Senate Bill  
8. 730 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. 57, the Nays are none, none Voting Present. Senate Bill 730  
12. having received the required constitutional majority is declared  
13. passed. Senate Bill 745, Senator Washington. Read the bill,  
14. Mr. Secretary, please.

15. ACTING SECRETARY: (MR. FERNANDES)  
16. Senate Bill 745.

17. (Acting Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Senator Washington.

21. SENATOR WASHINGTON:

22. Mr. President and members of the Senate. Senate Bill 745  
23. is strictly a stimulus, to small business and I emphasize small  
24. business. It provides that three agencies, the Capital Develop-  
25. ment Board, the Department of Transportation and the General...  
26. Administration Services Department shall prebid and through  
27. competitive bidding permit small business, which is defined in  
28. the Act, to limit that bidding to certain small businessmen.  
29. There are adequate safeguards in the Act and the whole point, as  
30. I said before, and if there are questions I will answer them, but  
31. the...the whole purpose of the Act is to stimulate small business  
32. in the State of Illinois. It is clear that under the present  
33. bidding situation, small business simply cannot compete on the

1. level with some larger businesses. Yet and still they can  
2. perform with the same efficiency level as certain large  
3. businesses. We cannot afford to have those small business  
4. concerns and the institution they represent eroded in this  
5. State. We've got to do something. This is an...an approach  
6. which I think is fair, which has been tried in many, many  
7. states and which I think will work. If there are any questions  
8. I'll be glad to answer them. I think there is substantial  
9. agreement with this bill and I ask for your support.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Mr. President and Ladies and Gentlemen of the Senate.  
14. I wholeheartedly support this bill because the small businessmen  
15. in America is the vanishing American and my small business people  
16. are clamoring for some help and I think we need this kind of  
17. help and I support the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Keats.

20. SENATOR KEATS:

21. Thank you, Mr. President and Ladies and Gentlemen of the  
22. Senate. In the Labor and Commerce Committee I did vote for  
23. this bill when bringing it to the Floor, so it did not come out  
24. on a partisan roll call, but...as looking at it, I like the  
25. concept. It is not a bad idea. The bill has a lot of pluses,  
26. but there are about four points we have to think about. The  
27. problem is not the idea. It probably should not be in the  
28. Capital Development Board Act. It probably should be in the  
29. Small Business Act, is one thing, but there are three other  
30. serious problems involved. Now, some of the provisions require  
31. a signed certificate of...of completion before any payment has  
32. been made, so now this conflicts with the CDB thing. I think we  
33. can probably override it, but you need a signed certificate to get

1. some of the money. Two, there's no limit on the amount of  
2. money which can be advanced, depending on the small business  
3. and depending upon what kind of friends they have, they could,  
4. maybe, get more advance than some others and third, the advance  
5. payment removes the leverage for completion of the job. I'll  
6. tell you a two second story and you'll understand. The  
7. University of Illinois Replacement Hospital up in Chicago...  
8. there were a large number of small...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Time.

11. SENATOR KEATS:

12. ...subcontractors...I just want to finish my...brought in  
13. who, while their intentions were good, do to lack of the capital  
14. assets couldn't get it done, got some money in advance and we  
15. have no leverage to get them to finish and that U of I hospital  
16. is a mess over that right now.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Just...just for the edification of the members, I will try  
19. to call time on every Senator. If I don't hear objection, it  
20. is not my obligation to cut off a Senator, I'll just alert you  
21. that your time has expired. Further discussion on Senate Bill  
22. 745? Senator Washington may close.

23. SENATOR WASHINGTON:

24. Just to respond briefly to Senator Keats. His questions  
25. which are cogent. One, there are safeguards for the State  
26. throughout the entire Act. They must be prequalified. They must  
27. be carefully screened. There must be bidding. The advanced  
28. payment is limited. There is a prime interest rate on such a  
29. limit. There are methods for liquidating that advance. I think  
30. that the State is adequately safeguarded. There will not be,  
31. I assure you, Senator Keats, of the tightness of this Act, any  
32. proliferation of unqualified small businessmen working on our  
33. State projects. It just can't happen under this Act. Nothing is

1. deleted. Certification is implicit in the Act and the various  
2. agencies can demand it upon completion of the work. This is  
3. a stimulus for small business. I think the safeguards, if any-  
4. thing, are overdrawn. I think it's a good bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is, shall Senate Bill 745 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? Take the  
9. record. On that question, the Ayes are 47, the Nays are 5,  
10. 2 Voting Present. Senate Bill 745 having received the required  
11. constitutional majority is declared passed. Senate Bill 746,  
12. Senator Washington. Read the bill, Mr. Secretary, please.

13. ACTING SECRETARY: (MR. FERNANDES)

14. Senate Bill 746.

15. (Acting Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Washington.

19. SENATOR WASHINGTON:

20. The bill is very simple. It's described in the digest.  
21. It prohibits the expending of appropriated funds in violation  
22. of the Rules and Regulations of the Illinois Fair Employment  
23. Practice Act. It provides for no expenditure of money whatsoever  
24. by the State. It is not selfexecuting. The only conceivable  
25. way it could be enforced is through the State. This is an  
26. adequate safeguard to the block and sometimes in the administrative  
27. procedure to enforcing rights. This is a good bill. It came  
28. out of the Committee on Labor with a unanimous vote. I ask for  
29. your support.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Keats. Is there discussion? Senator Keats.

32. SENATOR KEATS:

33. In Labor and Commerce when we heard this bill, the bill did

1. come out unanimously. It was not a partisan roll call and  
2. I intend to support the legislation.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. The question...is there further discussion? The question  
5. is, shall Senate Bill 746 pass. Those in favor vote Aye.  
6. Those opposed vote Nay. The voting is open. Have all voted who  
7. wish? Have all voted who wish? Take the record. On that question,  
8. the Ayes are 51, the Nays are 3, none Voting Present. Senate  
9. Bill 748 having received the required constitutional majority  
10. is declared passed...7...a roll call on that was on Senate  
11. Bill 746. Senate Bill 748, Senator Washington. For what  
12. purpose does Senator Washington arise?  
13. SENATOR WASHINGTON:  
14. ...  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. That's all right. Senator Washington.  
17. SENATOR WASHINGTON:  
18. May we go to 750 and then come back to 748.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Is there leave for that procedure? Leave is granted. 750.  
21. Read the bill, Mr. Secretary, please.  
22. ACTING SECRETARY: (MR. FERNANDES)  
23. Senate Bill 750.  
24. (Acting Secretary reads title of bill)  
25. 3rd reading of the bill.  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Senator Washington.  
28. SENATOR WASHINGTON:  
29. 750 is also more than adequately described in the digest.  
30. It simply provides or does not prohibit the practice of beauty  
31. culture by an applicant who has met all registration requirements  
32. of the Act until applications was drawn or six months...passed.  
33. The R and E supports this bill. As a matter of fact, they drafted

1. it. They felt that is was simply no reason for a person who  
2. had taken an examination, it was being processed, had met all  
3. of the requirements not to enter into the field. If the results  
4. of the tests indicated that they had not passed them, of course,  
5. they must cease and desist. It's something that will loosen  
6. up the tight administration of that agency so that people can  
7. get to work as quickly as possible, but there are adequate safe-  
8. guards and that's why they support it and as I do.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? Senator Shapiro.

11. SENATOR SHAPIRO:

12. Will the sponsor yield to a question?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. He indicates he will yield. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Senator Washington, don't most of the licensed activities  
17. in the State, the various professions and groups, individuals  
18. that are licensed have this same problem. In other words, I  
19. know that when you took the bar exam, months went past before  
20. you got your license and you couldn't. I know that when I took the  
21. State Board of Dental Examiners examination I took it in May,  
22. it was August before I got my license. I could not practice  
23. until I got it. I...I'm just wondering if we're not setting a  
24. bad precedent here, even though I am sympathetic to the lag of  
25. time. I think that we should be able to...to go out and practice  
26. for...for the occupations for which we are licensed much sooner  
27. than we do, but I just wonder about it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Washington.

30. SENATOR WASHINGTON:

31. As a general proposition I will support you. Some of the  
32. disciplines you named, I...I would agree with you there should  
33. be a rigid refusal to enter until there's been an absolute

1. assurance that they've met all educational and testing  
2. requirements. Some areas, for example, in the nursing field  
3. they do not require it, Senator Shapiro. It is felt that it  
4. is needed. In...in the beauty culture...field, certainly, a...a  
5. degree of training is necessary, but in order to get to the  
6. exam they've got to display some other things, such as a  
7. diploma, et cetera and so forth and it is felt based upon the  
8. wisdom of the administrators of...of R and E that in this area  
9. it would be very safe to permit them to practice under those  
10. limited circumstances and in...and usually most of them pass  
11. anyway. I don't think the dropout rate is very high. Your  
12. basic proposition is good, but I think if we apply it rigidly we  
13. would do some harm to some hardworking people and therefore, I  
14. support this bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Hall.

17. SENATOR HALL:

18. Senator Shapiro, in answer to your question, I have a lady  
19. in my area who purchased a place...that's where she was going  
20. to have her beauty parlor, it has to meet certain specifications.  
21. It has to meet certain plumbing. Her rent is going on while  
22. this is being done and she...and then when she completes the  
23. examination or whoever it is, when the examination is completed  
24. that while they're waiting for all this they have expenses  
25. running on and so you can see that there's an additional expense  
26. going on and where you have...even if you are qualified and you  
27. don't have your license yet, that this just speeds up the time...  
28. as I read in this bill. They add the expense to people who have  
29. qualified and yet have not received their license to do it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is...further discussion? Senator Washington may close.

32. SENATOR WASHINGTON:

33. Yes, Senator Hall's explanation is more than adequate. I



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3rd Reading  
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1. ask for your support.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall Senate Bill 750 pass. Those in  
4. favor vote Aye. Those opposed vote Nay. The voting is open.  
5. Have all voted who wish? Have all voted who wish? Take the  
6. record. On that question, the Ayes are 38, the Nays are 10,  
7. 8 Voting Present. Senate Bill 750 having received the required  
8. constitutional majority is declared passed. Senate Bill 748.  
9. Read the bill, Mr. Secretary, please.

10. ACTING SECRETARY: (MR. FERNANDES)

11. Senate Bill 748.

12. (Acting Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Washington.

16. SENATOR WASHINGTON:

17. The...the maximum finance charges in the State of Illinois  
18. for...under the Retail Installment Act and the Motor...Vehicle  
19. Retailer's Installment Act...our finance charges in this State  
20. are higher than forty-seven other states in the Union. The net  
21. result is that you get into a regular cycle. There is an over-  
22. charge in terms of financial rates. There's a default. There's  
23. a repossession and in some cases an additional debt placed upon  
24. that element in our society, which can least afford it. Clearly  
25. the rates are too high and all this bill does is designed to  
26. reduce those rates from an overall yearly percentage of thirty-  
27. two percent down to twenty percent. If you go through the various  
28. categories in the...the Retail Installment Sales Act and the  
29. Motor Vehicle Sales Act we have reduced those charges...those  
30. financial charges per month from about six rather from about sixteen  
31. percent down to about eleven percent and categorically on down  
32. the line. The net result is this will not do substantial harm  
33. to any business...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Time.

3. SENATOR WASHINGTON:

4. ...What it will do, in effect, is...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further...is there discussion? Senator Keats.

7. SENATOR KEATS:

8. Thank you, Mr. President and Ladies and Gentlemen of the  
9. Senate. As minority spokesman on Labor and Commerce, we dealt  
10. with this bill and this is another example...the bill is well  
11. intentioned, but there are a couple of things I should mention.  
12. The rates in Illinois, for consumer credit, are higher than in  
13. other states and that higher credit rates have led to greater  
14. consumer loans being available. With higher rates we've had more  
15. consumer credit and you'll find in Illinois we have probably more  
16. consumer credit than most other states. Okay. Now, remember  
17. we're basically talking only about consumer credit. We're not  
18. talking about mortgage money or things like that. We're talking  
19. about smaller retail consumer credit and so you're talking about  
20. shorter term loans on smaller items. So there's a couple thoughts  
21. to keep in mind. This is consumer. The people borrowing in  
22. these areas are, by and large, a higher risk. Your average  
23. institution...financial institution is very touchy about making  
24. these loans. That is why it's a secondary group making the  
25. loans. It's a secondary financial market. A great deal of the money  
26. in the secondary financial market is borrowed money...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Time.

29. SENATOR KEATS:

30. They don't...Okay. They don't have that money up front.  
31. They're borrowing, so their margin is hit right there 'cause part  
32. of it is borrowed money and they're lending in a higher risk  
33. market than would the normal financial institution, so if we

1. lower the interest rate...what we're saying is, there is not  
2. the spread for this secondary financial market and they will  
3. probably be less able and less willing to make the riskier...  
4. loans. Remember these loans are the ones being made to  
5. individuals who have a harder time getting them at the regularly  
6. established financial markets.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Bowers.

9. SENATOR BOWERS:

10. Well, Mr. President, I would just like to rise in opposition  
11. and suggest to Senator Washington that I don't see a quicker way  
12. than to dry...to dry up this kind of a market than to do what  
13. you're doing here. Most banks can make anywhere from twelve to  
14. fourteen percent in commercial loans, they don't have the monthly  
15. payment problem, the overhead is much less and a lot of banks  
16. in my area are already going out of this type of business,  
17. simply because they can make more money elsewhere. This is  
18. a poor time to try this, simply because as other interest  
19. rates are going up, you're going to have to, at least, leave  
20. these alone and I'm positive this is going to totally dry up  
21. that market and I would certainly urge a No vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator DeAngelis.

24. SENATOR DeANGELIS:

25. Thank you, Mr. President. I would like to remind Senator  
26. Washington and again I think that the intention is there, is  
27. the fact that there are two difficulties with this. One is that  
28. any fixed rate in which the cost of money is not fixed, regardless  
29. of where you fix it, is not a very good rate. The second thing  
30. is, and perhaps, this consumer awareness might...might help out  
31. your problem is that there are other methods of financing retail  
32. ...retail credit other than using the retail outlet itself.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Egan.

2. SENATOR EGAN:

3. Thank you, Mr. President and members of the Senate. I just

4. wanted to echo what Senator Bowers said. I...the bill, I'm

5. sure is well intentioned and...but totally counterproductive.

6. I just wanted to say that Senator Bowers, I think, made all the

7. ...the point that the fact is, what you're doing here is making

8. it more difficult to get loans for people that need them the

9. most.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Washington may close.

12. SENATOR WASHINGTON:

13. Well, I disagree very drastically with the three previous

14. Gentlemen. By what stretch of logic do you say that by increasing

15. rates you stimulate business? I thought the Adam Smith concept

16. of competition was just the opposite if you lower the rates you

17. will induce more customers to come in and buy. Forty-seven other

18. states take that opinion. They haven't lost any business. I think

19. the issue is clearly drawn. There's no point in drawing it out.

20. I think it's a good bill and that we need some relief for those

21. consumers...that mass of people who need credit, but are simply

22. overcharged, as can be determined by the default and repossession

23. rates in this State. Thank you.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall Senate Bill 748 pass. Those in favor

26. vote Aye. Those opposed vote Nay. The voting is open. Have all

27. voted who wish? Have all voted who wish? Take the record. On

28. that question, the Ayes are 24, the Nays are 30, none Voting

29. Present. Senate Bill 748 having failed to received the required

30. constitutional is declared lost. Senate Bill 751, Senator Egan.

31. Read the bill, Mr. Secretary, please.

32. SECRETARY:

33. Senate Bill 751.

1. (Secretary reads title of bill)  
2. 3rd reading of the bill.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Senator Egan. May we have some order, please. Gentlemen,  
5. can we break up the caucus in front of Senator Egan's desk? In  
6. front, Senator, there we go. Senator Egan.  
7. SENATOR EGAN:  
8. Thank you, Mr. President and members of the Senate. This  
9. bill...Senate Bill 751...modifies the Criminal Code in the  
10. section dealing with...with aggravated kidnapping for ransom,  
11. yet broadens the crime that was placed into the Class X  
12. category for ransom to aggravated kidnapping entirely and it  
13. has the...it's been studied by the Criminal Sentencing Commission.  
14. They worked very diligently and long on the bill and...and I  
15. think that it merits your support.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Is there discussion?  
18.  
19. (END OF REEL)  
20.  
21.  
22.  
23.  
24.  
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33.

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1.  
2. Have all voted who wish? Have all voted who wish?  
3. Senator Jeremiah Joyce, would you vote at the seat your...  
4. thank you, Senator. Take the record. On that question,  
5. the Ayes are 55, the Nays are 2. None voting Present. Senate  
6. Bill 751, having received the required constitutional majority,  
7. is declared passed. Senate Bill 752, Senator McMillan. Read  
8. the bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 752.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator McMillan.

15. SENATOR McMILLAN:

16. Mr. President, members of the Senate. In nineteen  
17. seventy-seven, we passed a Farmland Assessment Law, which  
18. provided for a new means of providing for a more equitable  
19. assessment of farm land. In about sixty percent of the  
20. counties, that has been implemented, but in about forty  
21. percent of the counties, there's been a problem, because in  
22. fact, the way the formula worked, some of the assessments  
23. were lower, below the level they were in nineteen seventy-five.  
24. That was never our intent, and we have revised the formula  
25. in a way that would get them above that level so that we  
26. would no longer have to implement a hold harmless law, so  
27. that it could be implemented in all counties. It's a detailed  
28. formula, but it is an improvement. It provides for assessment  
29. much more related now to the land type than, because that's  
30. taken into consideration more now than it was before. I  
31. would seek a favorable roll call on it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator Shapiro.

1. SENATOR SHAPIRO:

2. I just want to reiterate what Senator McMillan  
3. has said. This bill is absolutely necessary to help implement  
4. and move the Farm Assessment Bill along, and I would urge  
5. everyone to vote for it.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? Senator Joyce.

8. SENATOR JEROME JOYCE:

9. Yes, Mr. President, I would like to echo those  
10. sentiments, also. I think this is needed to get the bill  
11. rolling.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion. Senator Buzbee.

14. SENATOR BUZBEE:

15. I have one question of the sponsor, Mr. President.  
16. In those cases of small acreages, where it's primarily a  
17. residence, but because of definition of farmland, it falls  
18. into maybe nine or ten or fifteen acres. There, in fact, it's  
19. considered a farm. Should that...is that house now going to  
20. be included as part of the farm property?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator McMillan.

23. SENATOR McMILLAN:

24. The house is not assessed according to this process, and  
25. the dwelling is assessed according to thirty-three and one-third  
26. percent of value. It is assessed separately.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion. The question is shall Senate Bill...  
29. Senator Bowers, were you seeking recognition? The question  
30. is shall Senate Bill 752 pass. Those in favor vote Aye. Those  
31. opposed vote Nay. The voting is open. Have all voted who wish?  
32. Have all voted who wish? Take the record. On that question, the  
33. Ayes are 56, the Nays are none. None voting Present. Senate  
Bill 752, having received the required constitutional majority,

1. is declared passed. Senate Bill 761, Senator McMillan. Read  
2. the bill, Mr. Secretary, please.

3. SECRETARY:

4. Senate Bill 761.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator McMillan.

9. SENATOR McMILLAN:

10. Mr. President, members of the Senate. As it is now,  
11. retailers who have approximate amounts due to the State for  
12. Sales Tax between five and fifteen thousand dollars a month,  
13. have to have their check and their forms filed by midnight  
14. on the last day of the month. Otherwise, they can get an  
15. extension, but they have to have one month's due to the State  
16. on deposit. What this bill would do would be to allow them  
17. three days to have that payment in. Therefore, they would  
18. be able to make their payment on time, and they would not  
19. have to have a month's payment on deposit. We've checked  
20. with the Department of Revenue. They don't object to it,  
21. and it improves the current practice. I would seek a favorable  
22. roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Maragos.

25. SENATOR MARAGOS:

26. It's a good bill. It should be supported.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion. The question is shall Senate Bill  
29. 761 pass. Those in favor vote Aye. Those opposed vote Nay.  
30. The voting is open. Have all voted who wish? Have all voted  
31. who wish? Take the record. On that question, the Ayes are 58,  
32. the Nays are none. None voting Present. Senate Bill 761,  
33. having received the required constitutional majority, is declared



1. passed. Senate Bill 765, Senator Nedza. Read the bill, Mr.  
2. Secretary, please.

3. SECRETARY:

4. Senate Bill 765.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nedza.

9. SENATOR NEDZA:

10. Mr. President, Ladies and Gentlemen. All this bill does  
11. is it provides that if a vacancy occurs in any of the Constitutional  
12. offices of the State of Illinois, would conform to the Vacancy  
13. provisions that are patterned in the dealing with the vacancy  
14. of a United States Senator.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Rhoads.

17. SENATOR RHOADS:

18. Thank you, Mr. President, members of the Senate. Question  
19. of the sponsor, if he will yield.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Rhoads.

22. SENATOR RHOADS:

23. Senator Nedza, by reason, by virtue of the Constitution,  
24. we have set a new schedule for the election of our Constitutional  
25. officers. For example, in the year nineteen seventy-eight, we  
26. now have in phase the Governor, the Attorney General, the Secretary  
27. of State, and so forth. I don't find in your bill what term  
28. of office we are electing these people to. Are we electing  
29. them to a four-year term in the special election, or a two-year  
30. term, and if we are electing them to a four-year term, how  
31. would we ever get them back in phase with the other officers?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nedza.

SENATOR NEDZA:

1. This doesn't deal with any of the terms of office,  
2. Senator Rhoads. All it does is apply to that individual or  
3. individuals who would be vacating their office for whatever  
4. reason in mid-term, that if an ensuing general election is  
5. upcoming, that that particular individual would run in that  
6. general election, and therefore leaving the remaining portion  
7. of his term open to the general electorate.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion. Senator Rhoads for a second time.  
10. SENATOR RHOADS:

11. Yes, well that was the question, Mr. President. If...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Well, Senator, your time expired on the first one...

14. SENATOR RHOADS:

15. All right. Well that's my very point. The worst feature  
16. of this bill. The bill simply doesn't address itself to the  
17. length of term. We would...would've been knocking our  
18. Constitutional officers out of phase. This is a bad bill  
19. and should be defeated.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion. Senator Philip.

22. SENATOR PHILIP:

23. Thank you, Mr. President, Ladies and Gentlemen of the  
24. Senate. I'd just like to make this point. If there was a  
25. Democrat on the second floor, this bill would've never  
26. been introduced. It would've never gotten out of Committee,  
27. and we wouldn't be voting on it. It's absolutely ridiculous.  
28. All the previous Governors in my judgement have made some  
29. pretty good appointments. Whether it was Kerner or Thompson,  
30. and Thompson just appointed a State Treasurer here not so  
31. long ago, a guy by the name of Smith, who did a super job.  
32. No reason to change, if you're a Republican or have got any  
33. kind of conscience at all. We ought to give them a big red vote.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion. Senator Maragos.

2. SENATOR MARAGOS:

3. In response to Senator Philip, I'd like to say that  
4. when the last officeholder gave up his position to get  
5. another position, and he made sure there was a member of  
6. the opposite party with the consent of the Governor. Can  
7. you give me that assurance that that will happen this time,  
8. if any vacancy occurs in the next four years?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion. Senator Philip.

11. SENATOR PHILIP:

12. I'm afraid I don't speak for the Governor. And it  
13. would just seem to me that in fairness, it's his appointment.  
14. We ought to trust his judgement.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion. Senator Nedza may close.

17. SENATOR NEDZA:

18. Senator Philip, Senator Rhoads, I wouldn't expect  
19. support from you. Quite honestly, I know the position that  
20. you would have to take, because of the fact that any  
21. incumbent Governor would not like to sacrifice his kingmaker's  
22. role with this type of legislation. I ask for a favorable  
23. roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is shall Senate Bill 765 pass. Those in  
26. favor vote Aye. Those opposed vote Nay. The voting is  
27. open. Have all voted who wish? Have all voted who wish?  
28. Take the record. On that question, the Ayes are 31, the  
29. Nays are 26. 1 voting Present. Senate Bill 765, having  
30. received the required constitutional majority, is declared  
31. passed. For what purpose does Senator Rhoads rise?

32. SENATOR RHOADS:

33. To request a verification of the Affirmative vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2.       There's been a request for a verification. Members  
3. please be in their seats. The Secretary will call those  
4. who voted in the Affirmative.  
5. SECRETARY:  
6.       The following voted in the Affirmative, following  
7. Senators voted in the Affirmative: Berman, Bruce, Buzbee,  
8. Carroll, Chew, Collins, D'Arco, Daley, Demuzio, Donnewald,  
9. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,  
10. Knuppel, Lemke, Maragos, McLendon, Merlo, Nash, Nedza,  
11. Netsch, Newhouse, Sangmeister, Savickas, Vadalabene,  
12. Washington, Wooten, Mr. President.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14.       For what purpose does Senator Maragos rise?  
15. SENATOR MARAGOS:  
16.       Well, was my name called on the roll? I didn't hear  
17. it. I voted Aye.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19.       Mr. Secretary, did you call Senator Maragos? Just  
20. for the record, would you call Senator Maragos.  
21. SECRETARY:  
22.       Yes. I...I did call Senator Maragos, and his name is  
23. recorded as being present.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25.       Senator Rhoads, do you question the presence of any  
26. member?  
27. SENATOR RHOADS:  
28.       Senator Knuppel.  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30.       Is Senator Knuppel on the Floor? Is Senator Knuppel  
31. on the Floor? Strike his name. Senator Rhoads.  
32. SENATOR RHOADS:  
33.       I just saw him.  
PRESIDING OFFICER: (SENATOR BRUCE)

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1. Senator Rhoads, do you question the presence...

2. SENATOR RHOADS:

3. Senator Daley...No...Joyce...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Do you question the presence of any other member?

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Senator Rock.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rock is on the Floor. On a verified roll call,  
11. the Ayes are 30, the Nays are 26. 1 voting Present. For  
12. what purpose does Senator Lemke rise? Senator Lemke moves  
13. to reconsider the vote by which Senate Bill 765 passed.

14. Senator Johns moves the lie that motion on the Table. All  
15. in favor of the motion to Table say Aye. Opposed Nay.

16. The Ayes have it. The motion to reconsider is Tabled.

17. Senate Bill 767, Senator Egan. Read the bill, Mr. Secretary,  
18. please.

19. SECRETARY:

20. Senate Bill 767.

(Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan.

24. SENATOR EGAN:

25. Thank you, Mr. President, members of the Senate. The  
26. purpose of this bill is to provide for the assessment of  
27. Pollution Control facilities owned by Public Utilities at  
28. the same basis as facilities owned by other industries.  
29. What it does is, in effect, gives a break not any greater  
30. than other facilities that have Pollution Control purpose  
31. in the assessment. The...unless there is a commercially  
32. saleable by-product of that pollution control service,  
33. they are paying a tax on something that is not productive

1. of the...of an income, and this will correct that situation  
2. and I ask for your favorable consideration.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Senator...Senator Joyce. Jerome.  
5. SENATOR JEROME JOYCE:

6. Yes, a question of the sponsor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates he will yield. Senator Joyce.

9. SENATOR JEROME JOYCE:

10. Yes, Senator Egan, would you define what a Pollution  
11. Control whatever is...device is?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Pollution Control facility? What...you want an example,  
16. I...Well, for one, yes. I would say, very simply, a stack  
17. emission control on a power plant could be one.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Joyce.

20. SENATOR JEROME JOYCE:

21. Yes, and another question. Could possibly a cooling  
22. lake on a nuclear plant be considered that?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. I don't think under the definition of the Statute. The  
27. Statute is specific in its definition. Section 502A-2 of  
28. the Revenue Act would give you the definition. It's quite  
29. lengthy and I don't think that would fit within the definition  
30. of the Statute.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Joyce.

33. SENATOR JEROME JOYCE:

...at times, there was a time when a cooling lake was

1. coming into a...my county and township, when the utility  
2. company said that this was a...pollution abatement process  
3. that they had to use this cooling lake, and there would  
4. be no taxes. They would not have to pay taxes  
5. on this cooling lake. Now these things are six and  
6. eight and ten sections, six hundred and forty acres a  
7. section. Now...you know, I think we ought to be very  
8. careful here that we're not permitting that to happen  
9. or we could be wiping out school districts and the likes  
10. of that by taking this kind of...this large amount of  
11. property off the tax rolls.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Well to allay your fears, Senator, this is not a tax  
16. exemption. Even if it did fit in the definition, it would...  
17. it's not a tax exemption, it's a restructuring of the assessment,  
18. and they assess now under this bill, the same as they do for  
19. private industrial...the same thing in private industry. I  
20. don't think it fits within the definition in the first place,  
21. and if it does, it does not exempt them from the tax. It  
22. redefines the assessment method.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTEBERG:

26. My fears are the same. Thank you, Mr. President. I've  
27. got a whole township, Brookfield Township, that's under water,  
28. and it's the richest township in the State of Illinois right  
29. now, by virtue of this, but if it restructures even the  
30. assessment procedure, they're wiped out. And gosh, it'd  
31. be great, Senator Egan, to get the answer to that before we  
32. vote, and I realize time is short. I'm going to have to  
33. vote against it until I know.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Egan.

2. SENATOR EGAN:

3. I'll read the definition to you. I don't...you know.  
4. It's a matter of interpretation, but let's assume that it  
5. does. It still does not exempt them from the tax.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBURG:

9. It may wipe out...still may wipe out the base of  
10. what I'm talking about. I just wish I had the answer.  
11. Thank...I know you're doing your best, Senator. I'm  
12. going to vote...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion. Senator Maragos.

15. SENATOR MARAGOS:

16. I just wanted to echo the remarks of the sponsor. This  
17. does not in itself result in a tax exemption. There has to  
18. be three or four other factors locked in, which will make...  
19. which will produce in the long run, maybe more taxes for  
20. the community if the by-products are saleable and they are  
21. economically sound. And I ask for support.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion. Senator Jerome Joyce.

24. SENATOR JEROME JOYCE:

25. Well I think we're taking an awful chance here. I am  
26. not sure what...just what kind of an exemption or a tax break  
27. we are giving, and we're talking about an awful lot of money,  
28. we could be in certain areas. I think it's a bad program.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion. Senator Egan may close.

31. SENATOR EGAN:

32. Well I think that...I think you're afraid of the dark,  
33. Senator Joyce, and I suggest that your fears are unfounded,  
and I ask for your favorable consideration.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall Senate Bill 767 pass. Those in  
3. favor vote Aye. Those opposed 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 35, the  
6. Nays are 10. 8 voting Present. Senate Bill 767, having  
7. received the required constitutional majority, is declared  
8. passed. Senate Bill 768, Senator Egan. Read the bill,  
9. Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 768.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Egan.

16. SENATOR EGAN:

17. Yes, this bill eliminates what the utilities feel is  
18. a double taxation, and I agree with them. It excludes from  
19. the Gross Receipts Tax on gas and electric utilities amounts  
20. received for furnishing and installing facilities or appliances  
21. where the taxpayer is already liable for a Sales Tax, so  
22. he's paying it once only, with this bill, and I ask for  
23. your favorable consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Buzbee.

26. SENATOR BUZBEE:

27. A question of the sponsor, Mr. President.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Egan...Senator Buzbee.

30. SENATOR BUZBEE:

31. Well, I have a question of the sponsor. My question is  
32. if we give the utilities this tax break, can we be assured,  
33. is it written in the bill that they will give the same dollar

1. tax break back to the...to their customers, or are they going  
2. to keep this as excess profits, again?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Egan.

5. SENATOR EGAN:

6. I think of necessity, I have the bill here, Senator, and  
7. whether or not that specific language says that it must be  
8. deducted from their gross income, I...it's in all likelihood,  
9. is not in the bill, but here's the language, and it is  
10. silent in that respect. However, of necessity, if they do  
11. get a tax break, they have a lesser operating cost. I would  
12. think then, that their need for a rate increase would be  
13. thereby diminished.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Well, I don't want to just go after the utilities in  
18. some sort of a demagogic form, because it happens to be  
19. popular to do nowadays. However, my experience has been  
20. that the utilities are, at least some of them, are singularly  
21. unable to justify their call for new power plants, their call  
22. for increased rates, and so forth, and the one thing they can  
23. justify is their guaranteed rate of return to their stockholders,  
24. the twelve or fourteen percent which they claim is just absolutely  
25. necessary in this business, which is a...certainly a...where  
26. they have no competition, and so I would not be able to support  
27. this until we at least can see that that money would be refunded,  
28. or at least there would be a reduction on the consumer's utility  
29. bills.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion. Senator Wooten.

32. SENATOR WOOTEN:

33. Thank you, Mr. President. I note in our summary that  
this bill is intended to reverse the findings of the Illinois

1. Supreme Court, that the Courts had ruled one way, and the  
2. bill then, is, has the effect of reversing the decision of  
3. that Court. Is that correct, Senator?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. That's correct. They are in a situation where they pay  
8. a double tax because of a case. They weren't before that  
9. case. They didn't have to pay the double tax. Then the  
10. case was adjudicated. Now they have to pay the double tax.  
11. This will correct that situation.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan...Senator Wooten.

14. SENATOR WOOTEN:

15. No, I thought from this that the power company had brought  
16. the case. You were saying at first, they weren't taxed and  
17. then they were double taxed? How did that come about? I  
18. thought they had just disputed...I thought they had found  
19. something in the law that they figured was a loophole, and  
20. thus brought the case. Is that not so?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Egan.

23. SENATOR EGAN:

24. Well, they paid the tax under protest, is what it was. It  
25. was a tax that was imposed over their protest, and they lost  
26. the protest.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion. Senator Netsch.

29. SENATOR NETSCH:

30. Thank you, Mr. President. I don't think the fact that  
31. it overturns a Supreme Court decision in itself means that  
32. it's wrong, because we do that from time to time, when we  
33. disagree with the Court or want to reverse a policy or didn't

1. think of something that the Court thinks of for us. I do  
2. have objection to it on other grounds, though. I understand,  
3. Senator Egan, that the...you would then be changing the tax  
4. ...or the rate base, on the basis of which rates are ultimately  
5. determined and the rate of return itself determined. I don't  
6. think it's going to come out even for the taxing bodies, because  
7. they are going to be losing what amounts to a direct out of  
8. pocket revenue loss that they will not really be recapturing  
9. in terms of just simply having perhaps say, an indirect adjustment  
10. in the tax base, so I think it does do something, perhaps not  
11. terribly dramatic, but more dramatic than it first appears  
12. on the surface.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Coffey.

14. SENATOR COFFEY:

15. Yes, Mr. President and members of the Senate. I rise  
16. in opposition to this bill, and I, like Senator Buzbee, would  
17. not be in favor of supporting legislation such as this until  
18. what time we've seen that it was going to be to an advantage  
19. of the consumer of the utility companies, so I would ask my  
20. colleagues to vote in opposition of this bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion. Senator Egan may close.

23. SENATOR EGAN:

24. Well, thank you, Mr. President, members of the Senate.  
25. I do think that, of absolute necessity, the...right now, the  
26. utilities are telling us that they are passing on these taxes  
27. to the customer, so the customer has to pay the tax. If you  
28. remove the tax, the customer doesn't have to pay the tax.  
29. Then they won't need a rate increase, so if you're trying to  
30. protect the customer, this is the way to do it. And Senator  
31. Netsch, perhaps it's a matter of philosophy as to whether or  
32. not that kind of double taxation taken away from the local  
33. government is good or bad. I don't think it's significant

1. enough to be bad, and I think the idea that double taxation  
2. is bad and it should be removed with this good bill, so I ask  
3. for your favorable consideration.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there...the question is shall Senate Bill 768 pass.  
6. Those in favor vote Aye. Those opposed vote Nay. The voting  
7. is open. Have all voted who wish? Have all voted who wish?  
8. Take the record. On that question, the Ayes are 36, the Nays  
9. are 19. None voting Present. Senate Bill 768, having received  
10. the required constitutional majority, is declared passed.  
11. Senate Bill 773, Senator Davidson. For what purpose does  
12. Senator Berman rise?

13. SENATOR BERMAN:

14. Mr. President, Senate Bill 773 is one of four School Aid  
15. Formula bills that are on the calendar. We have been having  
16. discussions regarding the School Aid Formula for several days,  
17. and I would ask for leave with the concurrence of Senator  
18. Davidson, that we consider all four School Aid Formula bills  
19. to be debated at the same time. Of course, there'll be separate  
20. roll calls, but I would ask at this time for leave to consider  
21. Senate Bill 931...

22. PRESIDENT:

23. ...1164, and 1172.

24. SENATOR BERMAN:

25. Correct. All at the same time.

26. PRESIDENT:

27. You've heard the request. Is leave granted? Leave is  
28. granted. All right. On the order of Senate Bills, 3rd reading,  
29. Senate Bill 773. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 773.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Mr. President and members of the Senate. It is absolutely  
5. correct in what Senator Berman said. There is four bills. They  
6. approach the problem different. The bill sponsored by myself  
7. does three important things. It raises the Guaranteed Pupil  
8. Level from thirteen ten to thirteen fifteen, changes the  
9. calculation on an average day, the attendance, where you take  
10. seventy percent of the preceding net average, weighted average  
11. daily attendance, and thirty percent of the best six months  
12. of the current year, and ends the...eliminates the end of  
13. the year adjustment. It costs approximately fifty-one  
14. million dollars. It will fall within the eighty-one  
15. million dollars the Governor put forth for School Increase,  
16. including Categorical Grants and the Operation of IOE. I  
17. ask for a favorable roll call.

18. PRESIDENT:

19. Is there any discussion? If not, the question is shall  
20. Senate Bill 773 pass. Those in favor will vote Aye. Those  
21. opposed will vote Nay. The voting is open. Have all voted  
22. who wish? Have all voted who wish? Take the record. On  
23. that question, the Ayes are 55, the Nays are 1. 1 voting Present.  
24. Senate Bill 773, having received a constitutional majority,  
25. is declared passed. Yes, Senator Collins, for what purpose  
26. do you rise?

27. SENATOR COLLINS:

28. Point of Personal Privilege.

29. PRESIDENT:

30. State your point.

31. SENATOR COLLINS:

32. I'm pleased to have...we're pleased to have a group of  
33. students and some intructors from the Michelle Clark School

1. in my district, in the West Gallery.

2. PRESIDENT:

3. Will our guests in the Gallery please rise and be

4. recognized. All right, if you'll turn to page ten on

5. the Calendar, on the order of Senate Bills, 3rd reading,

6. Senate Bill 931. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 931.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Berman.

13. SENATOR BERMAN:

14. Thank you, Mr. President. Senate Bill 931 addresses the

15. School Aid Formula as follows. It increases the Guaranteed

16. Foundation Level from thirteen hundred and ten dollars to

17. thirteen hundred and seventy-nine dollars, an increase of

18. five point three percent. It adds a Special Waiting for Title

19. I pupils for the Downstate districts from point four seven five

20. to point...from point four five to point four seven five, and

21. a maximum waiting of...in Chicago, from point six seven five

22. to point seven oh, and Strayer Hague add on from point...from

23. fifty percent to sixty-five percent. The total cost to fund

24. this formula will be one billion four hundred and eighteen

25. million eight hundred and sixty-one thousand dollars, which

26. would be fifty-one million dollars more than was expended

27. last year. I would ask for a favorable vote on Senate Bill

28. 931.

29. PRESIDENT:

30. Is there any discussion? Senator Rhoads.

31. SENATOR RHOADS:

32. Senator...Question of the sponsor. Senator Berman,

33. is there anything in this bill which affects the accessto

1. the Resource Equalizer Formula for Cook County Schools?

2. PRESIDENT:

3. Senator Berman.

4. SENATOR BERMAN:

5. No.

6. PRESIDENT:

7. Further discussion. If not, the question is shall Senate  
8. Bill 931 pass. Those in favor will vote Aye. Those opposed  
9. will 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 51, the Nays are 5. 1 voting Present. Senate  
12. Bill 931, having received a constitutional majority, is declared  
13. passed. All right. If you'll turn to page twelve on the  
14. Calendar. On the order of Senate Bills, 3rd reading, Senate  
15. Bill 1164. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1164.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator DeAngelis.

22. SENATOR DeANGELIS:

23. Thank you, Mr. President. The mathematical machinations  
24. involved in the change in the formula in 1164 are rather  
25. complex. However, they have been verified by all the various  
26. elements of government, and have been found to be true. Basically  
27. what the change does, it takes care of two basic problems. One,  
28. the inequity caused in school funding when we have declining  
29. enrollment, and that is an inequity that exceeds the decline...  
30. The decline in State Aid exceeds the decline in enrollment.  
31. The second thing that it does, it makes the problems of educational  
32. economics easier to handle, and where we are spending our  
33. greatest amount of money, I think we need to take our greatest



1. care. 1164 does, in fact, even out the curve that's caused  
2. the problems for all the school districts. I urge your  
3. support.

4. PRESIDENT:

5. Is there any discussion? If not, the question is shall  
6. Senate Bill 1164...I beg your pardon. Senator Berman.

7. SENATOR BERMAN:

8. Thank you, Mr. President. I just wanted to add one footnote.  
9. I want to compliment the sponsor of this bill. Being a Freshman  
10. Senator, he came in and really did diligent work in trying  
11. to prepare and present to us a different concept regarding  
12. the School Aid Formula, and I want the Senate to know that  
13. Senator DeAngelis should be complimented for his efforts in  
14. this regard.

15. PRESIDENT:

16. The question is shall Senate Bill 1164 pass. Those in  
17. favor will vote Aye. Those opposed will vote Nay. The  
18. voting is open. Have all voted who wish? Have all voted  
19. who wish? Take the record. On that question, the Ayes are  
20. 57, the Nays are none. None voting Present. Senate Bill  
21. 1164, having received a constitutional majority, is declared  
22. passed. On page twelve, on the order of Senate Bills, 2nd  
23. reading, Senate Bill 1172. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1172.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President. I believe just about everything  
32. that can be said on School Aid Formula has already been said  
33. today. None of these bills are going to be recognizable when

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1. they come back from the House, and so in that light, I  
2. would just ask for a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall  
5. Senate Bill 1172 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 53, the Nays are 2. None voting  
9. Present. Senate Bill 1172, having received a constitutional  
10. majority, is declared passed. All right, back on page eight  
11. on the Calendar, pardon me, on the...774, Senator Davidson.

12. SENATOR DAVIDSON:

13. It's on Higher...

14. PRESIDENT:

15. Senator Davidson moves to re-refer 774 to the Committee  
16. on Higher Education. Is leave granted? Leave is granted.  
17. It is so ordered. 781, Senator Philip. On the order of  
18. Senate Bills, 3rd reading, Senate Bill 781. Read the bill,  
19. Mr. Secretary.

20. SECRETARY:

21. Senate Bill 781.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Philip.

26. SENATOR PHILIP:

27. Thank you, Mr. President, Ladies and Gentlemen of the  
28. Senate. I know you've all been waiting for 781, and I've  
29. passed out the last poop sheet. If you'll notice, the last  
30. page has all the Commissions that are in remaining, which  
31. are some twenty-three. It abolishes some fifty-seven, which  
32. total two million seventy-three thousand eight hundred and  
33. forty-four dollars saved for the taxpayer. I'll answer any  
questions. I hope we have a few green lights up there.

1. PRESIDENT:  
2. Is there any discussion? Senator Egan.  
3. SENATOR EGAN: .  
4. How much are you going to save, Senator?  
5. PRESIDENT:  
6. Senator Philip.  
7. SENATOR PHILIP:  
8. I will restate it again. Two million seventy-three  
9. thousand eight hundred and forty-four dollars.  
10. PRESIDENT:  
11. Senator Egan.  
12. SENATOR EGAN:  
13. It's about one percent of what you'd...what it would  
14. cost to do that which you asked me to do, and I'll tell  
15. you later.  
16. PRESIDENT:  
17. Is there any further discussion? If not, the question  
18. is shall Senate Bill 781 pass. Those in favor will vote  
19. Aye. Those opposed will vote Nay. The voting is open.  
20. Have all voted who wish? Have all voted who wish? Take  
21. the record. On that question, the Ayes are 32, the Nays are  
22. 21. None voting Present. Senate Bill 781, having received  
23. a constitutional majority, is declared passed. Senator  
24. Rhoads.  
25. SENATOR RHOADS:  
26. Having voted on the prevailing side, I move to reconsider  
27. the vote by which Senate Bill...  
28. PRESIDENT:  
29. Senator Rhoads moves to reconsider...Senator Hall, for  
30. what purpose do you rise?  
31. SENATOR HALL:  
32. I ask for a verification of the Affirmative votes.  
33. PRESIDENT:  
All right. Senator Hall has requested a verification.

1. Will the Senators please be in their seats. Secretary will  
2. read the Affirmative votes.  
3. SECRETARY:  
4. The following voted in the Affirmative: Becker, Berman,  
5. Berning, Bloom, Bowers, Bruce, Buzbee, Carroll, DeAngelis,  
6. Donnewald, Gitz, Graham, Johns, Keats, Lemke...No, Maitland,  
7. Martin, McMillan, Merlo, Mitchler, Nimrod, Ozinga, Philip,  
8. Regner, Rhoads, Sangmeister, Savickas, Shapiro, Sommer,  
9. Walsh, Weaver.  
10. PRESIDENT:  
11. Senator Hall.  
12. SENATOR HALL:  
13. Senator Sangmeister.  
14. PRESIDENT:  
15. Is Senator Sangmeister on the Floor? Is Senator Sangmeister  
16. on the Floor?  
17. SENATOR HALL:  
18. Is Senator Gene Johns on the Floor...  
19. PRESIDENT:  
20. Strike his name, Mr. Secretary. Is Senator Johns on  
21. the Floor? Is Senator Johns on the Floor? Strike his name  
22. from the roll call.  
23. SENATOR HALL:  
24. Is Senator Savickas on the Floor?  
25. PRESIDENT:  
26. Is Senator Savickas on the Floor? Is Senator Savickas  
27. on the Floor? Strike his name from the roll, Mr. Secretary.  
28. SENATOR HALL:  
29. What is that right now?  
30. PRESIDENT:  
31. There are now 29 Affirmatives. Senator Philip.  
32. SENATOR PHILIP:  
33. Postponed.

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1. PRESIDENT:

2. On that question, the Ayes are 29, the Nays are 21. None  
3. voting Present. The sponsor has requested further consideration  
4. be postponed. It is so ordered. Senator Rupp on 784. Senator  
5. Davidson on 791. Senator Wooten on 793. On the order  
6. of Senate Bills, 3rd reading, Senate Bill 793. Read the  
7. bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 793.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Thank you, Mr. President and colleagues. In its original  
16. form, I would not be willing to vote for 793. After we got it  
17. out of Committee, we have amended it to make its provision  
18. somewhat gentler. In its original form, it said that there  
19. is a reduction in force of teachers that a teacher can ask  
20. for a hearing before a Hearing Officer, and...if the Hearing  
21. Officer finds that the firing for reason of economic dislocation  
22. is not justified, then it reverses the decision of the School  
23. Board. That, I think, is totally unacceptable. The amendment  
24. changed it to limit it to a single hearing in any instance,  
25. and that the results of the Hearing Officer are purely advisory  
26. in nature. I've been discussing this with Senator Berman and  
27. others, and I think he has comments on the ultimate disposition  
28. of the bill, so I'd like to defer to Senator Berman.

29. PRESIDENT:

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President. I just wanted to ask Senator  
33. Wooten. He said he wouldn't have voted for it in its original

1. form. That's the only way it got out of Committee, but  
2. we'll move on. We have discussed...oh, on the Floor...I see.  
3. All right. We have discussed, and Senator Wooten has indicated  
4. that this bill will be amended in the House to provide as  
5. follows. That if a School District advises the number of  
6. teachers which exceed by fifty percent the number of teachers  
7. that were in fact laid off the...on...as compared to the  
8. previous three year average of layoffs, that if that number  
9. is exceeded, that the School Board will be required to hold  
10. a Public Hearing. The School Board will hold a Public  
11. Hearing. Not a Hearing Officer, but the School Board would  
12. hold a Public Hearing as to those layoffs. I think that this  
13. addresses the concerns that many of the supporters of the  
14. concept of this bill have indicated their concern about,  
15. namely a frivolous or sometimes vindictive approach to the  
16. issuance of layoff notices, and then later re-hire teachers and  
17. secondly, at the same time, not impose a third party's decision  
18. making upon an elected School Board. With those...with that  
19. understanding, I stand ready to support the passage of this  
20. bill.

21. PRESIDENT:

22. Further discussion. Senator Maitland.

23. SENATOR MAITLAND:

24. Thank you, Mr. President, Ladies and Gentlemen of the  
25. Senate. Senator Wooten, I compliment you and appreciate the  
26. fact that you were willing to amend this into a better piece  
27. of legislation. As you recall, we...you and I disagreed to  
28. a great extent in Committee. But I'm very concerned about  
29. this legislation. I'm getting a little bit concerned about  
30. the attitude of the Assembly toward local School Boards. Those  
31. people are subject to a lot of criticism. We, each one of us  
32. as taxpayers, elect these people to do a job, to do a job for  
33. us. And I think by and large, they're doing a fine job, and  
yet we're willing to sit here as legislators, and pass judgement

1. upon them, and tell them what they can and cannot do. No,  
2. I understand. This not binding. But Ladies and Gentlemen  
3. of the Senate, this is a step in the door. A step in the  
4. door of telling that School Board that you're not doing  
5. your job, we don't want you to do your job, we in the  
6. legislature, in our infinite wisdom, can advise you how  
7. to do it. I think this is a bad precedence to set, and  
8. I would urge its defeat.

9. PRESIDENT:

10. Is there any further discussion? If not, Senator Wooten  
11. may close the debate.

12. SENATOR WOOTEN:

13. Thank you, Mr. President. I realize this is a controversial  
14. idea, and I did vote it out of Committee in its original form,  
15. because I felt we could get to some realistic negotiations on  
16. 2nd reading, and now I feel we can give it a...in its present  
17. posture, we have realistic prospects for further negotiations  
18. in the House. I am not out to undermine the School Board in  
19. any way. I simply want to curtail in as gentle a form as  
20. possible, the abuse that some School Boards have made of  
21. dismissals for economic reasons. I've had friends in the  
22. teaching profession who've been laid off three years in a row,  
23. only to be re-hired. It's part of massive firing, done  
24. really to influence bargaining, and I just don't think this  
25. bill, in the posture it's in now or in the posture it will  
26. be in the House, will present any difficulty to School Boards,  
27. and I will here engage my word that if we do not amend it  
28. in the House in the form as indicated by Senator Berman, I  
29. will have the bill Tabled. I solicit your vote.

30. PRESIDENT:

31. The question is shall Senate Bill 793 pass. Those in  
32. favor will vote Aye. Those opposed will vote Nay. The voting  
33. is open. Have all voted who wish? Have all voted who wish?  
Take the record. On that question, the Ayes are 33, the Nays

1. are 23. None voting Present. Senate Bill 793, having  
2. received a constitutional majority, is declared passed.  
3. 805, Senator Buzbee. Senator Buzbee.

4. SENATOR BUZBEE:

5. Mr. President, in the interest of time, I'm going to  
6. pass this bill at this point, but it will be back, Senator  
7. Schaffer, if you could keep an eye out, well I'd appreciate  
8. your assistance on it too.

9. PRESIDENT:

10. 825, Senator Bruce. On the order of Senate Bills, 3rd  
11. reading, Senate Bill 825. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 825.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Bruce.

18. SENATOR BRUCE:

19. Thank you, Mr. President. This bill has been amended  
20. since it was before the Senate, and it relates to covering  
21. materials taken by schoolteachers into a classroom. The...and  
22. the damage thereto. The bill originally started as an  
23. insurance proposal to insure those items. The bill has been  
24. amended to reflect that the School Board shall only be liable  
25. for a maximum amount of two hundred and fifty dollars, if...  
26. we are talking about only instructional materials belonging  
27. to the teacher, which are damaged, stolen, or destroyed upon  
28. the grounds of a school, not elsewhere, and it shall be  
29. limited to the...limited to instructional materials which  
30. are brought into the school for the sole purpose of...and  
31. be directly related to the teacher's teaching or extra-  
32. curricular assignments and they must have been checked in  
33. with the appropriate building administrator, pursuant to  
rules adopted by the Board. I think that we have put in



1. nearly every protection requested by the Illinois School  
2. Board Association. They still have questions about it.  
3. The bill only relates to the Downstate Schools. The City  
4. of Chicago had problems that could not be solved, and we  
5. have amended it to where...it reflects only Downstate  
6. Schools, and I would be happy to answer any questions  
7. and ask for a favorable roll call.

8. PRESIDENT:

9. Is there any discussion? Senator Becker.

10. SENATOR BECKER:

11. Mr. President, a Point of Personal Privilege. In  
12. the Gallery, we have a group of children from Our Lady  
13. of Charity School in the South End of Cicero. I ask them  
14. to rise and be recognized by the Senate.

15. PRESIDENT:

16. Will our guests please rise and be recognized. Any  
17. discussion? Senator Berning.

18. SENATOR BERNING:

19. Just one question of the sponsor.

20. PRESIDENT:

21. Indicates he will yield. Senator Berning.

22. SENATOR BERNING:

23. I think I know what you're trying to do, and it's  
24. probably a worthwhile objective. My question has to do  
25. with Line 6 and Line 17, where you say "...upon the grounds  
26. of the school." Now the school building would be one thing,  
27. but the grounds are something else. That could, in some  
28. cases, cover forty acres, and while you say instructional  
29. material, there could be instructional material either willfully  
30. set out to be picked up, or it could be in the trunk of a  
31. person's car, or in an open car, and it seems to me that you  
32. haven't made this quite as defensible as it could be if you  
33. said within the school building or buildings.

PRESIDENT:

1. Senator Bruce.

2. SENATOR BRUCE:

3. Senator, the amendment was drawn by the Reference Bureau.  
4. If...I think you make a good point. If you wish to limit that,  
5. when we get to the House, we can draft the amendment. If  
6. you think it should be excluded just to the school buildings,  
7. when we said school grounds, that's sort of a term they use  
8. down there. If you think it includes playground areas and  
9. things, we can amend it to just say within the physical con-  
10. fines of an attendance center. Didn't intend to make any  
11. broader category than we need to.

12. PRESIDENT:

13. Any further discussion? If not, the question is shall  
14. Senate Bill 825 pass. Those in favor will vote Aye. Those  
15. opposed will vote Nay. The voting is open. Have all voted  
16. who wish? Have all voted who wish? Take the record. On that  
17. question, the Ayes are 42, the Nays are 10. None voting Present.  
18. Senate Bill 825, having received a constitutional majority,  
19. is declared passed. 828, Senator Bruce. On the order...Senator  
20. Bruce, 828. On the order of Senate Bills, 3rd reading, Senate  
21. Bill 828. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 828.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President. This bill was on the Agreed  
30. Bill list. It was brought back for an amendment, relating  
31. to existing easements. Then we had to bring it back, because  
32. the amendment included not only an easement but a license.  
33. The Department of Transportation feels like they should not

1. restrict the transfer by a license, so now we're only talking  
2. about an existing easement, and it will remain in effect  
3. when the transfer is made back to the original property  
4. owner. I would ask for a favorable roll call.

5. PRESIDENT:

6. Is there any discussion? If not, the question is shall  
7. Senate Bill 828 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 56, the Nays are none. None voting  
11. Present. Senate Bill 828, having received a constitutional  
12. majority, is declared passed. 831, Senator Nimrod. 832,  
13. Senator Nimrod. 835, Senator D'Arco. On the order of Senate  
14. Bills, 3rd reading, Senate Bill 835. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 835.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you, Mr. President, my fellow Senators. Senate  
23. Bill 835 creates the Occupational Therapy Practice Act. The  
24. Occupational Therapists are the only medical provider in the  
25. State of Illinois that is not licensed as yet. They are in  
26. need of licensure, and this bill would create the Practice  
27. Act and allow the Department of Registration and Education  
28. to license this medical group, and I would move for a favorable  
29. vote.

30. PRESIDENT:

31. Is there any discussion? If not, the question is shall  
32. Senate...shall Senate Bill 835 pass. Those in favor will vote  
33. Aye. Those opposed will vote Nay. The voting is open. Have

1. all voted who wish? Have all voted who wish? Take the  
2. record. On that question, the Ayes are 39, the Nays are  
3. 13. None voting Present. Senate Bill 835, having received  
4. a constitutional majority, is declared passed. 844, Senator  
5. Daley. On the order of Senate Bills, 3rd reading, Senate  
6. Bill 844. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 844.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Daley.

13. SENATOR DALEY:

14. Mr. President, fellow Senators. This bill creates a  
15. new cause of action against corporate officeholders, in favor  
16. of shareholders of a corporation. Where the officer or  
17. director can be personally liable if he gives a bribe or  
18. accepts a bribe or he accepts a kickback. This is in response  
19. to a case that was filed up in the Northern District Court  
20. of Cook County, as well as Milwaukee, dealing with the U.S.  
21. Federal Government versus Schlitz. It dealt with bribery  
22. and kickbacks in the Schlitz Brewing Company, whereby...  
23. amount of money was spent through the Company. It was illegally  
24. spent, and this would protect the shareholders, which is  
25. greatly needed in Illinois. I would ask for a favorable roll  
26. call.

27. PRESIDENT:

28. Is there any discussion? If not, the question is shall  
29. Senate Bill 844 pass. Those in favor will vote Aye. Those  
30. opposed will vote Nay. The voting is open. Have all voted  
31. who wish? Have all voted who wish? Take the record. On  
32. that question, the Ayes are 56, the Nays are none. None voting  
33. Present. Senate Bill 844, having received a constitutional  
majority, is declared passed. 852, Senator Chew. On the

1. order of Senate Bills, 3rd reading, Senate Bill 852. Read  
2. the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 852.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Chew.

9. SENATOR CHEW:

10. Yeah, Mr. President. I know as lawyers look at this  
11. bill, it would be in disagreement of their philosophy. Let  
12. me tell you something. Before introducing this bill, I  
13. talked with some of the top flight Divorce Lawyers in the  
14. City of Chicago, and where the two hundred dollar limit is  
15. placed on it, the work that a lawyer would do on this would  
16. consist of approximately thirty minutes. Now, the bill  
17. itself states that both parties, husband and wife, must  
18. give an affidavit to the Court, stating that they cannot  
19. recover this marriage. They can have an attorney, but  
20. the limit amount of the Attorney's fee would be no more than  
21. two hundred dollars. Now, the case in point is a lot of  
22. marriages are performed from Friday night being out and  
23. run into the Clerk's Office on Saturday and buy a license  
24. and then hate each other the next day. I have no problem with  
25. the way they got married, but I do have a problem with having  
26. to get a divorce on physical cruelty, and we find that  
27. many of the cases testified to, were, in fact, falsely testified  
28. to, because the law requires it.

29. PRESIDENT:

30. Senator Chew, your time has expired.

31. SENATOR CHEW:

32. So...I would ask for a favorable roll call. I'll...

33. PRESIDENT:

Is there any discussion? The question is shall Senate

1. Bill 852 pass. Those in favor will vote Aye. Those opposed  
2. will vote Nay. The voting is open. Have all voted who  
3. wish? Have all voted who wish? Take the record. On that  
4. question, the Ayes are 21, the Nays are 27. 2 voting Present.  
5. Senate Bill 852, having failed to receive a constitutional  
6. ...sponsor has requested that further consideration be postponed.  
7. It is so ordered. 859, Senator Keats. On the order of Senate  
8. Bills, 3rd reading, Senate Bill 859. Read the bill, Mr. Secretary.  
9. SECRETARY:  
10. Senate Bill 859.  
11. (Secretary reads title of bill)  
12. 3rd reading of the bill.  
13. PRESIDENT:  
14. Senator Keats.  
15. SENATOR KEATS:  
16. This is just a minor, non-controversial bill. What  
17. we're saying is this...this bill says a Public Employee who  
18. strikes is fined twenty-five dollars a day, and his  
19. union is fined twenty-five dollars a day, per employee.  
20. The reason for the bill is probably fairly obvious, but  
21. what you've got to case is, such as in Anderson, Indiana  
22. last year, where firefighters stood by while buildings  
23. burned down, or in Philadelphia, where garbage and disease  
24. piled up while sanitation workers were refusing to work.  
25. The reason we have to say that Public Employees cannot  
26. strike, because you cannot buy competing services. In  
27. the private sector, if someone strikes a major company, you  
28. can usually buy from a competing company. In the public  
29. sector, if union members for the government strike, you  
30. cannot buy from a competing government. The Russians are  
31. not selling garbage collection services this week, so  
32. what you have to do is say when you're working for the  
33. public, you have to accept the public good as number one.

1. For that reason, I feel this bill is needed legislation,  
2. and I would be glad to answer any questions anyone might  
3. happen to have.

4. PRESIDENT:

5. Is there any discussion? Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. Question of the sponsor. I  
8. wonder if this bill would apply to legislators also. If we  
9. don't appear here for one day, we're apparently striking,  
10. and so therefore, should we be fined twenty-five dollars?

11. PRESIDENT:

12. Any further discussion? Senator Keats.

13. SENATOR KEATS:

14. If you are on strike, you'd be fined.

15. PRESIDENT:

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Well, there is a procedure to avoid a lot of that strike...  
19. on the strikee...on the part of Public Employees, and that's  
20. if you'll pass and make it a part of the Statute a True  
21. Collective Bargaining bill for Public Employees. You'd  
22. probably avoid a lot of strikes, but in the meantime, until  
23. you have that, this is a horrible piece of legislation. 'Let's  
24. get something in the books to establish a procedure first.  
25. Then maybe we can talk about that sort of concept later, Senator.

26. PRESIDENT:

27. Any further discussion? Senator Keats may close the  
28. debate.

29. SENATOR KEATS:

30. It's been brought up the answer is putting a Collective  
31. Bargaining bill on the books. Now this bill does not authorize  
32. Collective Bargaining in any way. The inset is not  
33. true. You've found that no strike clauses have meant absolutely  
nothing in every major state, and we've found every state with

1. major Collective Bargaining bills, except bar one, has  
2. had an increase in the number of strikes. The Collective  
3. Bargaining process, which is advisorial by nature, will  
4. cause strikes that do not exist in a Civil Service system.  
5. For that reason, if you truly are worried about the public  
6. good and you want to say that those who serve the public  
7. serve the public first, then I would appreciate your support  
8. for this vote, and I know your taxpayers back home, who  
9. are the consumers of governmental service, appreciate your  
10. support. Thank you.

11. PRESIDENT:

12. The question is shall Senate Bill 859 pass. Those in  
13. favor will vote Aye. Those opposed will vote Nay. The voting  
14. is open.  
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30. End of Reel  
31.  
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33.



1. Have all voted who wish? Have all voted who wish? Take  
2. the record. On that question the Ayes are 34, the Nays are 16,  
3. 1 Voting Present. Senate Bill 859, having received a constitutional  
4. majority is declared passed. Senator Buzbee, for what purpose  
5. do you arise?

6. SENATOR BUZBEE:

7. Verification of the affirmative votes, Mr. President.

8. SENATOR BUZBEE:

9. Senator Buzbee has requested a verification. Will all  
10. the Senate members please be in their seats. Secretary will  
11. read the affirmative votes.

12. SECRETARY:

13. The following voted in the affirmative: Berning, Bloom,  
14. Carroll, Coffey, DeArco, Daley, DeAngelis, Donnewald, Egan,  
15. Geo-Karis, Gitz, Graham, Grotberg, Keats, Lemke, Maitland, Martin,  
16. McMillan, Merlo, Mitchler, Moore, Nash, Nedza, Nimrod, Ozinga,  
17. Philip, Regner, Rhoads, Savickas, Schaffer, Shapiro, Sommer,  
18. Walsh, Weaver.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. I would just like to point out that perhaps organized labor  
23. as friends are not always who they think they are. Thank you, Mr.  
24. President.

25. PRESIDENT:

26. Senator Rhoads.

27. SENATOR RHOADS:

28. Having voted on the prevailing side, I move to reconsider  
29. to vote by which Senator 859 passed.

30. PRESIDENT:

31. All right. The roll has been verified. The Ayes are 34,  
32. the Nays are 16, 1 Voting Present. Senate Bill 859 having  
33. received a constitutional majority is declared passed. Senator

1. Rhoads moves to reconsider. Senator Keats moves to have that  
2. motion lie upon the Table. All in favor signify by saying Aye.  
3. All opposed. The Ayes have it. So ordered. 872, Senator Newhouse.  
4. On the Order of Senate Bills 3rd reading, Senate Bill 872. Read  
5. the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 872.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Newhouse.

12. SENATOR NEWHOUSE:

13. Mr. President, Senator Schaffer. This is the bill that we  
14. held on...on for an impact note and we found this morning in  
15. taking a look at it that what this bill actually does is set  
16. up a mechanism whereby if the State mandates something then the  
17. department or the entity that's going to handle it will seek  
18. an...will give an impact note on request so that we all know  
19. what it's going to cost. Senator Schaffer sat with me this  
20. morning while this was discussed, Senator Schaffer.

21. PRESIDENT:

22. Any discussion? Senator Schaffer.

23. SENATOR SCHAFFER:

24. Well, I was just going to comment. This is similar to  
25. a fiscal note and I...I don't...I think it's probably a pretty  
26. good idea. You know we mandate a lot of things, I think the  
27. alcoholism treatment comes to mind immediately and there's a  
28. whole series of things and we don't really know what it...it's  
29. going to cost us. I did have a fiscal note on this and Senator  
30. Newhouse and I discussed it and his contention is that the  
31. various agencies could tell us that. Well, that's probably  
32. true, there's no such thing as a free lunch. It would still  
33. cost us some money, but frankly sometimes we ought to have this

1. kind of advise when we go forward with legislative proposals.  
2. Maybe if we knew what it was going to cost a little more clearly,  
3. we won't be as quick as we probably are to vote for a lot of  
4. stuff.

5. PRESIDENT:

6. Is there any further discussion? If not the question is  
7. shall Senate Bill 872 pass. Those in favor will vote Aye. Those  
8. opposed will 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 48, the Nays are 4, none Voting Present.  
11. Senate Bill 872 having received a constitutional majority is  
12. declared passed. 881, Senator Graham. 883, Senator Davidson.  
13. On the Order of Senate Bills 3rd reading, Senate Bill 883. Read  
14. the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 883.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate. This bill has  
23. been amended so it has to do with problem pregnancy and the  
24. appropriation...I mean it's been amerded, it's ran under Public  
25. Health which has a program. I'd appreciate a favorable roll  
26. call.

27. PRESIDENT:

28. Is there any discussion? Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President and members of the Senate. This  
31. may be a very laudable objective and cause here and I don't take  
32. issue with it. But I do point out to you, members of the Senate,  
33. that this is something that we probably are not really obligated  
to do and I'd like to draw a comparison between the request

1. here and my request that we fund, that we would have funded  
2. what we are mandating of our schools which take care of develop-  
3. mentally disabled and mentally retarded children. Now our  
4. decision to reject my request for adequate funding was painful  
5. to me and I submit that if there was no justification for that  
6. sharing of the burden which we mandate. There's hardly any  
7. justification for taking care of pregnancies over which we  
8. have no control.

9. PRESIDENT:

10. Is there any further discussion? If not, the question is  
11. shall Senate Bill 883 pass. Those in favor will vote Aye. Those  
12. opposed will vote Nay. The voting is open. Have all voted who  
13. wish? Have all voted who wish? Take the record. On that question  
14. the Ayes are 44, the Nays are 5, 1 Voting Present. Senate Bill  
15. 883 having received a constitutional majority is declared passed.  
16. On the Order of Senate Bills 3rd reading, Senate Bill 884. Read  
17. the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 8...80...884.

20. (Secretary reads title of bill)  
21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. Yes, Mr. President and members. This is the funding bill  
26. for the 883. It's a quarter of a million dollars and the  
27. appropriation is the Public Health. Appreciate a favorable roll  
28. call.

29. PRESIDENT:

30. Is there any discussion? Senator Bruce.

31. SENATOR BRUCE:

32. Just to state, Mr. President, had I been on the Floor on  
33. 883, I would have voted. I was called off inadvertently. I  
did not get a chance to vote Aye.

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3rd reading  
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1. PRESIDENT:

2. Any further discussion? The question is shall Senate Bill  
3. 884 pass. Those in favor will vote Aye. Those opposed will  
4. vote Nay. The voting is open. Have all voted who wish? Have  
5. all voted who wish? Take the record. On that question the  
6. Ayes are 43, the Nays are 5, none Voting Present. Senate Bill  
7. 884, having received a constitutional majority is declared  
8. passed. Yes, Senator Becker, for what purpose do you arise?

9. SENATOR BECKER:

10. Mr. President, on Senate Bill 669. My button showed  
11. red, I wish that changed to show I voted...voted in the affirm-  
12. ative. 669.

13. PRESIDENT:

14. Yes. The record will so reflect. Senator Netsch, for what  
15. purpose do you arise?

16. SENATOR NETSCH:

17. Thank you. If my seatmate had not pressed my green button,  
18. I would have pressed a red button.

19. PRESIDENT:

20. The record will so reflect. Senator Demuzio, for what  
21. purpose do you arise?

22. SENATOR DEMUZIO:

23. Well, a point of personal privilege. If my seatmate had  
24. been in her seat, she would have pushed the right button. Thank  
25. you. Senate Bill 889, Senator Shapiro. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President, I would like leave of the Senate to return  
28. 889 to 2nd reading for purposes of an amendment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there leave? Leave is granted. The bill is on 2nd  
31. reading.

32. SECRETARY:

33. Amendment No. 9 offered by Senator Shapiro.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Shapiro. Senator Shapiro.
2. SENATOR SHAPIRO:
3. Mr. President and Ladies and Gentlemen of the Senate.
4. Amendment No. 9 amends Senate Bill 889 by deleting all of
5. Section 2 of Article III, which this does, what...what this
6. amendment does is deletes the Motor Vehicle Registration
7. fees which amounts to about ninety-five million dollars.
8. I would urge adoption of the amendment.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there discussion? The question is shall Amendment
11. No. 9 to Senate Bill 889 be adopted. Those in favor indicate
12. by saying Aye. Those opposed. The Ayes have it, Amendment No. 9
13. is adopted. Are there further amendments?
14. SECRETARY:
15. No further amendment.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. 3rd reading. Senate Bill 890, Senator Shapiro. Read the
18. bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 890.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Shapiro.
25. SENATOR SHAPIRO:
26. Mr. President and Ladies and Gentlemen of the Senate. Senate
27. Bill 890 as amended amends the Transportation Bond Act, Series A,
28. to increase the authorization by 65th, sixty-five million dollars.
29. I would appreciate a favorable roll call.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. ...Is there discussion? Senator Rhoads.
32. SENATOR RHOADS:
33. Question of the Chair. How many votes does this take?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The ruling of the Chair is that it will require thirty-  
3. six votes, affirmative. Is there discussion? Senator Schaffer.

4. SENATOR SCHAFFER:

5. Just on a point of personal privilege. I thought we had  
6. a rule that literature passed out to the Chairs had to be passed  
7. out by a Senator. We're starting to get stuff here. Yesterday  
8. it was an RTA package signed by Lou Hill. Today it's something  
9. else. I think we ought to adhere to our rules.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. I agree. Is there discussion? The question is shall Senate  
12. Bill 89...just a moment. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
15. I rise in support of Senate Bill 890 as amended. I think this  
16. bill and the other bill which was just amended and which I hope  
17. the Body will afford us leave to take up after this. I think  
18. we should send those bills over to the House. They do not contain  
19. everything that everybody likes, but I think in order to continue  
20. the continuing negotiations on whether or not this State will  
21. have a comprehensive road program which will adequately fund  
22. both road construction, maintenance and mass transit. I think  
23. it's in our best interest to send these bills to the House and  
24. I would urge an Aye vote.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Shapiro may close.

27. SENATOR SHAPIRO:

28. Roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. The question is shall Senate Bill 890 pass. Those in favor  
31. vote Aye. Those opposed Nay. The voting is open. Have all  
32. those voted who wish? Have all those voted who wish? Take  
33. the record. On that question the Ayes are 44, the Nays are 12.

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- 1. Senate Bill 890 having received the required three-fifths
- 2. majority is declared passed. Just a moment. Senator Buzbee,
- 3. for what purpose do you arise?
- 4. SENATOR BUZBEE:

5. Thank you, Mr. President. A point of personal privilege.

6. Senator Schaffer just made the point about materials being passed

7. out and five minutes after he made it, I get something from the

8. Illinois Bankers Association. I don't believe they've members

9. of the Senate, yet. They're trying to be sometimes, but I

10. don't think they've quite made it yet. So I would suggest that

11. all this garbage be picked up and only stuff that's put out by

12. Senators be allowed on the Floor.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The sergeant-at-arms will...the sergeant-at-arms will

15. enforce the rules of the Senate. Do we have leave to return

16. to the Order of Senate Bills on 3rd to Senate Bill 889? Leave...

17. leave is granted. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 889.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, I would now ask leave of the Body for suspension

26. of Rule 15 since this bill was just amended, but there has been

27. intervening business in order to be considered at this time.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there leave? Leave is granted. Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. President and Ladies and Gentlemen of the Senate. Senate

32. Bill 889...as now amended provides for one cent gas tax in the

33. ninety-six downstate counties. It provides for a diversion

elimination in the total amount of a hundred and twenty-six million



1. over four Fiscal Years and three calander years. The bill as  
2. it is now amended does not really provide what the Governor  
3. has asked for. But it is my mission to keep the bill moving  
4. and I have...have come to the conclusion that this is the  
5. only way that it could be done. But the most important thing  
6. about the bill that I want to emphasize to you, that it does  
7. have a diversion element in it, an anti-diversion element in  
8. it with a phase in of a four year period that the Governor  
9. will approve and sign and about that there is no question.  
10. Other than that, I would appreciate a favorable roll call  
11. on the bill. I will answer any questions that anyone has.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
16. I rise in support of Senate Bill 889, not so much for the substance  
17. of it, but because it is, in fact, the bill that was introduced  
18. at the request of the administration and is sponsored by the  
19. Minority Party. I think the...the question of an adequate  
20. comprehensive road program which will hopefully include adequate  
21. funding for mass transit is something with which we have to deal  
22. with this year. Today, unfortunately, is the last day we have  
23. not been able yet to reach any substantial agreement, but I  
24. have been in contact with both the Governor and the Governor's  
25. Office and the members of the House, Republican Leadership  
26. and I...I don't think it's...it's totally out of the question  
27. that an agreement will be reached before the Session ends. So  
28. I would urge an Aye vote.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Chew.

31. SENATOR CHEW:

32. Just a...a brief question to the sponsor.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will respond.
2. SENATOR CHEW:
3. Senator, who wants this bill?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Shapiro.
6. SENATOR SHAPIRO:
7. Senator Chew, myself for one, the Governor likes it, I
8. think the people of the State will appreciate it once it's
9. passed.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. The question is shall Senate Bill 889 pass. Those in
12. favor vote Aye. Those opposed Nay. The voting is open.
13. Have all those voted who wish? Have all those voted who
14. wish? Take the record. On that question the Ayes are 31,
15. the Nays are 21, 1 Voting Present. Senate Bill 889 having
16. received the constitutional majority is declared passed.
17. Senator...just a moment. Senate Bill 891, Senator Coffey.
18. Read the bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 891.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Coffey.
25. SENATOR COFFEY:
26. Mr. President and members of the Senate. Senate Bill 891
27. makes appropriations and reappropriations to the Department of
28. Transportation for the Fiscal Year beginning July 1st, 1979.
29. And in its present form, it contains two billion, nine hundred
30. and sixty-eight million, four hundred and twenty-two thousand,
31. seven hundred and sixty-six dollars. We all know that this
32. bill in its present form is not the way we'd like to see it,
33. we'll probably be seeing it again. And I'd ask for your favorable  
roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of the  
5. Senate. I rise again in support of Senate Bill 891. It is  
6. the FY-80 appropriation for the Department of Transportation.  
7. It contains certain provisions therein which will necessitate  
8. its coming back to the Senate to afford the membership here  
9. an opportunity to see, if, in fact, their wishes and desires  
10. have been met or can be met. So I would urge an Aye vote.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Berning.

13. SENATOR BERNING:

14. Thank you, Mr. President, I've been waiting now for about  
15. six weeks for this particular bill, this particular moment.  
16. Because I want the Body to be apprised of a communication that  
17. I received and I don't know whether everybody else did. It's  
18. dated April 2nd, addressed to interested parties, subject,  
19. Illinois Coastal Zone Management Program and it comes from  
20. IDOT. Now why do I call it to your attention? It says, I  
21. am writing to thank you for all your interest and support for  
22. the Illinois Coastal Zone Management Program over the past  
23. four years. As many of you know, the proposed Illinois Coastal  
24. Resources Management Act, House Bill 2118, failed to pass the  
25. Illinois Senate in December. The Federal office of Coastal  
26. Zone Management subsequently terminated the State's grant  
27. for development, things we knew. In addition Donna Crispin,  
28. Program Manager through 1978...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator, your time has expired.

31. SENATOR BERNING:

32. ...had left the employee of the State to marry and move  
33. to Washington, D. C. What I'm pointing out is, Ladies and Gentlemen,

1. here is where some of our appropriation money goes, telling us

2. a lot of things that we already know or we don't care...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator, your time is up. Is there further discussion?

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Just ask the sponsor a question.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he will respond.

10. SENATOR SCHAFFER:

11. Does the bill still have the four million dollar plus to

12. buy the new planes for the Governor and the other political

13. bigwig's?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Coffey.

16. SENATOR COFFEY:

17. Yes, Mr. President and Senator Schaffer, there is...4.3

18. million dollars in there for two new airplanes and a new helicopter.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Well...well, perhaps the people will be warm and cuddly

23. knowing as they drive up to the pump to pay that new gas tax

24. that the Governor is flying over them.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. ...Senator...Senator Bruce.

27. SENATOR BRUCE)

28. Well, thank you, Mr. President, I would just point out that

29. last year the taxpayers of the State of Illinois spoke, I thought,

30. very forcefully in the election. They said no new taxes and this

31. body has now increased the gas tax. They wanted no new burdens

32. from local...from government and we've increased the bonding

33. authority by sixty-five million dollars. We didn't want any

1. additional employees and yet this bill will allow them. They  
2. asked for no frivolous expenditures, yet we have an airplane  
3. and two additional helicopters. Somehow maybe the Body did  
4. not understand what happened last November. I plan to vote  
5. No.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Chew.

8. SENATOR CHEW:

9. Now just for the edification of the distinguished gentleman  
10. that just left, he and I go riding in his airplane and he voted  
11. against the raise for the legislature and he hasn't given that  
12. back and that cost some extra monies. I don't know what he's  
13. talking about. Just call the roll, we're going to pass the  
14. bill and give the new airplanes and everything else that we need.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Coffey may close. Senator Bruce, for what...

17. SENATOR BRUCE:

18. Just so, Mr...Senator Chew understands, I do not receive  
19. any pay raise. I receive twenty thousand dollars, a Legislator,...  
20. well I don't receive it Senator.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Coffey may close.

23. SENATOR COFFEY:

24. Yes, Mr. President and members of the Senate. First of all,  
25. to Senator Berning, there is in the 1980 budget, there is no  
26. funds in that budget for the Coastal Zone Management Program.  
27. I...I don't know about the letter, but there is no dollars set  
28. aside for those programs to answer as far as employees in the  
29. State. There is a cut in this...in the area of, I think, a  
30. hundred and twenty one employees cut as this budget now comes  
31. out of the Senate. I would ask for your favorable roll call on  
32. this budget.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

15602  
2/27/196  
5/12/196

1. The question is shall Senate Bill 891 pass. Those in favor
2. vote Aye. Those opposed Nay. The voting is open. Have all
3. those voted who wish? Have all those voted who wish? Take
4. the record. On that question the Ayes are 36, the Nays are 15,
5. 1 Voting Present. Senate Bill 891, having received a constitutional
6. majority is declared passed. We have leave to go to the Order
7. of Senate Bills on 3rd? Senate Bill 602. Leave is granted.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 602.  
11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Savickas.

15. SENATOR SAVICKAS:

16. Yes, Mr. President and members of the Senate. In disregard  
17. of some of the innuendoes that are being...around here. The  
18. purpose that we, the reason we had held it before was discussion  
19. that concerned that Senator Washington had had and we held it  
20. out and asked leave of the Body to come back to it at this time.  
21. This bill is a change in the Chicago Park District's Bonding  
22. Power of Assessed valuation and will keep the Chicago Park  
23. Districts Bonding Power, improvement bonding power limitation  
24. at the same eighteen million dollars that was originally  
25. proposed against real estate valuation with no increase in  
26. the tax obligation of real estate property owners other than  
27. existed prior to the Supreme Court decision that removed the  
28. Personal Property Tax from being considered as its space.  
29. This legislation is affecting the Chicago Park District at  
30. this time. Very shortly, it will affect many other taxing  
31. and municipal bodies throughout the State. It's no fault of  
32. the Park District that as they prepare to issue these bonds  
33. and they had the authority to do so that the Supreme Court

1. issued this decision and the county clerks stopped the park district  
2. from the bond issue. Until we, as Legislators, and then this  
3. is a problem that hasn't been addressed I understand yet, in  
4. our replacement tax, that until we, as Legislators, address  
5. ourselves to the replacement of the bonding authority for our  
6. municipalities that had it removed from the Personal Property  
7. Tax Base, we will all be suffering the same concern in the near  
8. future. I would ask your support for the passage of Senate  
9. Bill 602.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Netsch.

12. SENATOR NETSCH:

13. May I ask Senator Savickas a question initially. Senator...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Within one minute, yes.

16. SENATOR NETSCH:

17. Senator, is this the only change in the law as proposed  
18. by Senate Bill 602. Bonds may be issued from time to time  
19. in an amount which together with the outstanding bonded indebted-  
20. ness of such district, exclusive of bonds issued to create a  
21. working cash fund, will not exceed and it used to say three  
22. quarters of one percent and now says .95 percent of the assessed  
23. valuation of all...taxable property as last equalized and so  
24. forth. That is the change, correct?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. Yes, that's the only change.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Yeah, I think one thing should be clear. While it's  
33. very difficult to say that this will not have a tax impact  
at some point on people within the Chicago Park District.

1. It is not an increase in the authorized taxing rate, it is  
2. literally an increase in the authorized assessed valuation,  
3. something which I did not initially understand. I think we  
4. ought not to be deceived that it's going to end up the  
5. elimination of the Personal Property Tax Base. If nothing  
6. else happens, may have a tax impact, but this at least is  
7. not an increase in itself. And on that basis alone, I  
8. can support it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Washington.

11. SENATOR WASHINGTON:

12. Well, Mr. President, I'm going to support this bill  
13. because it may well be that not to support it may make one  
14. somewhat irresponsible. We don't know what the situation  
15. is going to be down the line. But I did raise some questions  
16. with Senator Savickas and he transmitted those questions up to  
17. the hierarchy in the Park District and they were never adequately  
18. answered. It's unfortunate they weren't answered because it  
19. places us in a very awkward position of trying to be responsible  
20. but yet being totally and completely disgruntled because of  
21. some things that have gone on in the Park District. Very briefly,  
22. we find the same thing here that evidently prevails in the real  
23. estate taxes. Park District monies in the millions and tens of  
24. millions of dollars have been disappropriated. The Reporter  
25. Magazine about a year ago put out a very devastating report,  
26. which indicated clearly that parks in the all white communities,  
27. and you've heard this refrain before, you can probably say it  
28. yourself, in the all white communities, have tremendously more  
29. facilities that those in the black communities. Field houses,  
30. swimming pools, skating rinks, badminton, chess set, boxing  
31. equipment, weight lifting equipment, basketball equipment, right  
32. down the whole retinue of leisure time activity, we were being  
33. discriminated against. The thing that bothered me, there may



1. be time, I'll talk without a mike. The thing that bothered me  
2. was that there has been no attempt on the part of the park  
3. district authorities to answer a very simple question, that's  
4. explain this thing to it. They won't do it. Arrogant, evil,  
5. carrying more power than their intellect or their discretion  
6. permits them to carry, but yet carrying it. And using it  
7. against black people in the City of Chicago and Latino  
8. people. Where is this mess going to stop. I'm going to vote  
9. for this bill, but I'm heartbroken but my responsibility makes  
10. me transcend my common sense and say the hell with the whole  
11. thing. I'm going to vote for it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Walsh.

14. SENATOR WASHINGTON:

15. I'm going to tell you, Mr. Savickas, if you don't tell  
16. Mr. Kelly to get up off his butt and come down here and respond  
17. to Senators when they ask legitimate questions about where  
18. their tax money is going, there'll come a time when we won't  
19. be so responsive. Thank you.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Walsh. Senator Walsh.

22. SENATOR WALSH:

23. Mr. President and members of the Senate. Members will  
24. recall that when this...the amendment to this bill was called,  
25. I opposed it, and it's because, of course, there's an increase  
26. in the bonding power without a referendum. That alone I think  
27. is reason enough to oppose this bill. Now, I would hope that  
28. the Republican members especially would oppose this because  
29. it's the principle that we have adhered to for some time. If  
30. ...if the thirty-one Democrats wish to...to pass this legislation,  
31. sobeit. But I think it's a bad proposal, I...if the mayor wants  
32. to spend thirty million dollars on Soldiers Field, which is  
33. part of the Chicago Park District, I think that the voters of

1. the City of Chicago should get an opportunity to act. I should  
2. also like to point out this is an appointed board, not an elected  
3. board. I think that we should all oppose it, but especially  
4. the Republican members. Thank you.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Savickas may close.

7. SENATOR SAVICKAS:

8. Well, Senator, Mr. President and fellow Senators. All we're  
9. doing is that the people of Chicago, Illinois and the people  
10. of the Chicago Park District had given this authority to issue  
11. ninety-five million dollars in bonds for park improvement. We  
12. issued seventy-one, we are about to issue the other twenty-four,  
13. when the Supreme Court removed this authority. Not the people  
14. of Chicago or the park district removed it, they were willing  
15. to go along with it, but the Supreme Court removed it. All  
16. we're asking is that the people of Chicago and the Chicago  
17. Park District be allowed to continue their improvement program  
18. to take care of many of these concerns that Senator Washington  
19. mentioned and many of the concerns of all of our other citizenry.  
20. The people of Chicago want it, the Chicago Park District wants  
21. it and I hope that you will allow them to have it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall Senate Bill 602 pass. Those in favor  
24. vote Aye. Those opposed Nay. The voting is open. Have all those  
25. voted who wish? Have all those voted who wish? Have all those  
26. voted who wish? Have all those voted who wish? Take the record.  
27. On that question the Ayes are 27, the Nays are 22, 1 Voting Present.  
28. Senate Bill 602, not having received the constitutional majority  
29. is declared lost. Senate Bill 892, Senator D'Arco. Read the bill,  
30. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 892.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. What this bill does, Mr. President, my fellow Senators,  
6. is exempts Blue Cross and Blue Shield from liability...for  
7. ...from malpractice liability insurance. This is consistent  
8. with other voluntary health maintenance care organizations  
9. that are immune. Their officers are immune from liability, the doctors  
10. must carry health...malpractice insurance. The HMO's that provide  
11. the service must carry malpractice insurance. But the corporation  
12. that provides the arrangement to provide the service should not  
13. and I move for a favorable vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there discussion? The question is shall Senate Bill  
16. 892 pass. Those in favor vote Aye. Those opposed Nay. The  
17. voting is open. Have all those voted who wish? Have all those  
18. voted who wish? Take the record. On that question the Ayes  
19. are 55, the Nays are none. Senate Bill 892, having received  
20. a constitutional majority is declared passed. Senate Bill 895,  
21. Senator Jeremiah Joyce. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 895.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Jeremiah Joyce.

28. SENATOR JEREMIAH JOYCE:

29. Thank you, Mr. President and Ladies and Gentlemen of the  
30. Senate. Senate Bill 895 as amended allows a theft victim to  
31. recover triple damages in a civil suit. The bill comes from  
32. the Illinois Legislative Investigating Commission. The provisions  
33. with respect to estoppel, the presumptions and the Statute

1. of Limitations have been amended out. I know of no serious  
2. objection to the bill and I appreciate a favorable roll call.  
3. Is there discussion? The question is shall Senate Bill 895  
4. pass. Those in favor vote Aye. Those opposed vote Nay. The  
5. Aye...the voting is open. All those voted who wish? Take  
6. the record. On that question the Ayes are 56, the Nays are  
7. none. Senate Bill 895 having received the constitutional  
8. majority is declared passed. Senate Bill 899, Senator Mitchler  
9. do you wish the bill read? Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 899.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator McMillan for what...Senator Mitchler.

16. SENATOR MITCHLER:

17. Mr. President and members of the Senate. This bill, Senate  
18. Bill 899, does exactly what the Calendar points out. It takes  
19. the unclaimed lottery winnings and deposits it in a fund. It's  
20. distributed to the park districts, the forest preserve district  
21. and the five conservation districts. Ask for a favorable roll  
22. call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator McMillan.

25. SENATOR McMILLAN:

26. Mr. President, members of the Senate. I respectfully rise  
27. in opposition to this...to this bill. We have a lot of pressing  
28. needs, many of which we have heard many times today and I think  
29. that there's any unclaimed funds it ought to be put in the  
30. General Revenue Fund rather than put in another specific special  
31. program.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. Senator McMillan expressed my  
3. opinions exactly. Why not do it for school districts or for  
4. hospitals or anything else. I think this is a bad concept.  
5. Unclaimed funds ought to go back into the General Revenue Fund  
6. where all of the taxpayers can benefit from them.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Senator Mitchler, is the amendment still on?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Mitchler, you wish to respond?

13. SENATOR MITCHLER:

14. The corrected amendment went on.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. What does it do?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. It included the forest preserve districts and the five  
23. conservation districts. Originally it was just for the park  
24. districts. And that has been corrected, that was the amendment  
25. that you brought to my attention about the income tax and that  
26. has been corrected.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Wooten.

29. SENATOR WOOTEN:

30. You represent now that there is no longer any portion of  
31. the income tax going to any of these districts?

32. PRESIDING OFFICER:

33. Senator Mitchler,

1. SENATOR MITCHLER:

2. That's right.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. I rise in opposition to this  
7. legislation. This is exactly the opposite of what we've been  
8. doing with the road fund. Were we to pass this, there'd be a  
9. time pretty sure down the road where we would say, let's stop  
10. diverting from these funds to different areas. I can't see  
11. the sense to in one hand, say let's stop diversions and  
12. in other hand create diversions. I think this is a bad concept  
13. whose time should not have come.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Mitchler may close.

16. SENATOR MITCHLER:

17. Ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The question is shall Senate Bill 899 pass. Those in favor  
20. vote Aye. Those opposed Nay. The voting is open. That's the  
21. shortest speech Senator Mitchler ever made. Have all those voted  
22. who wish? This is a new record. Take the record. On that question  
23. the Ayes are 3, the Nays are 47, and 9...you don't...you wouldn't.  
24. Senator Mitchler.

25. SENATOR MITCHLER:

26. I'm not going to put this on postponed consideration.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Thank you. On that question the Ayes are 3, the Nays are  
29. 47. Senate Bill 899, not having received a constitutional majority  
30. is declared lost. Senate Bill 902, Senator Lemke. Read the bill,  
31. Mr. Secretary.

32. SECRETARY:

33. Senate Bill 902.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Lemke.
5. SENATOR LEMKE:
6. What this bill does is allows insurance companies to
7. ...reinsure themselves in high risk areas. I ask for its adoption.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Is there...is there discussion? Senator Rupp.
10. SENATOR RUPP:
11. Thank you, Mr. President. Actually this is posed as being
12. a...an insurance exchange bill and it is not. And it wouldn't
13. set up any Lloyd's of London type thing where individual member
14. companies could bid or write for specialized types of insurance.
15. It's actually a reinsurance bill and it mandates the insurance
16. department to set up a reinsurance facility to permit all lines
17. of insurance, such as accident and health and life and commercial,
18. auto, homeowners and so forth to be be reinsured. Our present
19. fair plan deals only with property insurance. And there's only
20. one state that has a reinsurance facility that deals with...and
21. that deals with auto insurance only, there's no such all lines
22. facility that...in the whole country. And actually we've been
23. assured that there's no way that the insurance department of
24. the State of Illinois could set up this facility without a
25. wholesale revision of our insurance code. And lastly, it completely
26. revamps our current entire insurance system, for all lines of
27. insurance and it's attempting to go to a...a unworkable, untried, completely
28. new system. It's a bad bill. I ask for a no vote.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Is there further discussion? Senator Lemke may close if
31. he so desires.
32. SENATOR LEMKE:
33. I ask for the adoption of the bill.

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906  
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3rd Reading

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The question is shall Senate Bill 902 pass. Those in favor  
3. vote Aye. Those opposed Nay. The voting is open. Have all  
4. those voted who wish? Have all those voted who wish? Take  
5. the record. On that question the Ayes are 13, the Nays are 35,  
6. 2 Voting Present. Senate Bill 902, not having received a  
7. constitutional majority is declared lost. Senate Bill 905,  
8. Senator Demuzio. Senator...Senator Demuzio.

9. SENATOR DEMUZIO:

10. Yes, Mr. President. Senate Bill 905 and 906 are actually  
11. companion bills and I would ask leave of the Senate to discuss  
12. both of them at the same time, if I may.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there leave? Leave is granted. We'll vote separately,  
15. however. Read the bill, Mr. Secretary.

16. ACTING SECRETARY: (MR. FERNANDES)

17. Senate Bill 905.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bloom, for what purpose do you arise?

22. SENATOR BLOOM:

23. Well, I've no objection to hearing both of them at once, but  
24. I wonder if we could suspend the Donnewald rule because this a  
25. very complex subject matter and go to a five minute rule instead.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The Donnewald rule provided that with leave of the Body, we  
28. can do anything. Is there leave to...to suspend the temporary  
29. rule? Leave...leave is granted. All right, Senator Demuzio.

30. SENATOR DEMUZIO:

31. Have you read...read the bills both. All right. Thank you  
32. very much.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)



1. The first bill has been read and...and that will be voted  
2. on after the argument, after the debate on both. All right, you  
3. may proceed.

4. SENATOR DEMUZIO:

5. Well, thank you very much, Mr. President and Ladies and  
6. Gentlemen of the Senate. Senate Bills 905 and 906 are those  
7. bills that concerned themselves with the Electronic Funds  
8. Transfer in...in Illinois. Senator Bloom has a bill, Senate  
9. Bill 962 which is a product of the commission bill, commission  
10. that has been established by the Legislature and frankly Senate  
11. Bill 905 and 906 have been introduced...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Just...just a minute, Senator. Will the members please  
14. be in their seats. All unauthorized personnel remove themselves.  
15. You may proceed.

16. SENATOR DEMUZIO:

17. ...Senate Bills 905 and 906 have been introduced because  
18. the proposal that has been proffered by the Electronic Funds  
19. Transfer goes to the heart of the issue of...in Illinois and  
20. that is a...a...a...not a prudent...approach as it pertains  
21. to Electronic Funds Transfer and branch banking. Senate Bill  
22. 905 and 906 would do the following things. 905 would allow  
23. a bank to deploy ten automatic teller machines off the  
24. premise...off the premises to better serve the banks customers.  
25. Two of these machines may be deployed within thirty-five hundred  
26. yards of the deploying bank and may be used extensively by the  
27. bank itself. Four may be deployed within the home county of  
28. the bank, beyond three...thirty-five hundred yards of this...  
29. of the bank and they must be shared by the customers of...of  
30. other banks. Four may be deployed within counties contiguous  
31. to the home county of the deploying bank and...and again must  
32. be shared with the customers of other banks. Eight machines  
33. allowed at distances past thirty-five hundred yards may be

1. established at the rate of two per year. This bill represents  
2. a cautious and a thoughtful approach to the ATM deployment  
3. and further provides for convenience of the customers in  
4. Illinois and protects the concepts that have long been cherished  
5. in...in this State. It has the full support of the Illinois  
6. Bankers Association and the ICBI. Senate Bill 906 provides  
7. again also for a cautious and a thoughtful approach to EFT  
8. development, rather than the unset development that would be  
9. allowed in Senate Bill 962. This proposal would allow for  
10. a two-tier plan with different systems operating locally  
11. and state-wide. Any corporation may open and operate an  
12. EFT network under its direct control which would be permitted  
13. to operate in its home county and any contiguous county. This  
14. proposal was proffered to allow all banking institutions or  
15. all institutions in Illinois to have the opportunity to own  
16. its own system. Any EFT network which operates state-wide  
17. must be owned by at least two hundred banks under a dispersed  
18. ownership. All of these networks whether they are proprietary  
19. or state-wide will have to allow all financial institutions  
20. and other...networks access to their system. The bill provides  
21. and exempts for the telephone companies to be exempt from  
22. the regulations under the act and in addition the consumer  
23. safeguard provisions that are contained in the Electronic  
24. Funds Transfer Act or...expressly incorporated into the bill.  
25. Other provisions of the bill relate to the point of sale  
26. terminals deployment, which are also to be deployed on a  
27. county and contiguous basis. This would allow also for  
28. the soft ware systems that have had some concern in Illinois  
29. to be involved into the process and also would grant credit  
30. unions, savings and loans and retailers access to this  
31. program. Be happy to answer questions.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there discussion? Senator Bloom.

1. SENATOR BLOOM:

2. Yes, Senator, I commend you for trying to affect a compromise  
3. within the banking industry, but these two bills basically say  
4. we can have any EFT system we want as long as it's owned  
5. by two hundred banks and as long as any other financial insti-  
6. tution is in a subservient status. Where does it allow the  
7. thrifts or the credit unions or proprietary networks to set  
8. up their own systems? Is it 6105?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Demuzio.

11. SENATOR BLOOM:

12. He didn't hear the...

13. SENATOR DEMUZIO:

14. The...the...would you briefly repeat the question, Senator.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Bloom.

17. SENATOR BLOOM:

18. I'll put it another way. This bill does say no one can  
19. participate in two networks. In other words, there is...no  
20. competition allowed under this system. Is that not correct?  
21. Look at 6105.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. However nothing in the act shall be construed to prevent  
26. a financial institution from...from terminating service of  
27. one transmission facility or similar facility operated by  
28. the proprietary network and immediately obtain service from  
29. another such facility.

30. SENATOR BLOOM:

31. Read...read the first part of that. Well, I made my  
32. point. The other thing, read in 7101 a very serious  
33. defect prohibits deployment and this goes to the heart of

1. the matter and why the retailers so strongly oppose 905 and 906.  
2. 7101 prohibits deployment of point of sale equipment unless it's  
3. owned by an EFT corporation, which would be the two hundred  
4. banks. The structure of 905 and 906 is such that everything  
5. is funnelled to the switch which must be owned by, well let's  
6. call it what it is, Electronic Funds Illinois. This is statutory  
7. Electronic Funds Illinois that grandfathers to make it attractive  
8. to other bankers existing systems that exist as of March of this  
9. year. Every other entity, including those diverse interests  
10. that were represented on the EFTS Commission are put in a sub-  
11. servient or client status. Further, Section 6106 prohibits  
12. proprietary networks from interconnecting so...so this particular  
13. service has to be channelled through the hundred bank corporate  
14. switch. I submit, Ladies and Gentlemen of the Senate, that this  
15. ...this violates, in my judgment, the Sherman Act. It is very  
16. similar to what was enacted in Nebraska and when they tried to  
17. set it up and operate it, the Anti-Trust Division of the  
18. Justice Department in response to a business review letter, told  
19. them they'd come down on them like ten tons of bricks. This is  
20. not good public policy. I'm sorry I've over run my time. At  
21. the proper time I would ask for a question on how many votes  
22. this would take on 905.

23. PRESIDENT:

24. Further discussion? Senator Ozinga.

25. SENATOR OZINGA:

26. I don't think that I need to say that I'm interested in  
27. banks and banking, however I don't consider this bill as a  
28. conflict really. The answer to that is that this bill will  
29. modernize a lot of banking systems. I agree that a lot of  
30. the independent bankers and others are not completely pleased  
31. with either 905 or 906 or the Study Commission's bill. However,  
32. I think that the only reason that these bills are here at all  
33. and probably should be all three of them referred for further

1. study, little good as it will do. However, I do feel that these  
2. bills will modernize the banking system as now exists. And  
3. therefore do urge an Aye vote on these bills.

4. PRESIDENT:

5. Any further discussion? Senator Demuzio may close the  
6. debate.

7. SENATOR DEMUZIO:

8. Well, I...

9. PRESIDENT:

10. All right.

11. SENATOR DEMUZIO:

12. ...It's my bill, if I was going to ask the same point, but...

13. PRESIDENT:

14. Yes.

15. SENATOR DEMUZIO:

16. ...Senator Bloom insists why...

17. PRESIDENT:

18. No. You...you...you may close the debate.

19. SENATOR DEMUZIO:

20. ...let him make his point. Well, these two bills are bills  
21. that frankly I don't own one share of stock and I could care  
22. less as to who does what to whom. These two bills were brought  
23. about as a means of trying to affect a compromise in this  
24. financial institutions in Illinois. A compromise that hasn't  
25. been made available for over fifty years in the total industry.  
26. Access to these systems is provided in these two amendments.  
27. This bank or...financial institution that's as it's defined  
28. can, in fact, own its own proprietary system. It can, if it  
29. wishes to establish itself on a state- wide basis if it meets  
30. the criteria under the act. There's no grandfathering at all.  
31. in the bills. The grandfathering provisions that had been  
32. discussed have been eliminated. I think it does represent  
33. a fair and honorable compromise. If there are defects that

1. have not been identified, be glad to work on those in the House  
2. to effectuate any kind of changes that would make it more  
3. palatable to some of the additional members as long as it  
4. meets within the criterias that...that I have so proposed in  
5. both these pieces of legislation. Mr. President, I too, would  
6. like to seek a ruling from the Chair as to the number of votes  
7. that it would take to pass both 905 and 906 under the branching  
8. aspects.

9. PRESIDENT:

10. Your inquiry is in order and under Chapter 16½, Section 106  
11. of the Illinois Banking Act, a branch bank is defined as maintaining  
12. more than one banking house receiving deposits or paying checks  
13. at any other place than the banking house. Both Senate Bills  
14. 905 and 906 permit the receipt of deposits and paying of checks  
15. at a place other than the banking house and therefore under applicable  
16. law and relevant judicial decisions, Senate Bills 905 and 906  
17. would permit branch banking. Therefore under Article XIII, Section  
18. 8 of the Illinois Constitution, requires that branch banking shall  
19. be authorized only by a law approved by three-fifths of the members  
20. voting on the question or a majority of the members elected,  
21. whichever is greater. The Chair is prepared to so rule. Senator  
22. Bowers.

23. SENATOR BOWERS:

24. In view of that ruling, Mr. President, then what will be  
25. the ruling of the Chair as to the extraordinary majority on a  
26. present vote? You...in other words, the ruling last year, two  
27. years ago, which I disagreed with, stated that if a member voted  
28. Present, it was counted as those present and voting and I would  
29. like to have a ruling of the Chair on that point.

30. PRESIDENT:

31. Yes, under Article XIII, Section 8, which provides that  
32. branch banking shall be authorized only by law approved by  
33. three-fifths of the members voting on the question. We ruled

1. in the past and I'm prepared again to rule today, that a vote  
2. Present on the question, when the bill is called, is a vote and  
3. will count in the group. Senator Bowers.

4. SENATOR BOWERS:

5. Well, Mr. President, I accept the ruling of the Chair  
6. even though I disagree with it. In the past I have made  
7. announcements on this Floor of my interests in banking and I  
8. do have that. I voted Present two years ago, based upon  
9. the fact I'm a director in two banks, now it's three. But under  
10. the circumstances and with that ruling I'm going to vote on  
11. these banking bills this year and I just want the Body to know  
12. my conflict.

13. PRESIDENT:

14. All right, the... Senator Grotberg.

15. SENATOR GROTEBERG:

16. A moment on a personal privilege. Because the debate is  
17. finished, but I remember the branch banking bills and they're  
18. so controversial, have died mostly because everybody that seems  
19. to own bank stock or some such matter, has rather than declared  
20. their conflict have voted yellow and put a tremendous burden  
21. on the rest of us. Now I have used my conflict from time to  
22. time, but only not to kill legislation. I just wanted to  
23. know that... that I think I'll take this roll call around to  
24. banks, if it fails, to show the bankers that may be voting  
25. Present that put a tremendous burden on the rest of us. I'd  
26. urge you to vote up or down, but stay off that yellow vote.

27. PRESIDENT:

28. Senator Walsh.

29. SENATOR WALSH:

30. Mr. President, members of the Senate. I own bank stock,  
31. which I guess the whole world has known since we've been  
32. filing statements of economic interest and we've been voting  
33. on... on bills affecting interest rates and affecting state

1. chartered institutions versus Federal institutions, et cetera.
2. I intend to vote on this, but I don't think I'm telling anybody
3. anything they didn't already know.
4. PRESIDENT:
5. Senator Berman.
6. SENATOR BERMAN:
7. I wish to make the same statement. That there may be a
8. conflict, but I intend to vote.
9. PRESIDENT:
10. Senator Maragos.
11. SENATOR MARAGOS:
12. Similar statement, Mr...President.
13. PRESIDENT:
14. Senator Weaver.
15. SENATOR WEAVER:
16. Mr. President, I think that anyone who has any bank stock,
17. which I have, it's on my financial disclosure and if it isn't
18. on your financial disclosure, you're such a minority stock holder,
19. you don't even have to divulge it.
20. PRESIDENT:
21. Senator Shaprio. Also Senator Buzbee.
22. SENATOR BUZBEE:
23. Mr. President, the same speech I made the other day. I
24. don't own any bank stock, but I'd sure like to.
25. PRESIDENT:
26. ...Senator Carroll.
27. SENATOR CARROLL:
28. ...Senator Weaver and everybody...
29. PRESIDENT:
30. Senator Vadalabene.
31. SENATOR VADALABENE:
32. Yes, not the same speech. I own so little that I don't
33. have to report it.



1. PRESIDENT:
2. Senator Sangmeister.
3. SENATOR SANGMEISTER:
4. Same statement. Have bank stock and savings and loan stock,
5. but will vote on the...on the bills.
6. PRESIDENT:
7. Senator Egan.
8. SENATOR EGAN:
9. Yes, Mr. President. I...I used to own some bank stock but I
10. sold it at a profit.
11. PRESIDENT:
12. Senator DeAngelis.
13. SENATOR DeANGELIS:
14. Two.
15. PRESIDENT:
16. Senator Keats.
17. SENATOR KEATS:
18. I am another one who happens to have some bank stock.
19. PRESIDENT:
20. Senator Geo-Karis.
21. SENATOR GEO-KARIS:
22. I...I have a little bank stock, but not as much as Roger
23. Keats. So I may have a conflict of interest. I will vote my
24. conscience.
25. PRESIDENT:
26. Senator Maragos.
27. SENATOR MARAGOS:
28. ...
29. PRESIDENT:
30. Senator Savickas.
31. SENATOR SAVICKAS:
32. Same...same reason.
33. PRESIDENT:

1. All right. Senator Demuzio...Senator Bruce.

2. SENATOR BRUCE:

3. Just to make know my potential conflict and the fact that I

4. will vote.

5. PRESIDENT:

6. Senator...Senator Johns.

7. SENATOR JOHNS:

8. Well, Mr. President, it occurs to me and I...I have a

9. gasoline business and I've never voted pro or con on anything

10. affecting my gasoline business. I think it behooves us to look

11. back and ask ourselves the question, not whether it's on your

12. financial statement or not, but whether the public really knows

13. who's serving who here. I truly feel that anybody that has a

14. specific interest on anything should not vote either way.

15. Because that's serving your interest, one way or another

16. PRESIDENT:

17. Senator Rupp.

18. SENATOR RUPP:

19. Mr. President, I'd like to report that I do have a Christmas

20. Club.

21. SENATOR LEMKE:

22. Since I don't own any bank stock, I'm going to vote Present.

23. PRESIDENT:

24. All right. Senator Demuzio, you wish to close the debate?

25. SENATOR DEMUZIO:

26. Are...are we going to take roll calls separately on 905

27. and 906.

28. PRESIDENT:

29. Yes...yes, separate roll calls will be taken.

30. SENATOR DEMUZIO:

31. Well, just very briefly, to reiterate, I hope that, there

32. are enough members of the Body that believe that this, indeed,

33. is a compromise, one that will be the first one in the banking

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1. industry in fifty some years. I would seek your favorable
2. support. I would hope that it would pass. I think that Senate
3. Bill 962, I think...is a proposal we'll be discussing a little
4. later, but I would seek your favorable support on 905 and 906.
5. PRESIDENT:
6. The question is shall Senate Bill 905 pass. Those in favor
7. will vote Aye. Those opposed will vote Nay. The voting is open.
8. Have all voted who wish? Have all voted who wish? Take the
9. record. On that question the Ayes are 46, the Nays are 4, 4
10. Voting Present. Senate Bill 905, having received a constitutional
11. majority is declared passed. On the Order of Senate Bills 3rd
12. reading, Senate Bill 906. Read the bill, Mr. Secretary.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
23. End of Reel #5
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

1. SECRETARY:

2. Senate Bill 906.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Well, I assume that all of the speeches applicable to the  
9. last bill are applicable to this one and therefore, I'd ask for  
10. a favorable roll call.

11. PRESIDENT:

12. Is there any discussion? If not, the question is, shall  
13. Senate Bill 906 pass. Those in favor will vote Aye. Those  
14. opposed will vote Nay. The voting is open. Have all voted  
15. who wish? Have all voted who wish? Take the record. On that  
16. question, the Ayes are 47, the Nays are 4, 4 Voting Present.  
17. Senate Bill 906 having received the constitutional majority  
18. is declared passed. 911, Senator Regner. On the Order of  
19. Senate Bills, 3rd reading, Senate Bill 911. Read the bill, Mr.  
20. Secretary.

21. SECRETARY:

22. Senate Bill 911.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Regner.

27. SENATOR REGNER:

28. Mr. President and members of the Senate. This is a bill  
29. sponsored by the chairman and minority spokesman of both  
30. Appropriations Committees. What it does is eliminates five  
31. different funds that we have in State Government right now that  
32. are very seldom used and some of them haven't been used at all  
33. for the last three or four fiscal years and it will free up

1. about eight million dollars of General Revenue monies. The  
2. purpose of which the funds are used are contained in regular  
3. appropriation bills anyway and I'd ask for a favorable roll  
4. call.

5. PRESIDENT:

6. Any discussion? If not, the question is, shall Senate  
7. Bill 911 pass. Those in favor will vote Aye. Those opposed  
8. will vote Nay. The voting is open. Have all voted who wish?  
9. Have all voted who wish? Take the record. On that question,  
10. the Ayes are 52, the Nays are 1, none Voting Present. Senate  
11. Bill 911 having received the constitutional majority is  
12. declared passed. 923, Senator Egan. On the Order of Senate  
13. Bills, 3rd reading, Senate Bill 923. Read the bill, Mr.  
14. Secretary.

15. SECRETARY:

16. Senate Bill 923.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Egan.

21. SENATOR EGAN:

22. Thank you, Mr. President and members of the Senate. The...  
23. Senate Bill 923 creates a temporary total disability benefit  
24. for judges in Illinois, which, in effect, allows payment after  
25. two years of service as a judge during disability but not beyond  
26. the term of office for which he was elected or appointed. The...  
27. the benefit is fifty percent of salary and what it does is free  
28. up the post of a lot of judges who are disabled and yet aren't  
29. classified as disabled. To appoint judges that can fill those  
30. vacancies so that there is, in fact, a working judge and it...  
31. it's a relative minor cost. Actuarially, it's consequently sound  
32. and so I...I would ask for your favorable consideration.

33. PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. Mr...thank you, Mr. President. I, too, rise in support  
4. of this and point out that up to this time the Judicial system  
5. is the only one which does not provide this kind of temporary  
6. total disability benefits, so I urge an Aye vote.

7. PRESIDENT:

8. Any further discussion? If not, the question is, shall  
9. Senate Bill 923 pass. Those in favor will vote Aye. Those  
10. opposed will vote Nay. The voting is open. Have all voted  
11. who wish? Have all voted who wish? Take the record. On that  
12. question, the Ayes are 52, the Nays are none, none Voting  
13. Present. Senate Bill 923 having received the constitutional  
14. majority is declared passed. 927, Senator Egan. On the Order  
15. of Senate Bills, 3rd reading, Senate Bill 927. Read the bill,  
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 927.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Egan.

23. SENATOR EGAN:

24. Thank you, Mr...you cut me off...Thank you, Mr. President  
25. and members of the Senate. Senate Bill 927 is the same annual  
26. increase in the pension increment from two percent to three  
27. percent. The bill has been amended so that the judges will  
28. have to pay...sorry to have to holler at everybody...but, that's  
29. it and it's the same as ours. I commend it to your favorable  
30. consideration.

31. PRESIDENT:

32. Any discussion? If not, the question is, shall Senate Bill  
33. 927 pass. Those in favor will vote Aye. Those opposed will vote

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- 1. Nay. The voting is open. Have all voted who wish? Have all
- 2. voted who wish? Take the record. On that question, the Ayes
- 3. are 49, the Nays are 7, none Voting Present. Senate Bill 927
- 4. having received the constitutional majority is declared passed.
- 5. 932, Senator Berman. On the Order of Senate Bills, 3rd reading,
- 6. Senate Bill 932. Read the bill, Mr. Secretary.
- 7. SECRETARY:
- 8. Senate Bill 932.
- 9. (Secretary reads title of bill)
- 10. 3rd reading of the bill.
- 11. PRESIDENT:
- 12. Senator Berman.
- 13. SENATOR BERMAN:
- 14. Thank you, Mr. President and Ladies and Gentlemen of the
- 15. Senate. Last year in the 80th General Assembly we passed a
- 16. bill to allow the Chicago Board of Education to issue one levy
- 17. to cover its fiscal year that runs from September 1 till
- 18. August 31. One...one of the things that was not amended and
- 19. which this bill does is to allow the issuance of general
- 20. obligation notes for the same period of time to cover a
- 21. full fiscal year. At the present time two...two sales have to
- 22. be made, one-third for the first...four months of the year or
- 23. the first months of the fiscal year, which is from September
- 24. through December and then another two-thirds for the balance of the
- 25. fiscal year. This is a housekeeping measure in order to allow
- 26. the Chicago Board to issue general obligation notes every
- 27. single time. I commend it for your favorable vote.
- 28. PRESIDENT:
- 29. Any discussion? Senator Walsh.
- 30. SENATOR WALSH:
- 31. Will the Gentleman yield to Senator Berman?
- 32. PRESIDENT:
- 33. He indicates he will yield. Senator Walsh.

1. SENATOR WALSH:  
2. I'm sorry, I didn't catch everything he said, but you  
3. have agreed to amend this bill in the House to provide the  
4. eight percent interest limitation. Is that correct?  
5. PRESIDENT:  
6. Senator...Senator Berman.  
7. SENATOR BERMAN:  
8. Yes.  
9. PRESIDENT:  
10. Senator Walsh.  
11. SENATOR WALSH:  
12. So...so then we can be assured that the...the bill will  
13. not proceed to passage stage in the House without the amend-  
14. ment so that it will come back to the Senate for concurrence.  
15. SENATOR BERMAN:  
16. Correct.  
17. SENATOR WALSH:  
18. Well, with...with that understanding, Mr. President, I  
19. intend to support this bill. It's not a good bill in its  
20. present form. I'm going to vote Aye, but I expect that it  
21. will be a better bill when it comes back.  
22. PRESIDENT:  
23. Further discussion? Senator Davidson.  
24. SENATOR DAVIDSON:  
25. Yes, Mr. President and members of the Senate and particularly  
26. the members on my side of the aisle. In working out the agreement  
27. that the eight percent amendment would be put on in the House.  
28. This bill is now acceptable and I urge you to vote Aye.  
29. PRESIDENT:  
30. Senator Bruce.  
31. SENATOR BRUCE:  
32. Just roll it.  
33. PRESIDENT:



1. All right. The question is, shall Senate Bill 932 pass.  
2. Those in favor will vote Aye. Those opposed will vote Nay.  
3. The voting is open. Have all voted who wish? Have all voted  
4. who wish? Take the record. On that question, the Ayes are  
5. 45, the Nays are 8, none Voting Present. Senate Bill 932  
6. having received the constitutional majority is declared passed.  
7. 939, Senator Gitz. On the Order of Senate Bills, 3rd reading,  
8. Senate Bill 939. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 939.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Gitz.

15. SENATOR GITZ:

16. This bill has one amendment on it and the amendment was to  
17. take out the eminent domain features as they apply to utility  
18. companies. With that amendment it meets with the approval of  
19. the Farm Bureau. It meets with the approval of the utility  
20. companies and power companies and the electrical cooperatives.  
21. What Senate Bill 939 seeks to do is in a rational voluntary  
22. manner providing mechanism by which we can create agricultural  
23. districts to preserve farm land. We have a rather scattered  
24. development problem right now in many areas particular like Winnebago  
25. County. You have increasing development. You have spiraling  
26. property taxes and there's a direct and disincentive for farmers  
27. to remain in production when property taxes are skyrocketing.  
28. Now, before we get into the major debate of the bill, I  
29. simply want to emphasize the voluntary nature of this. This  
30. takes into account some of the veto message several years ago  
31. in another bill in which it was...the owner of the property  
32. who will allow his land to be put into the agricultural district.  
33. It creates an advisory committee to the county board. It allows

1. them to create the district. It allows for periodic review of  
2. it.

3. PRESIDENT:

4. Any discussion? Senator Martin.

5. SENATOR MARTIN:

6. A question to the sponsor.

7. PRESIDENT:

8. He indicates he will yield. Senator Martin.

9. SENATOR MARTIN:

10. Does this supercede county zoning powers in Winnebago County?

11. PRESIDENT:

12. Senator Gitz.

13. SENATOR GITZ:

14. In what fashion?

15. PRESIDENT:

16. Senator Martin.

17. SENATOR MARTIN:

18. In any fashion. Does...are you saying the State will  
19. interfere with local government county zoning?

20. SENATOR GITZ:

21. No...no...no. No, the State is not really even an operational  
22. part of this bill. What this does if you look at the bill's  
23. provisions, it creates a committee, which is made up of farmers,  
24. the conservation district, et cetera. The county board ultimately  
25. approves it. Now, it's the same county board right now that  
26. has the zoning subcommittee in it. They go on the zonings. They  
27. create the zones. They decide what's going to be in it. They  
28. are the same individuals that ultimately rule on this. As a  
29. matter of fact, it would give them an additional tool. The State  
30. does not come in and create a district that overrules them at all.

31. PRESIDENT:

32. Senator Martin.

33. SENATOR MARTIN:

1.           Okay. I was on that county board and on that zoning  
2. committee, Senator. You are saying that there's an advisory  
3. committee that now exists that will advise without the county  
4. board's request really for such advice...will advise them  
5. on how they should zone?

6.           PRESIDENT:

7.           Senator Gitz.

8.           SENATOR GITZ:

9.           If you look at Section 4, it says the county agricultural  
10. district advisory committee, each county, shall establish a  
11. county agricultural district advisory committee. Herein,  
12. referred to as the county committee. Each county committee  
13. shall be established within sixty days the enactment of this  
14. Act and shall consist of a member of the county board, three  
15. farmers, one of who must be the director of the county soil  
16. and water conservation district and one nonfarmer. All county  
17. committees...members will be residents of the county and no more  
18. than three will be of the same political party, et cetera. They  
19. will hear the proposals. They will recommend to the county board.  
20. The county board ultimately will rule on that and they could, for  
21. that matter, reject all of their suggestions. The county board  
22. is the controlling agent.

23.          PRESIDENT:

24.          Senator Martin, your time has nearly expired.

25.          SENATOR MARTIN:

26.          This fast. I oppose the shall mandate on the county.

27.          PRESIDENT:

28.          Further discussion? Senator Gitz may close.

29.          SENATOR GITZ:

30.          We're faced with a very difficult problem when we look at...at  
31. the pros and cons of how to address land. Agricultural is  
32. the number one industry of this State and it's the largest  
33. exporter, in fact, in the country, in Illinois. I think land

1. is a very valuable resource. The problem we run into is how  
2. to set up a mechanism that allows preservation, but still allows  
3. for voluntary control. That's what this bill attempts to do.  
4. It provides a mechanism to create the districts. No one who  
5. didn't want to put their land into the district would be compelled  
6. to do so. It's a fair and balanced proposal that meets approval  
7. of all the major farm groups. It meets approval of even the  
8. electrical cooperatives with the amendments that have been put on  
9. the bill. I respectfully urge an affirmative roll call. I think  
10. you will find this bill will be meritorious. I think that we will  
11. work out further problems in the House and I hope that we will  
12. do in the end is create some mechanism to preserve needed farm-  
13. land at a time when people are being driven out of the business  
14. because land values are so high, taxes are so high and no one  
15. can afford to stay in it.

16. PRESIDENT:

17. The question is, shall Senate Bill 939 pass. Those in favor  
18. will vote Aye. Those opposed will vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Take the  
20. record. On that question, the Ayes are 31, the Nays are 20,  
21. 1 Voting Present. Senate Bill 939 having received the  
22. constitutional majority is declared passed. Senator Martin,  
23. for what purpose do you arise?

24. SENATOR MARTIN:

25. Please verify the affirmative roll call.

26. PRESIDENT:

27. There's been a request for a verification of the affirmative  
28. votes. Will the members please be in their seats? The Secretary  
29. will read the affirmative votes.

30. SECRETARY:

31. The following Senators voted in the affirmative: Berman,  
32. Berning, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Daley,  
33. Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce,

1. Jerome Joyce, Maragos, McLendon...McMillan, Merlo, Nash, Nedza,  
2. Netsch, Newhouse, Sangmeister, Savickas, Vadalabene, Washington,  
3. Wooten, Mr. President.  
4. PRESIDENT:  
5. Here. Senator Martin.  
6. SENATOR MARTIN:  
7. Senator Coffey.  
8. PRESIDENT:  
9. Senator Coffey is not on the affirmative roll call.  
10. SENATOR MARTIN:  
11. I'm sorry. Excuse me. Senator Berning.  
12. PRESIDENT:  
13. Senator Berning. Is Senator Berning on the Floor? Strike  
14. Senator Berning's name from the roll.  
15. SENATOR MARTIN:  
16. Senator Daley.  
17. PRESIDENT:  
18. Is Senator Daley on the Floor? Senator Daley is on the  
19. Floor.  
20. SENATOR MARTIN:  
21. Senator Chew.  
22. PRESIDENT:  
23. Is Senator Chew on the Floor? Is Senator Chew on the Floor?  
24. Senator Chew is on the Floor.  
25. SENATOR MARTIN:  
26. Senator Nash.  
27. PRESIDENT:  
28. Senator Nash is on the Floor. All right. The roll has  
29. been verified. On that question, the Ayes are 30, the Nays are  
30. 20, 1 Voting Present. Senate Bill 939 having received the  
31. constitutional majority is declared passed. Senator Johns  
32. having voted on the prevailing side moves to reconsider the vote  
33. by which Senate Bill 939 was passed. Senator Gitz moves to Table

1. that motion. All in favor signify by saying Aye. All opposed.  
2. The Ayes have it. So ordered. On the Order of Senate Bills,  
3. 3rd reading, Senate Bill 940. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 940.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Maragos.

10. SENATOR MARAGOS:

11. Mr. President and members of the Senate. Senate Bill 940  
12. is the appropriation bill to allow a five million dollar grant  
13. to the Regional Port District at the Iroquois Landing. This has  
14. been the bill that has been approved and recommended by the  
15. Economic Development Commission of our legislature. It's  
16. Chairman is Senator Moore. We have worked diligently with  
17. Senator Moore. Senator Daley. Senator Chew. Senator Weaver  
18. and other Senators who are on this commission to...bring  
19. about this as a responsible approach to bringing more funding  
20. to the...to the State of Illinois and to see that our agricultural  
21. products and other products that are manufactured here that are  
22. shipped out, are shipped out at a decent rate and I ask for your  
23. support.

24. PRESIDENT:

25. Is there any discussion? Senator Moore.

26. SENATOR MOORE:

27. Thank you, Mr. President and members of the Senate. I rise  
28. in support of Senate Bill 940. I think the members of this Body  
29. are aware that there was a loan granted to the Chicago Port  
30. Authority for ten million last year. Seven and a half million  
31. was used to purchase the land. Two and a half million is  
32. presently being used for site improvements on eighty acres.  
33. There is still a hundred and twelve acres that have to be leveled,

1. filled, cement, concrete, blacktopped and so forth. The two  
2. operators of the port are considering constructing two new  
3. one hundred thousand square foot sheds at a cost of a million  
4. dollars each, but we have to have the land in condition in order  
5. to have a fully containerized port and general cargo facility  
6. at Iroquois Landing. I'd urge support of Senate Bill 940.

7. PRESIDENT:

8. Further discussion? Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Will the sponsor yield for a question?

11. PRESIDENT:

12. He indicates he will yield. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. Senator Maragos, will support and passage of this bill  
15. remove the Port Authority's objection to the Barge Tax?

16. PRESIDENT:

17. Senator Maragos.

18. SENATOR MARAGOS:

19. I cannot speak for the Port Authority, but if it...if it  
20. doesn't interfere with the intrastate then I may go along  
21. with you, but I can't tell at this date.

22. PRESIDENT:

23. Senator...Oh, all right. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Senator Maragos, in the event this legislation succeeds  
26. and the necessary construction is made, it would...would it  
27. assist the economy in the...along the Illinois and Mississippi  
28. Rivers?

29. PRESIDENT:

30. Senator Maragos.

31. SENATOR MARAGOS:

32. Yes, it would. It would increase the barge traffic and  
33. it also expedite the flow of goods of Illinois products up the

1. rivers into the Great Lakes.

2. PRESIDENT:

3. Further discussion? Senator Regner.

4. SENATOR REGNER:

5. Mr. President and members. Just to remind you this is  
6. five million of unbudgeted money and by the time you add the  
7. interest in, it's eight and a half million. Two years ago  
8. they did receive ten million of unbudgeted money also.

9. PRESIDENT:

10. Further discussion? Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. Following up on Senator Regner,  
13. while it is unbudgeted the Governor's Office specifically  
14. asked me to help this bill keep moving along and they asked me  
15. to get it out of committee and get it out of the Senate, so I  
16. assume they must want this.

17. PRESIDENT:

18. Is there any further discussion? Senator Maragos may close.

19. SENATOR MARAGOS:

20. Mr. President and members of the Senate. This is a very  
21. vital port. It's vital for the economy of the State of Illinois  
22. and I ask for your support.

23. PRESIDENT:

24. The question is, shall Senate Bill 940 pass. Those in favor  
25. will vote Aye. Those opposed will vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Take the  
27. record. On that question, the Ayes are 43, the Nays are 10,  
28. none Voting Present. Senate Bill 940 having received the  
29. constitutional majority is declared passed. 942, Senator Egan.  
30. On the Order of Senate Bills, 3rd reading, Senate Bill 942.  
31. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 942.



1. (Secretary reads title of bill)  
2. 3rd reading of the bill.  
3. PRESIDENT:  
4. Senator Egan.  
5. SENATOR EGAN:  
6. Thank you, Mr. President and members of the Senate. This  
7. bill denies a cause of action against anyone who advises or  
8. professionally advises one not to have an abortion and it's to  
9. protect those people that don't or...are on the side of...of life and  
10. it's that simple. Rather than allow any possible cause of action  
11. to accrue as a result of that advice. This bill would prevent it  
12. and I...I ask for your favorable consideration.  
13. PRESIDENT:  
14. Is there any discussion? Senator Washington.  
15. SENATOR WASHINGTON:  
16. Will the sponsor yield to one question?  
17. PRESIDENT:  
18. He indicates he will yield. Senator Washington.  
19. SENATOR WASHINGTON:  
20. Can you give us a example whereof a situation where such a  
21. person would be legally liable for damages or whatever?  
22. PRESIDENT:  
23. Senator Egan.  
24. SENATOR EGAN:  
25. Well, the...a simple example would be, Senator, that if  
26. I'm a doctor and advise a young girl that...of the consequences  
27. of an abortion and rather than go through with an abortion, she  
28. bears the child and for whatever natural reason or other, that  
29. child is...is malformed or defected, this bill would prevent  
30. a cause of action against the doctor to so advise that girl.  
31. PRESIDENT:  
32. Senator Washington.  
33. SENATOR WASHINGTON:

1. That's a very far-fetched example. I...I just can't  
2. imagine damages lying in such a case. The bill has implications,  
3. which frighten me. I...I can't support it.

4. PRESIDENT:

5. Further discussion? Senator DeAngelis.

6. SENATOR DeANGELIS:

7. I would just like to ask Senator Egan if Senator Lemke  
8. had him sponsor this bill?

9. PRESIDENT:

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Senator Egan, I just...I just...I understand where you're  
13. coming from on this one, but I'd kind of like to be reassured.  
14. Would this not occasionally protect a doctor who failed to  
15. detect the pregnancy from liability, I mean he can say, well,  
16. yeah, I knew she was pregnant, but I was afraid that she would go  
17. out and get an abortion, so I didn't tell her and then, lo and  
18. behold, some negative thing happens and...and in reality he just  
19. failed to have the smarts to diagnose the pregnancy. You know...  
20. it...I...you know, I know where you're coming from, but...you know...  
21. it's a little scary.

22. PRESIDENT:

23. Any further discussion? Senator Egan may close the debate.  
24. I beg your pardon. Senator Netsch.

25. SENATOR NETSCH:

26. Thank you. Senator Schaffer may know where you're coming  
27. from, Senator Egan, but I just read this language and I  
28. certainly can't figure out where you're coming from. The  
29. language is, there shall be no cause of action against any  
30. person for approximately causing the failure of another to  
31. obtain an abortion. I'm not even sure knowing the law approximate  
32. cause in the law of torts I don't know quite how you approximately  
33. caused the failure of another to obtain an abortion. I'm really

1. not sure at whom the bill is directed. I really would like  
2. some enlightenment.

3. PRESIDENT:

4. Any further discussion? I...well, Senator Egan.

5. SENATOR EGAN:

6. Yes, I...if...if there were times, Senator, I would attempt  
7. to do that, but it says what it says. You're a lawyer. You  
8. know what it says and now it's a matter of interpretation. I...  
9. I think that it means...I think that it says what it means and  
10. that is it will disallow...it will disallow a doctor in the  
11. future from being sued for advising someone not to obtain an  
12. abortion. That's what it means. I think that's what it says  
13. and...and it...the Americans United for Life have legal counsel.  
14. They gave it to me. I...I questioned the language. They  
15. satisfied my questions. I...I wish we had discussed it earlier,  
16. but that...I think it does what it...it means what it says.

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President and not to prolong the debate,  
21. but if Senator Egan could give me an example of wherein there  
22. had been a case where approximate cause had been found, as an  
23. example, maybe we could understand better what they're seeking  
24. to seek to no longer be approximate cause situation.

25. PRESIDENT:

26. All right. Any further discussions? Senator Egan may close.  
27. Senator Egan, do you wish to close the debate?

28. SENATOR EGAN:

29. He's got the case. Senator Daley, would you give Senator  
30. Carroll that case, please?

31. PRESIDENT:

32. The question is, shall Senate Bill 942 pass. Those in  
33. favor will vote Aye. Those opposed will vote Nay. The voting

1. is open. Have all voted who wish? Have all voted who wish?  
2. Take the record. On that question, the Ayes are 37, the  
3. Nays are 11, 3 Voting Present. Senate Bill 942 having received  
4. the constitutional majority is declared passed. 952, Senator  
5. Rhoads. On the Order of Senate Bills, 3rd reading, Senate  
6. Bill 952. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 952.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Rhoads.

13. SENATOR RHOADS:

14. Thank you, Mr. President and members of the Senate. As  
15. recently introduced Senate Bill 952 is designed to raise the  
16. maximum scholarship amount for full time undergraduate students  
17. that the Scholarship Commission could award from fifteen fifty to sixteen  
18. hundred and fifty dollars for those students in the time  
19. frame of August 15, '77 to August 15, '79. It also raised the  
20. amount for those students enrolling after August 15, '79 up to seventeen  
21. hundred and fifty dollars. That has now been increased  
22. by Committee Amendment No. 1 to eighteen hundred dollars. The  
23. amount of that increase was not in the Governor's Budget Message  
24. of March 1, but it has been added by virtue of his message of  
25. April 25, wherein he indicated he was providing an additional  
26. 9.3 million dollars for this purpose. I would seek a...favorable  
27. roll call on this bill.

28. PRESIDENT:

29. Is there any discussion? Senator Weaver.

30. SENATOR WEAVER:

31. Senator Rhoads, what percentage of the Scholarship Fund  
32. goes to public institutions of higher education?

33. PRESIDENT:

1. Senator Rhoads. He indicates he doesn't know. Senator  
2. Buzbee.

3. SENATOR BUZBEE:

4. Thank you. It's...it's about twenty to thirty percent,  
5. Senator Weaver, if...if that much. My question to Senator  
6. Rhoads, is he said from the time...from the time frame of  
7. August 15th, 1977 to...to August 15th, 1979. Are we going  
8. to make this retroactive now back to last...last September.  
9. We're going to allow those students to come in and ask for  
10. increased tuition amounts now? Tuition reimbursement?

11. PRESIDENT:

12. Senator Rhoads.

13. SENATOR RHOADS:

14. I believe it's...it's designed to cover those who are  
15. current. I don't think it's retroactive. No, Senator Buzbee.  
16. I think it's for those who are currently...for the...for the...

17. PRESIDENT:

18. Senator Rhoads.

19. SENATOR RHOADS:

20. ...I believe it's for the...the...in other words, those  
21. students who came in after August 15, '77 until August 15th  
22. of this year for those who are now scholarship recipients that  
23. they...that they're maximum is being increased by that amount.  
24. Now, if you're talking about a retroactive application of the  
25. funds, I don't think that that's the way the bill reads. No.

26. PRESIDENT:

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Senator Rhoads, I voted for this bill in committee with  
30. the idea that the tuition increase reimbursement amount was  
31. going to be prospective. That you were going to start with  
32. the students coming in in next Fall, but now you're telling me  
33. that you're starting with the students that came in last Fall,

1. and you're going to increase from fifteen hundred and fifty up  
2. to seventeen hundred dollars. Well...Senator, you shake your  
3. head no, but yet you say the date is August of '77, which is  
4. last August and that's exactly...would not be prospective, it  
5. would be retrospective and...and I...I have never seen that  
6. happen with this annual increase that we get every year on  
7. the scholarship awards, I have never seen it be retrospective  
8. and I...I'm just wondering now, who's going to get ripped here.  
9. PRESIDENT:

10. Any further discussion? Senator Weaver.

11. SENATOR WEAVER:

12. That money that was lapsed, Senator Buzbee, is going to  
13. be spent. You remember the Scholarship Commission said they  
14. had more applications in, there will be more applications in  
15. on this retrospective applications, so it's...we had, what,  
16. three or four million dollars lapse this year, which was  
17. reallocated to education. Now, that money is going to be  
18. spent to pay back tuitions if this bill passes.

19. PRESIDENT:

20. Any further discussion? Senator Buzbee.

21. SENATOR BUZBEE:

22. For the second time, well, Senator Rhoads, I switched about  
23. three years ago from fighting this increase every year to supporting  
24. it because I saw that I was exercising a...a massive task in  
25. futility by fighting it and I have tried to be supportive of  
26. private higher ed, however, there's no way that I'm going to  
27. be able to be supportive and I'm sorry that I had the wool pulled  
28. over my eyes on this one. I would never have voted for this in  
29. committee had I known it was retrospective. I...I will never do  
30. that unless you want to go back and give the University of  
31. Illinois and Southern Illinois University and Northern and all  
32. those other public schools all that money that they didn't get  
33. the last several years that they needed for their...the education

1. of their students. I think this is a horrible concept. I...I'm  
2. really surprised that this...that this ever got out in this form  
3. and...and I'm very, very sorry that I ever supported it in committee.

4. PRESIDENT:

5. Further discussion? Senator Bruce.

6. SENATOR BRUCE:

7. Well, thank you, Mr. President. I...I rise in opposition  
8. to the bill, which I had planned to support and did, in fact,  
9. support in committee. The...the problem that presents itself  
10. is the retroactive...retroactive aspect of the bill. We have  
11. already obligated some of the money that the Scholarship  
12. Commission was to lapse and I'm not sure that we can now go  
13. back and spend and plus I'm sure they're going to come in for  
14. a fairly large deficiency appropriation. It just seems to me  
15. that we take each one of these years as they are. We look at  
16. the applications for next year and go forward. It's all right  
17. that the independent private colleges get some seventy-five  
18. percent of every State dollar spent on scholarships, but I think  
19. it goes beyond the area of reasonableness to say that they will  
20. now go back to 1977 and pick up that which they did not get. I  
21. think that just goes too far and I plan to oppose this bill.

22. PRESIDENT:

23. Any further discussion? Senator Rhoads may close.

24. SENATOR RHOADS:

25. Thank you, Mr. President and members of the Senate. The  
26. implication by a prior speaker that there was some sort of  
27. misrepresentation in committee, I just don't accept that. I...I  
28. did not misrepresent what the bill did. The bill has two parts.  
29. First of all, it increases to the sixteen fifty level those  
30. students entered in the period between August 15, '77 and August  
31. 15, '79. The part of the bill that increases the maximum award  
32. for full time students to eighteen hundred is prospective only  
33. and that is after August 15th, 1979. As Senator Weaver pointed

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1. out, there was a...a lapse of funds here, so we are going to  
2. pick up statutorially, which is what we have to do. I mean we  
3. have to write it into law that way, that period for the...for the  
4. August 15, '77 to '79 period, but to say that there was some  
5. misrepresentation on my part, I just don't accept that and I  
6. would ask for your favorable consideration.

7. PRESIDENT:

8. The question is, shall Senate Bill 952 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 41, the Nays are 12,  
12. 1 Voting Present. Senate Bill 952 having received the  
13. constitutional majority is declared passed. Senator Buzbee,  
14. for what purpose do you arise?

15. SENATOR BUZBEE:

16. On a point of personal privilege. I did not mean to imply  
17. that Senator Rhoads had misrepresented. I simply misunderstood,  
18. if that's the way it was presented, Senator, and I'm sorry,  
19. that won't happen again.

20. PRESIDENT:

21. On the Order of Senate Bills, 3rd reading, Senate Bill 962.  
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 962.  
25. (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Bloom.

29. SENATOR BLOOM:

30. Thank you very much, Mr. President and fellow Senators.  
31. The history...this is the commission, EFT bill. The history  
32. of EFT legislation in Illinois in...includes the failure to  
33. ...pass a variety of things, although individual bills addressing



1. the individual special interest concerns have been introduced  
2. in the past. This is the commission bill. It's the result  
3. of basically, four years of a lot of hard work and I commend  
4. the commission because it did an extraordinary job of analyzing  
5. many complex issues and interest represented. I would be  
6. glad to answer any questions about the specifics of the bill.  
7. I think that...I think we've taken care of the bankers now in  
8. 905 and 906 and I'd urge an Aye vote on taking care of the  
9. other diverse groups represented in this.

10. PRESIDENT:

11. Any discussion? Senator D'Arco.

12. SENATOR D'ARCO:

13. Mr. President, on a point of parliamentary inquiry. How  
14. many votes will it take to pass this bill?

15. PRESIDENT:

16. The Chair is going to rule that in like vein with Senate  
17. Bills 905 and 906 and under Article XIII, Section 8 of the  
18. Illinois Constitution, this would be considered branch banking  
19. and as such would require an extraordinary vote of the members  
20. voting or a majority of the members elected, whichever is greater.  
21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Yes, thank you, Mr. President and Ladies and Gentlemen of  
24. the Senate. I, too, want to commend Senator Bloom for his  
25. diligent efforts on...on work on the Electronics Funds Transfer  
26. Commission over the past several years. My experience has been  
27. within just the last two. I want to point out that there is  
28. substantial differences between 905, 906 and 962 in that 962,  
29. at least, in my judgment and I want to point out to my...downstate  
30. colleagues, I think this is where the philosophical differences  
31. begin to...to come out as far as the branching aspects. The  
32. deployment of the automatic teller machines is virtually unlimited.  
33. At the rate of four per year that...four per year that's being

1. allowed under your bill within a very short number of years,  
2. the larger, financial institutions in Illinois could saturate  
3. the market area. There is a complete lack of State control and  
4. ...and regulation in this bill and if there are any problems  
5. or complaints that the parties that are involved would have no  
6. other recourse than to go to court and the larger financial  
7. institutions could operate computer facilities and switch a  
8. State-wide...quickly capturing the market before smaller  
9. operations would have a chance to begin their operations. I'd  
10. certainly agree with the concept of electronics funds transfer,  
11. but this is a bill that I think goes beyond the prudent approach  
12. that was applied in 905 and 906.

13. PRESIDENT:

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Well, Mr. President and Ladies and Gentlemen of the Senate.  
17. We've had three bills of this type before us today, 905, 906 and  
18. 962. I'm relatively sure that hardly anyone in this Body knows  
19. what's in any three of the bills. I am aware, however, that  
20. there's a controversy between the three bills in the banking  
21. fraternity and again the banking fraternity is attempting to  
22. impose their thinking and divide us on the question. Another  
23. thing I'm aware of is that this commission, which was formed  
24. approximately three or four years ago has done a very diligent  
25. and thorough job on this particular matter. To the best of my  
26. knowledge this is the first bill that they have come out with.  
27. They've been working on it a long time. I voted for 905 and 906.  
28. I intend to support the commission on 962 and let's let...get  
29. these groups together so we can come up with a compromise that  
30. will satisfy, I guess, maybe, the bankers of this State.

31. PRESIDENT:

32. Any further discussion? Senator Bloom may close.

33. SENATOR BLOOM:

1. All right. Thank you, Mr. President. Briefly, first place  
2. the mention of going to court in 905 and 906 that you've passed,  
3. there are no real powers given to the commissioner because at  
4. the end it says, any agreed party can go to court anyway. This  
5. bill, at least, gives the retailer's their right to contract for  
6. the service they offer and also lets them choose the supplier's  
7. and types of services. I would urge a favorable roll call on this.  
8. I think that if there are differences it's the differences between  
9. the...the three elements in the banking group that has destroyed  
10. the consensus that was reached at the commission. The...they had  
11. their opportunity to present their case and they chose not to.  
12. The concept that we just passed was never discussed before the  
13. commission. This is a fair bill. It's an equitable bill and I'd  
14. urge a favorable roll call.

15. PRESIDENT:

16. The question is, shall Senate Bill 962 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? Have  
19. all voted who wish? Take the record. On that question, the  
20. Ayes are 30, the Nays are 20, 4 Voting Present. Senator Bloom.

21. SENATOR BLOOM:

22. No let it go.

23. PRESIDENT:

24. On that question, the Ayes are 30, the Nays are 20, 4  
25. Voting Present. Senate Bill 962 having failed to receive a  
26. constitutional majority is declared lost. 963, Senator Joyce.  
27. On the Order of Senate Bills, 3rd reading, Senate Bill 963.  
28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 963.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Joyce.

2. SENATOR JEREMIAH JOYCE:

3. Mr. President and Ladies and Gentlemen of the Senate. This  
4. bill merely reflects the...the fact that the City of Chicago has  
5. ...which had previously operated...under a Civil Service System  
6. has now gone to a Personnel Code. It makes a technical change  
7. in the language and it was my understanding and I thought it  
8. was going to be on the Agreed Bill list. That's all it does.  
9. Nothing more and I ask for a favorable roll call.

10. PRESIDENT:

11. Is there any discussion? If not, the question is, shall  
12. Senate Bill 963 pass. Those in favor will vote Aye. Those  
13. opposed will 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 51, the Nays are none, none Voting Present.  
16. Senate Bill 963 having received the constitutional majority is  
17. declared passed. Senator Buzbee, for what purpose do you arise?  
18. Senator Buzbee, for what purpose do you stand up? 972, Senator  
19. Donnewald. On the Order of Senate Bills, 3rd reading, Senate  
20. Bill 972. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 972.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Donnewald.

27. SENATOR DONNEWALD:

28. Yes, Mr. President and members of the Senate. What this bill  
29. attempts to do is to place a transfer tax on the sale of...the  
30. casual sales of automobiles, which are not subject to it as yet.  
31. All of our surrounding states, such as...as Ohio, Missouri,  
32. Wisconsin, Iowa have this type of tax. Now, we've researched it  
33. and found that it is very, very solid law. It is constitutional and

1. the real purpose of this bill is twofold. To prevent the  
2. various gasoline stations and the like of...of selling  
3. automobiles or used automobiles without...without paying any  
4. taxes at all for that transfer, as an...automobile dealer may  
5. well have...does have to do. The method of...of determining  
6. that this sale does occur is the Secretary of State will not  
7. issue a title transfer unless the value of the automobile is  
8. shown on the...on the certificate itself. The Secretary  
9. of State has no objection to the bill. The purpose of the  
10. bill...the other purpose of the bill is to put an additional  
11. sum of money into our General Revenue Fund...trying to replace  
12. the...the many areas that have been diverted from the Motor  
13. Fuel Tax Fund and if we were successful in passing this  
14. legislation, it will mean approximately thirty to fifty...  
15. million dollars that we can retransfer back to the Motor Fuel  
16. Tax Fund and...and build roads and repair roads.

17. PRESIDENT:

18. Is there any discussion? Senator Walsh.

19. SENATOR WALSH:

20. Mr. President and members of the Senate. Just briefly, in  
21. opposition to Senate Bill 972. I'd just like to point out to  
22. the membership that we would be, by this...by this bill, imposing  
23. a new tax on transactions that heretofore had never been taxed  
24. before or had not been taxed. I don't see why we should tax the  
25. incidental or casual sale of automobiles anymore than we should  
26. tax the incidental or casual sale of motorboats or airplanes or  
27. diamonds or whatever. It just is not a sound approach. It's not  
28. a sound principle. It lacks uniformity in its application. I...I  
29. don't think there's any question but what it would be unconstitutional  
30. and I really do think, Ladies and Gentlemen of the Senate, that  
31. we should vote No on this new tax on the people of Illinois.

32. PRESIDENT:

33. Further discussion? Senator Johns.

1. SENATOR JOHNS:

2. Mr. President, to me this hits the little guy more than  
3. anything that I have ever heard of. I rise in opposition to it.  
4. Every little transaction of a hundred and fifty to two hundred  
5. dollars for the little guy. Many people in the country sell  
6. their cars to one another and now you're going to put a tax  
7. on it. The gas dealers can't handle cars. Not unless you have  
8. a separate place. The dealerships have to be separate. A fence  
9. has to be between that place and where your dealership occurs.  
10. We've run all those people out that handle the cars in the gas  
11. stations. If we're going to raise money, this would force the  
12. guys that handle cars and buy cars to go to the dealers. I don't  
13. like this type of a bill. I think it...it just strips a guy...  
14. the little guy of what remaining money he's got in his pocketbook.

15. PRESIDENT:

16. Further discussion? Senator Moore.

17. SENATOR MOORE:

18. Will the sponsor yield, Mr. President?

19. PRESIDENT:

20. He indicates he will yield. Senator Moore.

21. SENATOR MOORE:

22. I can understand the problem with the gasoline stations  
23. selling cars and so forth, Senator, but if I sell you my used  
24. car, are you going to have to pay Sales Tax on the sale price  
25. of our transaction?

26. PRESIDENT:

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. It's a transfer tax and it's...it's perfectly legitimate.  
30. All of the states surrounding us are doing it. It's a loophole  
31. that needs to be closed and for years and I'm trying to do that  
32. now to replace funds that we've diverted from our Motor Fuel Tax  
33. Funds. That's what I'm trying to do...

1. PRESIDENT:

2. Senator Moore.

3. SENATOR DONNEWALD:

4. ...and one of the many means that are available to us.

5. SENATOR MOORE:

6. I can appreciate you trying to close the loophole, but  
7. as far as the individual citizen, I think this is one loophole  
8. that should remain open.

9. PRESIDENT:

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President and members of the Senate. Just  
13. briefly, there isn't any way that anyone of us or any of our  
14. fellow citizens can spend money any faster than buying an  
15. automobile and when an individual is required to ultimately  
16. dispose of his car to a friend or a neighbor, it just appears  
17. to me that we would be imposing another serious hardship on  
18. him. Obviously, if he's going to have to pay the sales...pay  
19. a Sales Tax, he's not going to be able to collect it from his  
20. neighbor who bought the car because there would be no incentive  
21. for the buyer to comply with a State law...regarding Sales Tax  
22. the that would be in a dealership. There everyone expects to  
23. pay Sales Tax just as we do when you go into the grocery store,  
24. but when there's a...transaction between two individuals there  
25. would never, ever be any agreement on the buyer paying the Sales  
26. Tax so that the little guy who's already lost a lot of money  
27. selling his car is going to have to absorb this Sales Tax and I  
28. think it's a little bit unfair.

29. PRESIDENT:

30. I would remind the membership again of the sponsors rule.

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. If the sponsor would yield, I was just wondering whether this

SB 973  
3rd Reading  
5-25-79

1. is, in fact, the bill of the Secretary of State's Office?

2. PRESIDENT:

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. No, it is not. It's...it's the sponsor's bill trying to  
6. be a little bit responsible for the bills that we're passing  
7. out for...for a road program. The Secretary of State, however,  
8. has no objection.

9. PRESIDENT:

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, yesterday the General Assembly giveth, we passed all  
13. that tax relief and today the General Assembly is...well on its  
14. way to taking that and a lot more back from the poor State tax-  
15. payer.

16. PRESIDENT:

17. Any further discussion? Senator Donnewald may close.

18. SENATOR DONNEWALD:

19. Well, those same automobiles that we're trying to tax on  
20. casual sales are the ones that use the roads and this is an  
21. indirect method by which to have them pay a little bit for it  
22. and I would appreciate a favorable roll call.

23. PRESIDENT:

24. The question is, shall Senate Bill 972 pass. Those in  
25. favor will vote Aye. Those opposed will vote Nay. The voting  
26. is open. Have all voted who wish? Have all voted who wish?  
27. Have all voted who wish? Take the record. On that question,  
28. the Ayes are 29, the Nays are 24, none Voting Present. Senate  
29. Bill 972 having failed to receive a constitutional majority is  
30. declared lost. 973, Senator Buzbee. 973. On the Order of  
31. Senate Bills, 3rd reading, Senate Bill 973. Read the bill, Mr.  
32. Secretary.

33. SECRETARY:



1. Senate Bill 973.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Daley.

6. SENATOR DALEY:

7. Mr. President and fellow Senators. This amends the Abused  
8. and Neglected Child Reporting Act in conformance with the new  
9. director of the Department of Children and Family Services. It  
10. puts more accountability on professions that should be...should  
11. report as well as requires a single State-wide telephone number.  
12. It requires designated local authorities to respond within  
13. twenty-four hours, seven days a week...a week. It requires the  
14. department to maintain a central register of child protection  
15. cases. It requires the department to investigate if the investigation  
16. does not correspond to any abuse or neglect. They're supposed to  
17. do away with any notification to those individuals that were  
18. charged. It's a good bill. It's...supported by the department.  
19. It realigns the...the Reporting Act, which was adopted in 1976  
20. and I would ask for a favorable roll call.

21. PRESIDENT:

22. Is there any discussion? If not, the question is, shall  
23. Senate Bill 973 pass. Those in favor will vote Aye. Those  
24. opposed will vote Nay. The voting is open. Have all voted who  
25. wish? Have all voted who wish? Take the record. On that  
26. question, the Ayes are 50, the Nays are 2, none Voting Present.  
27. Senate Bill 973 having received the constitutional majority is  
28. declared passed. 974. On the Order of Senate Bills, 3rd reading,  
29. Senate Bill 974. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 974.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)  
2. Senator Daley.  
3. SENATOR DALEY:  
4. Mr. President and fellow Senators. This amends the Act in  
5. regards to reporting. It places responsibility upon those  
6. professions who do not report the abuse or neglect. It's required  
7. under the Act. It allows the Department of Registration and  
8. Education to revoke a license or review a license. That's all  
9. it does.  
10. PRESIDING OFFICER: (SENATOR SAVICKAS)  
11. Is there further discussion? Senator Maitland.  
12. SENATOR MAITLAND:  
13. Thank you, Mr. President and Ladies and Gentlemen of the  
14. Senate. A question of the sponsor.  
15. PRESIDING OFFICER: (SENATOR SAVICKAS)  
16. He indicates he will yield.  
17. SENATOR MAITLAND:  
18. Senator Daley, I've had a number of letters on...on these  
19. two pieces of legislation and there's been concern. What really  
20. ...what really determines child abuse? Are...are parents actually  
21. being protected here?  
22. PRESIDING OFFICER: (SENATOR SAVICKAS)  
23. Senator Daley.  
24. SENATOR DALEY:  
25. In this bill, we...the original 973, we...we realigned the  
26. definition...originally the definition was very broad. We made  
27. it a little more specific, so people understand what abuse and  
28. neglect is. Under 974 the responsibility placed on certain  
29. professions, especially in the medical field, they have the  
30. responsibility as well as the social workers. They have the  
31. responsibility to report child abuse or neglect. They have the  
32. responsibility. Most of the states have this type of law. If  
33. they do not report suspected child abuse cases or neglect, there's

1. a penalty. Here in Illinois we just have them respond. Have...  
2. allow them to do it. There's no penalty.  
3. PRESIDING OFFICER: (SENATOR SAVICKAS)  
4. Senator, your time is up. Senator Maitland. Your...Senator  
5. Maitland, your time is up.  
6. SENATOR MAITLAND:  
7. Is the burden...is the burden of proof then on...on the  
8. parent, Senator Daley?  
9. PRESIDING OFFICER: (SENATOR SAVICKAS)  
10. Senator Daley.  
11. SENATOR DALEY:  
12. No, it isn't. This just deals with the professions. Dentists,  
13. dental surgeons, certified nurse, physicians, psychologists, social  
14. worker. This deals with the profession that is licensed by the  
15. State.  
16. PRESIDING OFFICER: (SENATOR SAVICKAS)  
17. Further discussion? If not, the question is, shall Senate  
18. Bill 974 pass. Those in favor vote Aye. Those opposed vote  
19. Nay. The voting is open. Have all voted who wish? Have all  
20. voted who wish? Take the record. On that question, the Ayes  
21. are 54, the Nays are 1, none Voting Present. Senate Bill 974  
22. having received the constitutional majority is declared passed.  
23. Senate Bill 978, Senator Egan. Senate Bill 996, Senator Lemke.  
24. Senate Bill 1000, Senator Berman. Read the bill, Mr. Secretary.  
25. SECRETARY:  
26. Senate Bill 1000.  
27. (Secretary reads title of bill)  
28. 3rd reading of the bill.  
29. PRESIDING OFFICER: (SENATOR SAVICKAS)  
30. Senator Berman.  
31. SENATOR BERMAN:  
32. Thank you, Mr. President. Senate Bill 1000 is another in  
33. the series of corrective legislation dealing with the Special

1. Education section of the School Code. This bill spells out the  
2. definition of a nonpublic Special Education facility that would  
3. include a residential facility, which provides Special Education  
4. relates services by utilizing private schools or public schools  
5. whether they're located on or off the site of the residential  
6. facility. The purpose of this provision is to allow reimburse-  
7. ment to public schools that place children in nonpublic facilities.  
8. The...the amendment also was in response to requests from IOE and  
9. the Governor's Purchase Review Board to spell out more clearly  
10. the formula for reimbursement as to include ten months of the  
11. year for the forty-five hundred dollar reimbursement. A separate  
12. category for summer school needs for Special Education placement.  
13. I'd be glad to respond to any questions and ask for a favorable  
14. vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. I rise in support of this legislation. This is to help put  
19. together the Special Education package, which we passed last year.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Berning.

22. SENATOR BERNING:

23. A question of the sponsor, Mr. President.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He indicates he will yield.

26. SENATOR BERNING:

27. Senator, on page 1, at the bottom, which is apparently is  
28. essentially the bill, a nonpublic Special Education facility shall  
29. include a residential facility within or without the State of  
30. Illinois, which provides Special Education and related services  
31. to meet the needs of the child by utilizing service...utilizing  
32. private schools. Senator, I think what you're doing here is  
33. directing some attention to the very, self, same problem that I

1. was directing my attention to shortly when I sought a special  
2. appropriation to cover costs that the State of Illinois mandates...  
3. mandates by the Department of Children and Family Services when  
4. we placed students in a facility just like you're talking about  
5. here. Part of the mandate covers service...security services  
6. and wide-awake, alert personnel on a twenty-four hour a day  
7. basis.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator, the one minute is up. Senator Berman.

10. SENATOR BERMAN:

11. Mr. President, what's the question?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. It's to close debate. You're recognized to close debate.

14. SENATOR BERMAN:

15. Thank you. All right. I...I'll be glad to discuss this  
16. with Senator Berning. I'm...I'm not sure what...what his  
17. question was, but it does...respond to some of the gaps  
18. that existed after the passage of the bills last year. I ask  
19. for a favorable vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is, shall Senate Bill 1000 pass. Those in  
22. favor vote Aye. Those opposed vote Nay. The voting is open.  
23. Have all voted who wish? Have all voted who wish? Take the  
24. record. On that question, the Ayes are 51, the Nays are 3,  
25. none Voting Present. Senate Bill 1000 having received the  
26. constitutional majority is declared passed.

27.

28. (END OF REEL)

29.

30.

31.

32.

33.

SB 1002  
5/25/79  
3rd Reading

- 1.
2. Senate Bill 1001, Senator Berman. Read the bill,
3. Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1001.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Berman.
10. SENATOR BERMAN:
11. Thank you. On the same subject of Special Education,
12. this bill merely spells out that the Hearing Officer may
13. continue the hearing in order to obtain additional information,
14. and at the conclusion, shall issue a decision based on the
15. record specifying the Special Education and related services
16. which shall be provided to the child in accordance with the
17. child's needs. I'd be glad to respond to any questions.
18. I ask for your favorable vote.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. Further discussion? If not, the question is shall
21. Senate Bill 1001 pass. Those in favor vote Aye. Those
22. opposed vote Nay. The voting is open. Have all voted
23. who wish? Have all voted who wish? Take the record. On
24. that question, the Ayes are 54, the Nays are 1. 1 Voting
25. Present. Senate Bill 1001, having received the constitutional
26. majority, is declared passed. Senate Bill 1002, Senator
27. Berman. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1002.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President, Ladies and Gentlemen of  
3. the Senate. The purpose of Senate Bill 1002 is to attempt  
4. to strike a more fair balance between the interests of  
5. the manufacturers of automobiles and the dealers that operate  
6. in all of our districts. At the present time, automobile  
7. dealers are, to a great extent, captives of the whims of  
8. the manufacturers. This bill attempts to strike a better  
9. bargaining position as to the exercise of their franchise  
10. rights with the dealers. This bill prohibits forcing  
11. dealers to take unordered cars or parts, prohibits manu-  
12. facturers from cancelling or failing to renew a franchise  
13. without good cause and without notice, and a number of other  
14. items that my one minute time won't allow me to enunciate,  
15. but I did pass out a letter to all of you, setting forth  
16. the details. We spent a large number of hours with the  
17. manufacturers. One of the amendments that have been  
18. placed on here addresses some of their problems. I don't want  
19. to give the impression that the manufacturers are one  
20. hundred percent in support of this bill. Some of their  
21. objections have been addressed by amendment. I solicit your  
22. Aye vote, and I'll be glad to respond to questions.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Further discussion. Senator Graham.

25. SENATOR GRAHAM:

26. Mr. President, members of the Senate. I...this morning,  
27. I passed...I did not call Senate Bill 881, because some of  
28. the provisions of that bill is now in this bill. I rise in  
29. support of Senate Bill 1002. Having been an appliance dealer  
30. for twenty-five years, I know some of the problems of...that  
31. are experienced by those who issue franchises. I'd like to just  
32. have the time to read a little bit of this letter I received,  
33. which was indicative of many, from a dealer. "...I sincerely

1. believe this bill will relieve some of the pressures and  
2. coercion that is often applied by the manufacturers, and  
3. will give us a better control of the business we have worked  
4. so hard to develop and don't let them run us out of business."  
5. This is pretty well what the automobile dealers feel, and  
6. the automobile dealers want this bill, and they're the fellows  
7. who elect us, and we have to remember, this country keeps  
8. going by the man on the street, not by General Motors, not  
9. by Ford Motor Company, by the guy on the street that makes  
10. it go. This is for them.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Rupp.

13. SENATOR RUPP:

14. Thank you, Mr. President. I had a bill that I held  
15. at sort of the request of these people, and one of the reasons...  
16. I'd like to read from a copy of a letter that this organization  
17. sent out. The members were urged to contact me, ask him  
18. why our industry should be subjected to this additional  
19. burden of compliance, tell him you've had enough of red tape  
20. and State regulation, and now they have some of their own  
21. legislation in here, and I guess this is all right. What I  
22. was going to do was to ask Senator Berman if I could amend  
23. this bill on there to see...he would save a little  
24. space, maybe a little bit less regulation, but I won't do  
25. that.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Johns.

28. SENATOR JOHNS:

29. I rise in support of this bill. I had quite an experience  
30. with a major automotive manufacturer. We built in our family  
31. a quarter of a million dollar dealership, brand new, worked  
32. hard to develop it. They built another dealership about six  
33. miles away. They forced us to take cars that we didn't want.  
They forced us to take trucks that we ordered with different



1. axle ratios, etc. They did everything to us that they  
2. could. Finally, we got out of the business. I support  
3. this bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Senator Berman, I think you have a good bill, and I  
8. think it would be a...really beneficial to the automobile  
9. dealers in this State, but I know it's too late to, you  
10. know, talk seriously about amendments at this stage, but  
11. I was wondering in the House if you'd be willing to accept  
12. an amendment to exempt Illini Motors here in Springfield.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman may close the debate.

15. SENATOR BERMAN:

16. Thank you, Mr. President. Again, I want to indicate that  
17. in my discussions with Ford Motor Company in particular, who  
18. still have some questions regarding the bill, we've assured  
19. them that we will make some changes in the House to accommodate  
20. the concerns they have expressed. I think it's a good bill  
21. for the auto dealers in the State of Illinois. I ask for  
22. your favorable vote.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is shall Senate Bill 1002 pass. Those in  
25. favor vote Aye. Those opposed vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Take the  
27. record. On that question, the Ayes are 52, the Nays are 3.  
28. 1 Voting Present. Senate Bill 1002, having received the  
29. constitutional majority, is declared passed. Senate Bill  
30. 1017, Senator Newhouse. 1017. Senate Bill 1018, Senator  
31. Lemke. Senate Bill 1025, Senator...Senator Newhouse, for what  
32. purpose do you rise? Senator Newhouse. Senator Demuzio,  
33. Senate Bill 1025. Read the bill, Mr. Secretary.

SECRETARY:

1. Senate Bill 1025.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. Thank you, Mr. President, Ladies and Gentlemen of the  
8. Senate. Senate Bill 1025 was a bill that Senator Bowers had  
9. on 3rd reading that dealt with another subject, struck  
10. everything after the enacting clause, and what it simply  
11. does, it allows two words to be in the Statute which would  
12. allow for counties who have referendums or seeking referendums  
13. at special election by the county voters to levy a property  
14. tax for the remodeling or renovating of a court house or any  
15. other building of any county. In Macoupin County in my county,  
16. we have a problem, that we wish to go to a referendum for  
17. the jail, and this would give them the authority, according  
18. to Chapman and Cutler, the Bonding Company in Chicago, would  
19. allow them to go to public referendum for also remodeling and  
20. for renovating. There was another county in my district that  
21. had a similar problem. What is happening to them now is  
22. that they may be subjected to having to go back to another  
23. public referendum to do the thing all over at a tremendous  
24. expense. It simply adds the words remodeling or renovating  
25. to the County Powers Act, and I would ask for your support.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Weaver.

28. SENATOR WEAVER:

29. Well Senator Demuzio, I don't argue with you going to  
30. referendum, but I think that the County Board can do that  
31. anyway, without this authority. We even have a referendum  
32. in Champaign County to build a new County Jail. They turned  
33. it down, and by County Ordinance, the County built the jail, so  
I...don't see the necessity for it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator...Demuzio.

3. SENATOR DEMUZIO:

4. Well, I point out the Bond Council, the firm of Chapman  
5. and Cutler has advised the county that if it decides to  
6. finance the cost of renovation to the issuance of General  
7. Obligation Bonds in Chapter 34, paragraph 501, must be  
8. amended to authorize a Property Tax levy for remodeling  
9. or renovation purposes. That is in excess of the Statutory  
10. limit, and this is why I have brought forth this bill, in  
11. order for it to allow our county to do that. I don't wish  
12. to quarrel with you about that, but I don't think that  
13. they have that authority right now, and I'm basing my  
14. statement on that which has been furnished by Chapman and  
15. Cutler.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bowers.

18. SENATOR BOWERS:

19. Mr. President, thank you. I would rise in support of  
20. this particular piece of legislation and would point out  
21. to Senator Weaver that the Statute does not now contain the  
22. language renovate, and we have to add it because if we don't,  
23. anyone who's dealt with Chapman and Cutler know that you cannot  
24. get those bonds approved unless the language is explicit in  
25. the Statute. I would hope we could support it.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Further discussion. If not, Senator Demuzio may close  
28. the debate.

29. SENATOR DEMUZIO:

30. Well, I think it's all been said. I'd ask for a favorable  
31. roll call. It only adds the two words, remodeling and renovation  
32. to the County Powers Act. Thank you.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is shall Senate Bill 1025 pass. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open.  
2. Have all voted who wish? Have all voted who wish? Take  
3. the record. On that question, the Ayes are 58, none voting  
4. No and none Voting Present. Senate Bill 1025, having  
5. received the constitutional majority, is declared passed.  
6. Senator Graham, for what purpose do you rise?

7. SENATOR GRAHAM:

8. If the bill hasn't left the Senate yet, and if it's  
9. possible to do it, I'd like to be shown as a co-sponsor  
10. with Senator Berman on Senate Bill 1002.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is leave granted? Leave is granted. Senator Graham,  
13. Senator Geo-Karis, Senator Carroll, why don't all of you  
14. fellows just come up and give your names to the Secretary.  
15. Just come up to the Secretary's desk, give him your name  
16. for all those that wish to be cosponsors. Senate Bill 1037,  
17. Senator Rhoads. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1037.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Thank you, Mr. President, members of the Senate. Senate  
26. Bill 1037 was a recommendation of the Joint Committee to  
27. Investigate Revenue Losses, Chaired by former Representative  
28. Houlihan, otherwise known as the Mirage Committee. It  
29. simply extends the Statute of Limitations for Prosecution  
30. of Violation of the Retailers Occupation Tax from the  
31. current eighteen months to three years, and I would ask  
32. for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is

1. shall Senate Bill 1037 pass. Those in favor vote Aye. Those  
2. opposed vote Nay. The voting is open. Have all voted who  
3. wish? Have all voted who wish? Take the record. On that  
4. question, the Ayes are 53, the Nays are none. None Voting  
5. Present. Senate Bill 1037, having received the constitutional  
6. majority, is declared passed. Senate Bill 1038, Senator  
7. Netsch. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1038.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. This bill also is one of the  
16. Mirage series. It does increase somewhat the penalties for  
17. various fraudulent acts and failure to file in connection  
18. with tax returns, but perhaps the most important thing that  
19. it does is, for the first time, to require tax preparers also  
20. to make known their participation in the process, and be subject  
21. for criminal penalties for participation, knowing participation  
22. in fraudulent filing of returns or failure to file returns  
23. or the filing of fraudulent information. That was one of the  
24. most unsavory of the acts revealed by the original Mirage  
25. Investigation. The Department of Revenue and Director Zagel  
26. particularly has emphasized to me that he feels that this bill  
27. is certainly a very important one in the series, and one that  
28. he hopes very much will be passed. He thinks it will make  
29. it much easier for the Department to bring about compliance  
30. with the Tax Laws, and he incidentally, much prefers this,  
31. as did the Mirage Investigating Committee to a more elaborate  
32. bill that would license and register tax preparers. This simply  
33. makes them responsible directly for their own acts. I would

1. solicit your support.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, the question is  
4. shall Senate Bill 1038 pass. Those in favor vote Aye. Those  
5. opposed vote Nay. The voting is open. Have all voted who  
6. wish? Have all voted who wish? Take the record. On that  
7. question, the Ayes are 54, the Nays are 1. None Voting  
8. Present. Senate Bill 1038, having received the constitutional  
9. majority, is declared passed. Senator Maragos, Senate Bill  
10. 1040. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1040.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maragos.

17. SENATOR MARAGOS:

18. Mr. President and members of the Senate. We've discussed  
19. this bill previously on 3rd reading, and I was hoping that  
20. there'd be enough time to study it. It's a bill that gives  
21. seventy percent minimum wage...seventy percent of the minimum  
22. wage to learners. It is a bill in the right direction, and  
23. allows those who are in the apprentice programs or other  
24. programs throughout the State of Illinois to get a...sufficient  
25. funds in order to support themselves and their families, and I ask  
26. for the support of this bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Keats.

29. SENATOR KEATS:

30. Thank you, Mr. President, Ladies and Gentlemen of  
31. the Senate. This came out of the Senate Labor and Commerce  
32. Committee on a partisan roll call. Our objection was not  
33. to the bill itself. It's actually a pretty good bill. We  
were just a little nervous that it might be a vehicle. Well,

1. I won't ask Senator Maragos to promise that it won't be  
2. a vehicle. That was the only reason we made it a partisan  
3. roll call. I intend to vote for it at this time.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Maragos may close the debate.

6. SENATOR MARAGOS:

7. I would like to state to the worthy Senator and Minority  
8. Spokesman of the Labor and Commerce Committee that this has  
9. to do with Minimum Wage, and not with the other areas, so I  
10. don't intend to have it as a vehicle at this time, so I ask  
11. for your support.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is shall Senate Bill 1040 pass. Those in  
14. favor vote Aye. Those opposed vote Nay. The voting is open.  
15. Have all voted who wish? Have all voted who wish? Take  
16. the record. On that question, the Ayes are 40, the Nays are 8.  
17. None Voting Present. Senate Bill 1040, having received the  
18. constitutional majority, is declared passed. Senate Bill  
19. 1047, Senator Carroll. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1047.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President and Ladies and Gentlemen of the  
28. Senate. This bill, as we had discussed a few days ago, is  
29. the product both of Mirage and of the Governor's Task Force.  
30. It gives the State and Local Liquor Commissioners the power  
31. to fine as well as to revoke and suspend. That also says to  
32. the State Liquor Control Commission that when they think there  
33. is a violation, they would now have the power to go to the  
Illinois Department of Law Enforcement to investigate that

1. violation. The question asked last time, we had thought  
2. an amendment had been on there and found it hadn't, which is  
3. why it was held. There is an amendment that puts an upper  
4. cap on any potential fine by State or Local of five hundred  
5. dollars, and I would ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, the question is  
8. shall Senate Bill 1047 pass. Those in favor vote Aye. Those  
9. opposed vote Nay. The voting is open. Have all voted who  
10. wish? Have all voted who wish? Take the record. On that  
11. question, the Ayes are 54, the Nays are none. None Voting  
12. Present. Senate Bill 1047, having failed to receive a majority...  
13. having received a constitutional majority, is declared passed.  
14. Senate Bill 1053, Senator Mitchler. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1053.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Mr. President, members of the Senate. Senate Bill 1053  
23. amends the Illinois Income Tax as it pertains to the calculation  
24. of base income for individuals and corporations. For Illinois  
25. tax purposes, Senate Bill 1053 allows corporate and individual  
26. taxpayers to deduct from base income the amount of wages  
27. added back onto gross income as a result of participating  
28. in one of two federal programs. It has an immediate effective  
29. date, and applies to tax years beginning in nineteen seventy-  
30. nine, and thereafter. Senator Regner will explain the Regner-  
31. Mitchler amendment that was put onto the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Regner.

SENATOR REGNER:



1. Yes, Mr. President, members of the Senate. The amendment  
2. that was put on this particular bill provides for indexing  
3. of the Income Tax exemption. If we would have had indexing  
4. when the Income Tax was first passed in nineteen sixty-nine,  
5. the Individual Exemptions would be somewhere around eighteen  
6. hundred dollars at this time. The amendment put on is not  
7. effective until nineteen eighty-one fiscal year, so it  
8. have no effect for this current fiscal year. What it would  
9. provide is allow the individual taxpayers to retain about  
10. nineteen million dollars of their money. It's not going  
11. to cost the State anything. All it's saying is you're not  
12. going to get quite as much of an increase as you would otherwise,  
13. due to inflation and such, and I think it's an excellent amendment.  
14. The amendment went on by a sizeable roll call. The same  
15. bill passed the Senate with about forty-five votes a year  
16. ago, and I think it's an excellent idea as a help towards the  
17. taxpayer.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. The idea of Tax Indexing makes  
22. a lot more sense to me than the...than the rather ridiculous  
23. concept that we passed yesterday, as sponsored by Senator  
24. Walsh. I'm sorry he's leaving the Floor now when I just called  
25. his bill ridiculous, but what that does, of course, is give  
26. every individual in this State, whether they need it or not,  
27. ten dollars of money in their pocket next year. And you know,  
28. that's really a big deal, but Tax Indexing is long-term tax  
29. relief. As all of us suffer from the...from the problems  
30. brought upon us by inflation, and we continue to go into  
31. higher income tax brackets. Tax Indexing takes that into  
32. account, and would allow us some limited tax relief. I  
33. think this is a much better concept. I voted No on  
Senator Walsh's bill yesterday, simply because I think

1. this addresses the problem in a much better fashion.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator McMillan.

4. SENATOR McMILLAN:

5. Mr. President, a couple of days ago, I asked leave of  
6. the Body to have my name taken off as the main co-sponsor,  
7. and I'd like to ask that again.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is leave granted? Leave is granted. Senator Egan.

10. SENATOR EGAN:

11. Well, yes, Mr. President, members of the Senate. Senator  
12. Regner, just to explore the relative value of the benefit and  
13. that which it's going to cost the budget, it's ninety-three  
14. million dollars in nineteen eighty-three, and it will afford  
15. each payer nine dollars relief.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Regner.

18. SENATOR REGNER:

19. I'm not sure of the question you asked, Senator Egan.

20. SENATOR EGAN:

21. I suppose the question is you...is that really tax relief?

22. SENATOR REGNER:

23. Well, I think you're asking is it going to cost the State  
24. anything. It's not going to cost the State a thing, as I said,  
25. it's allowing the taxpayer to keep a little bit more of the  
26. money that he would otherwise send to the State, and it's not  
27. nineteen eighty-three. Actually, it would be Fiscal Year  
28. eighty-one, about nineteen million dollars, and this is estimating  
29. inflation right now. Second year cost, which would be fiscal  
30. year eighty-two, somewhere between thirty-seven and forty-five  
31. million dollars. The third year, which would be Fiscal Year  
32. nineteen eighty-three, would be between fifty-five and sixty-  
33. three million.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator, I must remind you your time is up. Senator  
2. Egan.

3. SENATOR EGAN:

4. Yeah, I'll be brief. But my figure is that by the  
5. end of fiscal eighty-three, it will have cost the State,  
6. that is the State will have ninety-three million dollars  
7. less in the Treasury, and it will afford by then only nine  
8. dollars tax relief for each individual. I...you know, let's  
9. just not call it such a great thing. It's nine dollars in  
10. tax relief, but it's going to cost ninety-three million  
11. by then.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Briefly, Mr. President, I rise in support of the bill.  
16. The ninety-three million that Senator Egan refers to is, again  
17. he uses the word cost. That is not an accurate word to use  
18. in this situation. It's a loss of otherwise anticipated  
19. revenue, but it's their money, Senator. It's the taxpayers  
20. money. It's not our money, and what we are in fact doing by  
21. not indexing is increasing the tax rate without voting for it.  
22. This is a very fair approach. I admit, it doesn't mean as  
23. much at the State level as it would at the Federal, with a  
24. graduated income tax and with a windfall profit from inflation  
25. that the Federal Government reaps, but we've got to start  
26. someplace, and this is...very fair, moral legislation, and  
27. ought to be supported.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Grotberg.

30. SENATOR GROTEBERG:

31. Well thank you, Mr. President. There are two points  
32. that haven't been dealt with. First of all, there's no  
33. cost of administration for money you keep at home. That is  
one of the best benefits of Tax Indexing. Secondly, there are

1. several erroneous versions of arithmetic going on around here.  
2. Everybody takes these deals and devides them by eleven million  
3. people, including the esteemed previous speaker on the other side of  
4. the aisle. There aren't eleven million taxpayers in the  
5. State of Illinois, there are probably four and a half or five  
6. million, and it doubles every dollar that you're talking  
7. about, so when you're talking about nine dollars a family,  
8. you're talking about eighteen to twenty-seven dollars a  
9. family, if the arithmetic is right. I just want to set the  
10. record straight that there aren't eleven million taxpayers in  
11. Illinois.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Mitchler  
14. may close the debate.

15. SENATOR MITCHLER:

16. I consider this a good bill, and would ask for a most  
17. favorable roll call. Thank you.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is shall Senate Bill 1053 pass. Those in  
20. favor vote Aye. Those opposed vote Nay. The voting is open.  
21. Have all voted who wish? Have all voted who wish? Take the  
22. record. On that question, the Ayes are 47, the Nays are 2.  
23. None Voting Present. Senate Bill 1053, having received the  
24. constitutional majority, is declared passed. Senate Bill 1061,  
25. Senator Daley. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1061.

(Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Daley.

31. SENATOR DALEY:

32. Yeah. Mr. President, fellow Senators. This protects  
33. the financial records, which shall be deemed confidential in

1. any bank, under the present Federal law, which has existed  
2. called the Right to Financial Privacy Act. This will go above  
3. what it...the Federal law does. This prevents the banks really  
4. for giving out banking information...you as a customer, to anybody  
5. to a...any individual, to an insurance company, to any Federal,  
6. State or Local agency, unless the bank has sent...they've been  
7. a victim of a crime, there's specific recommendation in regards  
8. of garnishment, unclaimed property, and other Federal and State  
9. laws, which allows that...access to the bank records. I  
10. would ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, the question is  
13. shall Senate Bill 1061 pass. Those in favor vote Aye. Those  
14. opposed vote Nay. The voting is open. Have all voted who  
15. wish? Have all voted who wish? Take the record. On that  
16. question, the Ayes are 54, the Nays are none. I Voting Present.  
17. Senate Bill 1061, having received the constitutional majority,  
18. is declared passed. Senate Bill 1072, Senator Bloom. Read  
19. the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1072.

(Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bloom.

25. SENATOR BLOOM:

26. Thank you, Mr. President, members of the Senate. The  
27. Department of Transportation tells me that there is no...there  
28. is a turtle in here. It adds the words now or hereinafter  
29. after the reference to Section 8 of the Motor Fuel Tax law.  
30. They say in order to distribute those funds, some engineer  
31. out there says it's necessary. It's a good bill. Either you  
32. like it or you don't.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 1084  
5-25-79  
3rd reading

1. Is there further discussion? If not, the question  
2. is shall Senate Bill 1072 pass. Those in favor vote Aye.  
3. Those opposed vote Nay. The voting is open. Have all voted  
4. who wish? Have all voted who wish? Take the record. On  
5. that question, the Ayes are 55, the Nays are none. None  
6. Voting Present. Senate Bill 1072, having received the  
7. constitutional majority, is declared passed. Senate Bill  
8. 1084, Senator Grotberg. Read the bill, Mr. Secretary.  
9. Senator Geo-Karis.

10. SECRETARY:

11. Senate Bill 1084.

(Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate.  
17. Senate Bill 1084 as amended, is a bill which will give Illinois  
18. an instant warning system for nuclear power station accidents,  
19. and provide a uniform Statewide plan for use in the event of  
20. a disasterous nuclear accident. And I'd like your favorable  
21. consideration.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any further discussion? Senator Grotberg.

24. SENATOR GROTBORG:

25. What department of State Government is going to do this  
26. extremely difficult task?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. The Department of Public Health.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. Well, thank you, that's all. I just wanted to ask  
2. what responsible department was going to handle it.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Well, just because it's germane, I think, not because  
7. I'm going to vote for the legislation, but I just wanted to  
8. tell this Body that all the noise and air we've had here about  
9. Three Mile Island, this afternoon, an American Airlines plane  
10. crashed just off O'Hare Field, with between two hundred and  
11. three hundred people aboard. We haven't lost one person  
12. yet on a nuclear accident.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. I...as I understand the  
17. synopsis, it says requires the Department to develop a  
18. contingency plan to protect the public in the event of a  
19. nuclear accident. It's my understanding that the present  
20. Director of the Department of Emergency Services in this  
21. State has no such plan available, says he doesn't know what  
22. we'd do if we had a nuclear accident, and says that there won't  
23. be one available until about July one of nineteen eighty-one.  
24. Is that correct, Senator?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Mr. Buzbee, I don't know what he is saying, but I can  
29. tell you what this is. This is a bill that is to provide the  
30. necessary funds and to...so that we can have a fairly decent  
31. monitoring system for a nuclear power...station accidents,  
32. which will provide, for example, a Nuclear Safety Emergency  
33. Preparedness Fund, which will pay the cost of the monitoring

1. effort, which will pay part of the cost of the Response  
2. Plan development and the training of State and Local Emergency  
3. Response teams. It will pay for the Simulated Accident  
4. Exercises, and Special Emergency Response equipment, which  
5. we need very, very much in order to help the safety, welfare  
6. and health of the people of Illinois.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Well, thank you, Mr. President. I asked a question  
11. which required a Yes or No answer, and all of my time has now  
12. been used by a response which I had not asked for.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. That's what you get for asking questions.

15. SENATOR BUZBEE:

16. ...Yeah, well I guess I'll just have to vote No, because  
17. I don't get to ask any more questions.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Maragos.

20. SENATOR MARAGOS:

21. Mr. President, members of the Senate. This is a...bill  
22. that's a step in the right direction, because all it says is  
23. the Department of Public Health is going to develop the plans.  
24. In other bills that have been coming across this Chamber in  
25. the last several weeks, we've had bills that would give the  
26. Department of Public Health further jurisdiction in the area.  
27. All we're asking this Department to do is to plan the  
28. contingencies, and I'm sure that later on, the Department  
29. of Emergencies will take over and...follow up on the plan,  
30. but the Department of Public Health, which should have the  
31. original jurisdiction, could set up these plans to be followed  
32. by other agencies, and I think it's a good bill in the  
33. right direction.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)



1. Senator Nimrod.

2. SENATOR NIMROD:

3. Thank you, Mr. President. Senator Geo-Karis, a question.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...She will...indicates she will yield.

6. SENATOR NIMROD:

7. Do I understand that this amendment, which is in fact

8. the bill, do I understand that this is in effect a proposal

9. of the Governor to present a plan to initiate a plan so that

10. we might understand what his program or proposal is?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. I don't quite understand...

15. SENATOR NIMROD:

16. Is this the Governor's proposal that...this plan?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. I believe it is.

21. SENATOR NIMROD:

22. Well then, I think that's consistent. what we've been

23. trying to get from the Administration, and I would support

24. this.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Hall.

27. SENATOR HALL:

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

29. Senate. Senator Geo-Karis, I want to commend you for putting

30. this bill in. This is a step in the right direction. We're

31. talking about saving lives, and what could be more precious

32. to any of us today? I'm in strong, full support of your bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Joyce.

2. SENATOR JEROME JOYCE:

3. Yes, Mr. President, thank you. I would just like to...  
4. a couple of years ago, there was a Sun-Times article here  
5. "Data gone. State loses Civil Defense contract." That was  
6. the Emergency Services and Disaster Agency. The contract was  
7. to have provided funds for a six year program to prepare a  
8. Civilian Evacuation Plan for all major cities in the State.  
9. Now they lost it, and I'm not sure what's going to happen  
10. now, but one thing about this, the utilities are going to  
11. pay for this, in Senator Geo-Karis's or the Governor's  
12. proposal, whatever, and I think that we could thank  
13. Senator Egan for putting through a bill here, Senate Bill  
14. 767, that will, in fact, let those same utilities have a  
15. tax break on their Pollution Abatement Program, so it's  
16. nice the same day we charge the utilities for something,  
17. we give them a tax break so they can pay for it. But one  
18. thing about who you might...be interested to know, and who's  
19. going to pay for it. Although the State assesses Pollution  
20. Control facilities taxes on these facilities are extended  
21. by local taxing district. Any reduction in tax revenues,  
22. resulting from a reduction in Pollution Control assessments  
23. would be felt at the Local level, so we are going to lose  
24. the money at the Local level so that the State can...the  
25. utility companies can pay for this on the State level. Thank  
26. you.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President, once again, we are having lobbyists  
31. within the halls of the Senate. Now I just went outside  
32. in the hall to talk to one. I don't think they have any right  
33. in here. If we're going to do this, let's let them all in,  
or let's let them all stay out. And I say the Sergeant-at-Arms

1. should follow the rules that we have laid down for them.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Will the Sergeant-at-Arms please take care of this  
4. matter. Senator Mitchler.

5. SENATOR MITCHLER:

6. Mr. President, members of the Senate. You know, I suppose  
7. we'll have the whining from that side of the aisle on and on  
8. and on. Now when that Three Mile Island incident occurred,  
9. you started whining. The Governor of this State, Governor  
10. James R. Thompson, was responsive. He put up an AD HOC Committee,  
11. and he got it in order. They reported, and this is the  
12. resulting product. And here we have it. Now what more do  
13. you want? In a short period of time, we've got good  
14. legislation here. It was introduced at the request of the  
15. Governor by Senator Geo-Karis, and let's pass this and  
16. get on with the business.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Demuzio.

19. SENATOR DEMUZIO:

20. Yeah. Thank you, Mr. President, Ladies and Gentlemen  
21. of the Senate. I'd like to ask the sponsor a question if  
22. she will yield, and the question is, I spoke with Erie Jones  
23. just two days after we had the meeting, Senator Joyce's  
24. Commission on the Senate Floor. I spoke to him downstairs  
25. in the hallway, and he indicated to me that he had been  
26. charged by the Governor's Office with the responsibility  
27. for preparing the master plan, and now I see the Governor  
28. has now put forth a press release indicating that this  
29. amendment was going on this bill, and that the responsibility  
30. was going to be Public Health. Now my question is, who  
31. indeed is going to be responsible for developing this  
32. plan? I think that there is the misconception and confusion  
33. among the Administration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Senator Demuzio, Public Health has the personnel now  
4. and the Illinois Disaster Planning Group, led by Emergency  
5. Services Director E. Erie Jones, has been asked by the  
6. Governor to devote their full energies to development of  
7. the Disaster Plan.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Your time is up. Senator Becker.

10. SENATOR BECKER:

11. For the previous question, Mr. President.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. You've heard the motion. All those in favor indicate  
14. by saying Aye. Motion carries. Senator Geo-Karis may close  
15. the debate.

16. SENATOR GEO-KARIS:

17. Mr. President, Ladies and Gentlemen of the Assembly,  
18. and I mean of the Senate, of course. I had nothing to do  
19. with Senator Egan's bill, which was brought forth here today.  
20. I do know one thing, though. It is incumbent upon us to  
21. protect the health, safety and welfare of the people of  
22. Illinois, and the sooner we have a twenty-four hour a day  
23. radiological monitoring plan of all Illinois nuclear power  
24. plants, the better it will be for the people of Illinois.  
25. I respectfully ask for your favorable consideration of a  
26. very important piece of legislation.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. The question is shall Senate Bill 1084 pass. Those in  
29. favor vote Aye. Those opposed vote Nay. The voting is open.  
30. Have all voted who wish? Have all voted who wish? Take  
31. the record. On that question, the Ayes are 46, the Nays  
32. are none. 4 Voting Present. Senate Bill 1084, having  
33. received the constitutional majority, is declared passed.  
Senate Bill 1087, Senator Demuzio. Read the bill, Mr.

1. Secretary.

2. SECRETARY:

3. Senate Bill 1087.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Demuzio.

8. SENATOR DEMUZIO:

9. Mr. President, on Senate Bill 1087, apparently there  
10. are several House bills that are coming over that deal with  
11. the same subject matter, and it's the concensus of the  
12. Appropriations Chairmans on this side of the aisle, and  
13. I think in conferring with the Minority Spokesmen on the  
14. Appropriations Committee on the other side of the aisle  
15. that we gather up all these projects and attempt to put  
16. them on one bill, so that there would be a better handle on  
17. it, and would make it much cleaner, so at this time, I  
18. would like for the bill to just remain on the Calendar  
19. for the time being.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Take it out of the record. Senate Bill 1100, Senator  
22. Knuppel. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1100.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Mr. President, this is the legislation that was released  
31. from Committee yesterday, which will...is designed to prevent  
32. the situation that occurred when we had the Pay Raise bill,  
33. where Judges received their pay raise one day, retired the

1. next, and drew pensions larger than what they'd been ever  
2. paid during their tenure. Now, there were some objections  
3. concerning the constitutionality, because this was for  
4. four years originally. It's been reduced down to seven  
5. months, so that it now meets those constitutional objections  
6. in that it does not impair any salaries where more than...  
7. will be more than seven months past the time the salaries  
8. are instituted by the time we adjourn here on July the  
9. seventh. This legislation then, is designed to be in line  
10. with what people are paid and the pensions would be. I  
11. think this is legislation that prevents the kind of windfall  
12. that occurred in December for the Judges, and I would  
13. appreciate a favorable roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

16. SENATOR D'ARCO:

17. Senator Knuppel, you modified this to seven months?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Yes sir, I...it could maybe at some time be extended  
22. again at a different time, but to be effective when it becomes  
23. law, you cannot diminish the pension benefits under the Constitution  
24. and the Judges who have been serving now from December down  
25. till now at the fifty thousand dollar rate under the law, if  
26. you cut them back, you would...by putting in the four years,  
27. you would have to reduce their pension, so now this becomes  
28. constitutional.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. No, I'm not arguing the constitutionality, but what good  
33. is it to make it seven months, because if you take the average

1. salary of their last seven months to compute what their  
2. pension would be, it would be the same as if it were their  
3. last day in office.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Knuppel.

6. SENATOR KNUPPTEL:

7. Now, no, it wouldn't be, because they...the pay raise  
8. here was put in in December, when they had already been  
9. beaten or taken out, and they would have had to have served  
10. at that salary for seven months. In other words, if it's  
11. jumped to sixty thousand dollars on December the first in  
12. a...in a Lame Duck Session, which may be the only way the  
13. General Assembly can vote pay raises, at least the Judges  
14. wouldn't get that windfall, which is...we're all embarrassed.  
15. by.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berman.

18. SENATOR BERMAN:

19. Will the sponsor yield?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. He indicates he will.

22. SENATOR BERMAN:

23. Doesn't this in effect mean that the Judges that retired  
24. on let's say December thirty-first, because of the pay raise,  
25. will stay on until July first, or August first, and still get  
26. the same benefits that they would've last month? Aren't we  
27. just saying that they have to stay on for seven more months?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Knuppel.

30. SENATOR KNUPPTEL:

31. Well, if a Judge is not retired, and he wants to serve  
32. for at least seven months at that salary, yes, but we aren't  
33. going to get the windfall effect where somebody's already  
been beaten for retention or like on November the seventh

1. we passed a pay raise on November the thirtieth, he's not  
2. going to get the benefit of that pay raise on December the  
3. first. For example in Peoria, you follow me?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Berman.

6. SENATOR BERMAN:

7. All right. I understand what you're trying to do, but  
8. I really think...

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. I'd like to indicate your time is up. Is there further  
11. discussion? The question is...Senator Berning.

12. SENATOR BERNING:

13. ...and members of the Senate. The objective of the  
14. sponsor of this is admirable, and while there was constitutional  
15. question, if in his opinion, the amendment answers this, I  
16. then see no reason why we shouldn't support it. It can save,  
17. or will save a projected five million dollars for the pension  
18. system, and if we can qualify, then I think we are obligated  
19. to do so.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Further discussion? Senator Knuppel may close the  
22. debate.

23. SENATOR KNUPPEL:

24. I'd just appreciate a favorable roll call. I think this  
25. will prevent something that is a very embarrassing thing. Thank  
26. you very much.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. The question is shall Senate Bill 1100 pass. Those in  
29. favor vote Aye. Those opposed vote Nay. The voting is open.  
30. Have all voted who wish? Have all voted who wish? Take the  
31. record. On that question, the Ayes are 39, the Nays are 4.  
32. 1 Voting Present. Senate Bill 1100, having received the  
33. constitutional majority, is declared passed. Senate Bill 1111,  
Senator Davidson. Read the bill...Senator Davidson, for what



1. purpose do you rise?

2. SENATOR DAVIDSON:

3. I'd like leave of the Body to refer 1111 and 1112 back  
4. to the Committee on Transportation.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Davidson moves to re-commit Senate Bills 1111  
7. and 1112 back to the Committee on Transportation. Is leave  
8. granted? Leave is granted. Senate Bill 1117, Senator  
9. Mitchler. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1117.

(Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Mr. President, members of the Senate. Senate Bill 1117  
17. amends several acts to clarify the types of properties under  
18. the jurisdiction of the Department of Conservation, and it  
19. permits the Department to administer their designation and  
20. use. The Illinois Department of Conservation actually has  
21. been working on this since nineteen seventy-four, and this  
22. is to show the properties and give them the proper titles  
23. as to what their use and their designation should be. If you  
24. have any questions, I'll be glad to respond. I ask for a  
25. favorable roll call. Senator Donnewald did raise a question  
26. about the fencing in the Act, and I understand Jim Helfrick  
27. has contacted him. He may want to comment on that.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. Mr. President, members of the Senate. If the Department's  
32. been working on it since nineteen seventy-four, I think they  
33. could well use a couple more years of work. They've been

1. very nice to me in cooperating to rename four or five things  
2. that they had grossly misnamed in my district, such as several  
3. acres of land, which they called the fish area. I really think  
4. if they really intend to do this, they should give it more  
5. time, because I think what they're basically doing is trying  
6. to redefine what a park is, and I don't think they're going  
7. to acheive that with the eleven million people in Illinois  
8. who I think have their own conception of what a park is. I  
9. would urge a No vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Donnewald.

12. SENATOR DONNEWALD:

13. I certainly had problems with the bill, and...in the  
14. posture that it now exists, I still would, but as Senator  
15. Mitchler said...stated that there will be an amendment placed  
16. on it to cure the problem that we had over on this side, and I  
17. ...he's an honorable man, and I would not object to the  
18. passage of the bill at this time.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate. I rise in  
23. opposition to this bill, and for two reasons. One is they've  
24. spent years getting people to go to parks. Very close to  
25. here, it's probably one of the most visited State Parks in  
26. the State of Illinois or the nation, New Salem State Park.  
27. They want to change their game plan down there. I wasn't  
28. present when they put out their game plan, but it certainly  
29. has not satisfied the people, who are used to going there,  
30. both from Springfield and Petersburg, as a park. Historical  
31. Site it is, but to make it a Historical Site to the use of  
32. Historical...people only, and not for the public to use the  
33. other part of the park I think is wrong. Now the Conservation  
have been excellent friends, and I'm sorry to oppose them on

1. this bill. It doesn't, as within my district...it's fine...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator, your time is up.

4. SENATOR DAVIDSON:

5. ...I urge you to vote No.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Mitchler  
8. may close the debate.

9. SENATOR MITCHLER:

10. I believe the Department of Conservation has contacted  
11. each and every member of the Senate. They at least told  
12. me that, so you know what the bill is. I'd ask for a  
13. favorable roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is shall Senate Bill 1117 pass. Those in  
16. favor vote Aye. Those opposed vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Take the  
18. record. On that question, the Ayes are 33, the Nays are 11.  
19. None Voting Present. Senate Bill 1117, having received the  
20. constitutional majority, is declared passed. For what purpose  
21. does Senator Bruce arise?

22. SENATOR BRUCE:

23. Thank you, Mr. President. We would like, with leave of  
24. the Body, to go to the Order of Resolutions for the adoption  
25. of the Adjournment Resolution so that members can make plans  
26. for the weekend and when we return and with...if there...No,  
27. we're not adjourning, Senator Buzbee....

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is leave granted?

30. SENATOR BRUCE:

31. ...is there leave to go to the Order of Resolutions?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there leave to go to the Order of Resolutions? Leave

1. is granted. Resolutions.

2. SECRETARY:

3. Senate Joint Resolution 53, offered by Senator Bruce.

4. (Secretary reads SJR 53)

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bruce. Senator Donnewald.

7. SENATOR DONNEWALD:

8. Well, I make the appropriate motion.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Donnewald moves the adoption of House...Senate

11. Joint Resolution 53. Those in favor indicate by saying

12. Aye. Those opposed. The Ayes have it. Senate Joint Resolution 53

13. is adopted. Senator Donnewald.

14. SENATOR DONNEWALD:

15. Things while we're in this lull. Senator DeAngelis and

16. several others on the Consent Calendar on Resolutions, has

17. an urgent non-controversial matter. I think if we would go

18. to that, and pass out the non-controversial resolutions, why

19. it might help him out a bit. The Consent Calendar on Resolutions.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. For what purpose does Senator Lemke rise?

22. SENATOR LEMKE:

23. I have just one question on there. I notice there's a

24. resolution introduced by Senator Berning in Senator McLendon's

25. district and he doesn't know anything about it, and I think

26. before resolutions are put in, that they should at least get

27. a hold of the Senator in their district and be jointly sponsored.

28. At least have that request, and that wasn't done from Senator

29. McLendon.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Donnewald.

32. SENATOR DONNEWALD:

33. Why don't we take that one out?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)  
2. Senator, that's indicated by the Secretary. This  
3. matter was brought up earlier. It's been resolved. There  
4. was a mistake on just a name on it.  
5. SENATOR DONNEWALD:  
6. All right. Do we have leave...well, we're still on  
7. the Order of Resolutions.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)  
9. Leave to go to Consent Calendar? Leave is granted.  
10. Resolutions, Consent Calendar.  
11. SECRETARY:  
12. There's been no objections filed against the Consent  
13. Calendar, Mr. President, but however, we don't know in the  
14. Secretary's Office who should sponsor these. We try to  
15. find out. I did, and I got the wrong person, but Senator  
16. McLendon's name does now appear on House Joint Resolution  
17. 57.  
18. PRESIDING OFFICER: (SENATOR SAVICKAS)  
19. You've heard the motion...yes, Senator Donnewald.  
20. SENATOR DONNEWALD:  
21. I move the resolutions listed on the Consent Calendar  
22. be adopted.  
23. PRESIDING OFFICER: (SENATOR SAVICKAS)  
24. You've heard the motion. Those in favor indicate by  
25. saying Aye. Those opposed. The Ayes have it. Resolutions  
26. on Consent Calendar are adopted. Senator Donnewald.  
27. SENATOR DONNEWALD:  
28. Now that that's resolved, there've been many that asked  
29. if we were going to have a break this evening. There'll be  
30. no break. We're going to go straight through.  
31. PRESIDING OFFICER: (SENATOR SAVICKAS)  
32. Senator Grotberg, for what purpose do you rise?  
33. SENATOR GROTERBERG:  
Well, I just think that the Body should realize that on that

1. Consent Calendar, was a Death Resolution for Julia Chuak,  
2. I believe, the nurse...Teahock, and I think the record,  
3. the oral record should show the love and esteem that this  
4. group had for that fine lady.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The record will so show. Do we have leave to go back  
7. to the Order of Senate Bills, 3rd reading? Leave is granted.  
8. Senate Bill...On page twelve, Senate Bill 1119, Senator Buzbee.  
9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1119.

12. (Secretary reads title of bill)  
13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. The bill as amended has addressed  
18. some of the objections raised in Committee. It now clarifies  
19. that all counties where coal is mined shall receive a portion  
20. of those federal funds, not just Surface Mining counties. It  
21. deletes the provision that counties can use this money to  
22. pay for expenses incurred by the county in reviewing ongoing  
23. reclamation plans. The money can be used only for Abandoned  
24. Mine Lands Reclamation projects. And for the Bobbsey Twins  
25. right in front of me, I would like to indicate that it also  
26. applies to the bill to counties where coal is mined underground,  
27. as well as to Surface Mined counties, and limits expenditures  
28. to Abandoned Mine Land Reclamation projects. I really have  
29. trouble telling you two apart sometimes. I would note that  
30. forty percent of the money coming back from the Federal Surface  
31. Mine Land Reclamation money that comes to the State of Illinois  
32. would go to the counties. The balance would be spent...the  
33. sixty percent would be spent...

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator, your time is up.

2. SENATOR BUZBEE:

3. ...by the council. Thank you very much, Mr. President.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator McMillan.

6. SENATOR McMILLAN:

7. Mr. President, members of the Senate. I would rise in  
8. opposition to this bill in a similar fashion to one sponsored  
9. by Senator Johns earlier. As I read it and as the Committee  
10. understood it, I think we don't get the Federal money unless  
11. we abide by some rules. We don't like that, but that's the  
12. way it is, and it seems to me if we set up these arbitrary  
13. percentages, we may in fact lose all the money and I'm also  
14. concerned that if it only goes to those counties where  
15. mining is being done, we prevent it from being used in  
16. counties where mining was being done a long time ago and  
17. where we still have a lot of land that needs to be reclaimed,  
18. and I seek a No vote.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Further discussion? If not, Senator Buzbee may close  
21. the debate.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. Well there seems to be varied  
24. opinion. There's some say that this is illegal under Federal  
25. law, some say that it's very much legal. As a matter of fact,  
26. the attorneys for the Mining Industry indicate that they think  
27. this bill is very much in compliance with the Federal law, and  
28. the balance of the sixty percent would stay with the State,  
29. Senator McMillan, so that it could be spent in those counties  
30. which there is no longer mining going on, and I think this  
31. is a good concept. This we could use in lieu of the Coal  
32. Extraction Tax which has been discussed here many times, going  
33. back to those counties where there's coal mining going on.  
They can use it for Reclamation Projects. They are restricted

1. to that. I think it's a good concept, and I would ask for  
2. your support.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is shall Senate Bill 1119 pass. Those in  
5. 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 24, the  
8. Nays are 25. 2 Voting Present. Senate Bill 1119, having  
9. failed to receive a constitutional majority, is declared  
10. lost. Senate Bill 1139, Senator Bloom. Read the bill, Mr.  
11. Secretary. For what purpose does Senator Bloom rise?

12. SENATOR BLOOM:

13. With a motion that's probably always in order. We  
14. did get a letter from the Federal EPA, and those Sanitary  
15. Districts who were awarded grants and didn't use their  
16. ad valorem system could not now change. Therefore, this  
17. bill would seriously impair the Clean Water grants and I  
18. would move that it would be Tabled.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. You've heard the motion. Those in favor indicate by  
21. saying Aye. Those opposed. The Ayes have it. Senate Bill  
22. 1139 is Tabled. Senate Bill 1166, Senator Joyce. Jeremiah  
23. Joyce. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1166.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28.

29.

30.

31.

32.

33.

End of Reel



1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Joyce.

3. SENATOR JEREMIAH JOYCE:

4. Mr. President and Ladies and Gentlemen of the Senate. Senate Bill  
5. 1166 amends the Juvenile Court Act. It raises the permitted level  
6. of reimbursement to a realistic figure and thereby effectuating  
7. an alternative which presently does exist in our Statute.  
8. It has been amended to provide that the amount shall be the current  
9. daily rate paid by the Department of Children and Family Services  
10. for regular foster care service. There's also as agreed in committee,  
11. an amendment which would provide...be expired after a year.  
12. I move favorable consideration of this...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? If not, the question is shall Senate  
15. Bill 1166 pass. Those in favor vote Aye. Those opposed vote  
16. Nay. The voting is open. Have all voted who wish? Have all voted  
17. who wish? Take the record. On that question the Ayes are 57, the  
18. Nays are none, none Voting Present. Senate Bill 1166 having  
19. received the constitutional majority is declared passed.  
20. Senate Bill 1192, Senator Lemke. Read the bill, Mr. Secretary.  
21. Oh, wait. I'm sorry. We have one ahead of that. 1180, Senator  
22. Bloom. 1192, Senator Lemke.

23. SECRETARY:

24. Senate Bill 1192.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. What this bill does is amends the Workmen's Compensation Act  
31. to require rebate of premium charged upon recoupment from a third  
32. party of a sum paid in compensation. What we have found out is  
33. that a insurance company when they make a third party recovery  
and the employer is not at fault, there's no allowance for re-

1.     coupment of the premium. This also has an amendment for  
2.     asbestosis instead of...which we forgot to put in last year on  
3.     the agreed bill.

4.     PRESIDING OFFICER: (SENATOR SAVICKAS)

5.             Is there further discussion? If not...oh, Senator Keats.

6.     SENATOR KEATS:

7.             Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
8.     This bill came out of the Labor and Commerce Committee on a partisan  
9.     roll call. There are a couple of issues involved that I would  
10.    like to acquaint you with. Number one, in terms of the recoupment  
11.    costs, when an insurance company is recouping money there are  
12.    things to remember. Number one, there are legal fees that have  
13.    to be reduced. This bill doesn't take into account legal fees.  
14.    In addition, there could be several years later after this  
15.    Workmen Comp settlement, I don't have to tell you that court  
16.    cases drag on for quite awhile. Now, if the carrier is no longer  
17.    the proper carrier for the employer who is liable for the Workmen's  
18.    Compensation award, how can he, who is the employer, recover any  
19.    increased premiums he's paid to that carrier as a result of the  
20.    award. So, if you're a different company, you're in trouble. So,  
21.    those are things to talk about but particularly, legal fees and  
22.    years later, there's one more point with the asbestosis amendment  
23.    which while I do not think it's a bad amendment, there's something  
24.    to remember, this is not a minor extension of the Workmen's Com-  
25.    pensation Act. This is a huge extension of the Workmen's Compensation  
26.    Act and if we should ever extend...

27.    PRESIDING OFFICER: (SENATOR SAVICKAS)

28.             Senator. Senator, your time has run out.

29.    SENATOR KEATS:

30.             Okay. If we should ever extend Workmen's Comp, this would be an  
31.    area to go into. But if we are doing nothing to decrease some  
32.    of it, I question if we should put such a huge increase on.  
33.    I would appreciate a No vote.

SB 1195  
5/25/79  
3rd Reading

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Further discussion? Senator Lemke may close the debate.

3. SENATOR LEMKE:

4. As far as the legal costs, anything that's recouped by the  
5. insurance company, the attorney takes twenty-five percent of that  
6. off the top. So...and the expenses come off of that. What the  
7. insurance gets back whether it be...it's never a hundred percent,  
8. but at least they get seventy-five percent of the money back.  
9. I think the bill is a good bill. It allows the employer to get a  
10. benefit and it protects people and I think the problems can be  
11. worked out. I ask for a favorable adoption.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is shall 1192 pass. Those in favor vote Aye.  
14. Those opposed vote Nay. The voting is open. Have all voted who  
15. wish? Have all voted who wish? Take the record. On that  
16. question the Ayes are 22, the Nays are 30, 2 Voting Present.  
17. Senate Bill 1192 having failed to receive a...Senator Lemke, for  
18. what purpose do you arise?

19. SENATOR LEMKE:

20. This was the only Workmen's Comp vehicle available so, in the  
21. wisdom... the Republican party killed any Workmen's Compensation  
22. in the State of Illinois in changes. So, let everybody know.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. On that question the Ayes are 22, the Nays are 30, 2 Voting  
25. Present. Senate Bill 1192 having failed to receive a constitutional  
26. majority is declared lost. Senate Bill 1195, Senator Rhoads.  
27. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 1195.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Rhoads.

1. SENATOR RHOADS:

2. Thank you, Mr. President and members of the Senate. Senate  
3. Bill 1195 was a recommendation of the Governor's Cost Control  
4. Task Force. It increases the license fees for the pest control  
5. people from fifty dollars to one hundred dollars for an original  
6. application and for a certificate renewal, from twenty-five  
7. to fifty dollars. This will generate approximately ninety-  
8. three thousand three hundred and fifty dollars a year which is  
9. just slightly over what the Department of Public Health estimates  
10. that it actually costs to administer the program. In addition,  
11. since committee, an amendment was placed on the bill at the request  
12. of the termite people providing for reciprocity agreements with...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator, your time is running out.

15. SENATOR RHOADS:

16. But, the...the termite people...roll call.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? If not, the question is shall  
19. Senate Bill 1195 pass. Those in favor vote Aye.  
20. Those opposed vote Nay. The voting is open. Have all voted  
21. who wish? Have all voted who wish? Take the record. On  
22. that question the Ayes are 35, the Nays are 12, 1 Voting  
23. Present. Senate Bill 1195 having received a constitutional  
24. majority is declared passed. Senate Bill 1197, Senator Rhoads.  
25. Read the bill, Mr. Secretary.

26. ACTING SECRETARY (MR. FERNANDES)

27. Senate Bill 1197.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Thank you, Mr. President and members of the Senate. This bill  
was also requested a suggestion of the Governor's Cost Control Task

1. Force. It increases the license fees for water well pump  
2. contractors from twenty-five dollars to two hundred dollars.  
3. There has not been a prior increase in this fee and it was  
4. not suggested by the termite people and I ask for a favorable  
5. vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Wooten.

8. SENATOR WOOTEN:

9. I just want to compliment Senator Rhoads on laughing  
10. his way through a tax increase through license fees in the last  
11. bill. I...it isn't all that funny, really.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. I'm not quite sure what the problem  
16. is about increasing some of these license fees. The assumption  
17. is that somehow that this is a disguised tax relief, but it  
18. really isn't. Most of these licensing schemes are set up for  
19. the benefit of those who are the licensees, so why shouldn't  
20. they pay for them?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rhoads may close the debate.

23. SENATOR RHOADS:

24. I would ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is shall Senate Bill 1197 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 20, the Nays are 22, none Voting  
30. Present. Senate Bill 1197 having failed to receive a constitutional  
31. majority is declared lost. Senate Bill 1201, Senator Geo-Karis.  
32. Read the bill, Mr. Secretary.

33. ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1210.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senate Bill...Geo-Karis.
5. SENATOR GEO-KARIS:
6. Mr. President and Ladies and Gentlemen of the Senate. This
7. bill is...was urged by the Director of the Department of Labor
8. in order to tighten some of the loopholes for the employment
9. agencies. It came out of committee with unanimous vote, to my
10. recollection and it is designed to protect...to protect the
11. people who go out on the job...and they've been sent out
12. by a licensed employment agency and later they try to get them
13. back from that job in order to make a double fee. This amendment
14. is in the bill and I urge your respectful consideration.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Is there further discussion? If not, the question is
17. shall Senate Bill 1201 pass. Those in favor vote Aye. Those
18. opposed vote Nay. The voting is open. Have all voted who wish?
19. Have all voted who wish? Take the record. On that question the
20. Ayes are 42, the Nays are 5, none Voting Present. Senate Bill
21. 1201 having received a constitutional majority is declared
22. passed. Senate Bill 1237, Senator Donnewald. Read the bill,
23. Mr. Secretary.
24. ACTING SECRETARY: (MR. FERNANDES)
25. Senate Bill 1237.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Donnewald.
30. SENATOR DONNEWALD:
31. This...this is a bill that the certified public accountants
32. are requesting. It's a program...requires that all person
33. registered with the department...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He still has time. The yellow light is still on.

3. SENATOR DONNEWALD:

4. Well, anyway, requires all persons registered with the  
5. Department of Registration and Education as public accountants  
6. to participate in an mandatory and continuing education program  
7. on an annual basis. I would ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? If not, the question is shall  
10. Senate Bill 1237 pass. Senator Sangmeister.

11. SENATOR SANGMEISTER:

12. Don't look so disgusted, Senator Donnewald. I was just wondering  
13. are the accountants all in favor of it? Do they want this?  
14. This is their...it's their bill?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Donnewald.

17. SENATOR DONNEWALD:

18. Yes, it is their bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you. That just made my point. Most of the licensing  
23. schemes are set up to protect the licensees. That's why there  
24. is no problem in charging them more under their licensing schemes.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Donnewald may close the debate.

27. SENATOR DONNEWALD:

28. Roll call.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. On that question...oh, I'm sorry. Those in favor...question  
31. is shall Senate Bill 1237 pass. Those in favor vote Aye.  
32. Those opposed vote Nay. The voting is open. Have all voted  
33. who wish? Have all voted who wish? Take the record.

On that question the Ayes are 41, the Nays are 10, 1 Voting Present.

1. Senate Bill 1237 having received the constitutional majority is  
2. declared passed. Senate Bill 1238, Senator D'Arco. Read the  
3. bill, Mr. Secretary.  
4. ACTING SECRETARY: (MR. FERNANDES)  
5. Senate Bill 1238.  
6. (Secretary reads title of bill)  
7. 3rd reading of the bill.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)  
9. Senator D'Arco.  
10. SENATOR D'ARCO:  
11. Hello. Hello. Thank you, fine, I'm doing well. Mr. President  
12. and my fellow Senators. This bill is a very important bill for  
13. me. It's the...amends the group health insurance coverage  
14. for State employees for psychiatric care. And Senator Bruce and  
15. myself have worked on the bill and we are in accord because we  
16. are going to amend it in the House to provide that there will be  
17. a outpatient day limitation put into the bill instead of an  
18. unlimited period and I would ask for a favorable vote.  
19. PRESIDING OFFICER: (SENATOR DONNEWALD)  
20. Is there discussion? The question is shall...Senator Berning.  
21. SENATOR BERNING:  
22. A question of the sponsor.  
23. PRESIDING OFFICER: (SENATOR DONNEWALD)  
24. The sponsor indicates he will respond.  
25. SENATOR BERNING:  
26. Thank you. Why do we establish a fifty percent of the customer's  
27. usual fee schedule for psychiatric outpatient? Why should we be  
28. establishing any kind of a percentage?  
29. PRESIDING OFFICER: (SENATOR DONNEWALD)  
30. Senator D'Arco.  
31. SENATOR D'ARCO:  
32. Well, that's been the law all along. You know, the fifty  
33. percent...we did that last year when we amended the Group Health  
Insurance Act with another bill that I passed to provide



1. for fifty percent of the usual and customary allowance up to a  
2. maximum of twenty-five dollars. So, you can get reimbursement  
3. for only twenty-five dollars. If the visit costs fifty dollars,  
4. then you have to pay any excess over the twenty-five dollars.  
5. What we want to do though, the problem now is that you can go to  
6. see a psychiatrist any number of times any number of days.  
7. And we want to limit the number of times that you can go visit  
8. a psychiatrist to fifty.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berning, your time has expired.

11. SENATOR D'ARCO:

12. For the calendar year. And if you want to see one, I'll be  
13. more than happy to recommend a psychiatrist.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President and members of the Senate. The bill in  
18. its present form is opposed by the Department of Personnel and the  
19. Group Insurance Advisory Commission, but Senator D'Arco and I  
20. have spoken about the legislation. He is willing to put in a  
21. fifty visit per year limitation on inpatient care. I think with  
22. that type of amendment, it will be acceptable to the department and  
23. the commission. I would hope that each and every person would vote  
24. in favor of this so we might resolve the problems we are having  
25. with psychiatric care under the group program. And he has assured  
26. me that it will be amended and it will come back over here and  
27. you'll have a second look at it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator D'Arco may close if  
30. he wishes.

31. SENATOR D'ARCO:

32. I think everyone should get up and declare a conflict.  
33. No, I'm just kidding. I move for a favorable vote.

SB 1243  
3rd reading  
5/25/79

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Question is shall Senate Bill 1238 pass. Those in favor  
3. vote Aye. Those opposed Nay. The voting is open. Have all those  
4. voted who wish? Have all those voted who wish? Take the  
5. record. On that question the Ayes are 42, the Nays are 12, 1  
6. Voting Present. Senate Bill 1238 having received a constitutional  
7. majority is declared passed. Senate Bill 1243, Senator Berman.  
8. Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 1243.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
17. A couple of years ago, we passed the Illinois Administrative  
18. Procedures Act. In that Act there are persons who preside at  
19. hearings regarding...that are conducted in all of the agencies of  
20. the State. This bill is in response to requests from these  
21. hearing officers to upgrade their status through the change of  
22. their title to administrative law judge, similar to what is  
23. implied in the titles given to Federal hearing officers.  
24. This bill has been amended to provide that all persons employed  
25. in this capacity after this date, after the effective date of  
26. this Act, would have to be attorneys. We grandfather in, of course,  
27. all of the existing hearing officers. We have also specifically  
28. provided that these persons shall not have any of the rights,  
29. privileges, or duties of the judiciary of the State of Illinois.  
30. I ask for your favorable vote.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Knuppel.

33. SENATOR KNUPPEL:

Mr. Chairman, this ought to help their egos enough that

1. we shouldn't have to give them any more pay raises. What the hell  
2. difference does it make what their name is?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Moore.

5. SENATOR MOORE:

6. Well, here we go again, Mr. President. I believe it was  
7. a year or two ago we had a bill in that the hearing officers  
8. in the Court of Claims, they want to be known as judges or  
9. associate judges and now we've got this group that comes in  
10. and they don't want to be known as hearing officers, they want  
11. to be known as judges. I think the bill two years ago this Body  
12. beat, I think this bill should be defeated today because as I'm  
13. standing here now, the next step is once they're known as a judge  
14. then they're going to want to get into the Judges Retirement  
15. System and we're going to have all kinds of problems down the road.  
16. I would urge defeat of Senate Bill 1243.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Maragos.

19. SENATOR MARAGOS:

20. Mr. President and members of the Senate. In speaking on behalf  
21. of this bill, I would like to state that we only consider these  
22. judges or these administrative hearings as we see them ourselves,  
23. but it was very important to know that to the lay people, they  
24. consider a person who attends the hearings or conducts hearings  
25. of this type as being judges and I think the name would  
26. facilitate and make those hearings more profound and more  
27. orderly and I ask for your support.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Berman may close if he  
30. so desires.

31. SENATOR BERMAN:

32. Thank you, Mr. President. I think that this is an important  
33. step to try to upgrade the process that we have established  
through the Administrative Procedures Act. I ask for your

1. favorable vote.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. The question is shall Senate Bill 1243 pass. Those in favor
4. vote Aye. Those opposed Nay. The voting is open. Have all
5. those voted who wish? Have all those voted who wish?
6. Take the record. On that question the Ayes are 18, the Nays
7. are 32, 1 Voting Present. Senate Bill 1243 not having received
8. a constitutional majority is declared lost. Senate Bill 1244,
9. Senator Maragos.
10. ACTING SECRETARY: (MR. FERNANDES)
11. Senate Bill 1244.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Maragos.
16. SENATOR MARAGOS:
17. Mr. President and members of the Senate. This bill is
18. a step in the right direction to make the...the counties stay sol-
19. vent. They have many mandated programs on their backs and I
20. think this is one way we could give them some relief from the
21. Trust Fund. We've discussed this previously and ask for your
22. support.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Is there discussion? Senator Keats.
25. SENATOR KEATS:
26. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
27. This bill we had talked about earlier and was pulled from the
28. record because the consensus was not particularly positive at the
29. time. What we're saying about this, a business could not possibly
30. do this. No private business could do what we're about to say
31. some governmental unit should do. Basically, they are taking
32. money back out of the Trust Fund without putting something into it.
33. A...A local government should be held responsible for employment practices and what we're saying here is regardless of what the local

1. government does, it doesn't matter because the Trust Fund is going  
2. to pick up the money. What we should be doing is tightening up  
3. the standards of those who are ineligible so that these local  
4. municipalities are not getting hurt in terms of how much money  
5. must go into the program. When this bill was...when this was  
6. put on another bill's amendment, that bill was defeated because  
7. of an amendment such as this. It would take additional money out  
8. of the Trust Fund for no logical reason. What we're saying right  
9. now with 1244 is that a local government need not put money in  
10. to get money back out. They would be reimbursed in situations  
11. that a private business who pays for the Trust Fund would never  
12. be reimbursed. I believe a No vote would be the appropriate vote  
13. and this was pulled out of the record in the past when the  
14. consensus seemed to be rather...rolling rather strongly against it.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Mitchler. Senator Maragos may close.

17. SENATOR MARAGOS:

18. Mr. President and members of the Senate. That's true that the  
19. public employment agency, the cities and governments and county  
20. governments are not the same as private business. They cannot go  
21. and adjust and make amelioration in their price context with  
22. others. What they can do is they have to depend to get some  
23. money back, where there's fraud complaints filed against them, they  
24. have no control over them. Therefore, many times these payments  
25. are made fraudulently or without...by error and these counties  
26. never get the money back and I think this is a bill in the right  
27. direction to keep our counties solvent and I ask for your  
28. support.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. The question is shall Senate Bill 1244 pass. Those in favor  
31. vote Aye. Those opposed Nay. The voting is open. Have all those  
32. voted who wish? ...those voted who wish? Take the record.  
33. On that question the Ayes are 25, the Nays are 30. Senate Bill 1244  
having received a constitutional majority is declared passed...too

1. many people talking here at one time. Senate Bill 1244 not having
2. received a constitutional majority is declared lost. Senate Bill
3. 1246, Senator Sangmeister. Read the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1246.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Sangmeister.
10. SENATOR SANGMEISTER:
11. Yes, Mr. President and members of the Senate. This bill is almost
12. identical to that of Senate Bill 80, I believe it was, which
13. has been passed out of here by Senator Keats. Again, it attacks
14. that problem that was raised by the Rockwell International
15. versus Boling case which Judge Curry decided in Cook County and
16. perhaps Senator Keats would like to say a few words about the bill.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Keats.
19. SENATOR KEATS:
20. This bill was in front of the Labor and Commerce Committee.
21. It came out on a unanimous vote. All it does is make sure
22. that Cook County and the rest of the State administer the
23. program equally. Right now, Cook County has a good deal because
24. Judge Curry has made a very reasonable decision. No one gets
25. hurt in this. No one is losing any money. No one is gaining any
26. money. It's just a reasonable decision and it makes the State-
27. wide enforcement the same. I would appreciate a favorable vote.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Sangmeister may close.
30. SENATOR SANGMEISTER:
31. I believe that adequately...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Just a moment. Oh, just a moment. Senator Maragos, I'm  
sorry.

1. SENATOR MARAGOS:
2. Question of the sponsor. Isn't this the same as Senate Bill 30
3. which we passed out earlier, which was sponsored by Senator Keats.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senate Bill 80, I think he said.
6. SENATOR MARAGOS:
7. Is there any difference?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. That's...Senator Sangmeister.
10. SENATOR SANGMEISTER:
11. Yeah, I opened my remarks, Senator Maragos, by saying it
12. was almost identical to Senator Keats's bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Further discussion? Senator Sangmeister may close.
15. SENATOR SANGMEISTER:
16. Just call the roll.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. The question is shall Senate Bill 1246 pass. Those in
19. favor vote Aye. Those opposed Nay. The voting is open.
20. Have all those voted who wish? Take the record. On that
21. question the Ayes are 54, the Nays are none. Senate Bill
22. 1246 having received a constitutional majority is declared passed.
23. Senate Bill 1248, Senator Maragos-Rhoads. Senator Maragos, do you
24. wish to call the bill? Read the...read the bill, Mr. Secretary.
25. SECRETARY:
26. Senate Bill 1248.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Maragos.
31. SENATOR MARAGOS:
32. Mr. President and members of the Senate. Senate Bill 1248
33. is a product of the Election Commission Laws Commission and it amends the counties...Election Code, provides that the counties

1. may levy an annual tax not to exceed five percent. We had tried  
2. to put an amendment to keep it open levy. However, with discussion  
3. and by...with the consent of Senator Rhoads, we put on an  
4. amendment that would put a five percent cap on the levies  
5. for the election...consolidated elections. This bill would...  
6. does not leave it open...I should state that presently the law  
7. is...if there is an open levy without referendum. This does put  
8. a cap on it and it's okayed by many of the county officials and  
9. county clerks and I ask for your support.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Egan.

12. SENATOR EGAN:

13. Yes, thank you, Mr. President and members of the Senate. I  
14. would just like to support Senate Bill 1248. Some of the  
15. clerks in the cities in the...in the suburban areas where  
16. ...that I represent, have asked me to support the bill. It's  
17. a good concept. It's something that they very definitely  
18. need and I ask your support.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President. I rise in opposition to this legislation.  
23. It increases a maximum county rate to pay for expenses of elections  
24. from two...two cents to five cents without referendum. In  
25. many of the downstate counties, this will quintuple the  
26. present rate in effect. Most of them, have presently  
27. a one cent rate. This will go to five cents and would increase  
28. the total tax rates by sixty-six percent on a home assessed at  
29. fifteen thousand dollars, market value of forty-five thousand  
30. will increase the taxes by a factor of seven dollars and fifty  
31. cents per one hundred dollars of assessed valuation. I would  
32. favorably...I would ask that this bill be defeated in that it  
33. affects many of the downstate counties.



1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Thank you, Mr. President, members of the Senate. I rise in support  
5. of Senate Bill 1248. I can only speak from the perspective of  
6. suburban Cook County, but I do feel this legislation is necessary  
7. to raise the adequate levy that will be needed for consolidation  
8. of elections costs. As originally introduced, the bill had a two  
9. percent cap in it which many people told us they could not live  
10. with. The five percent cap is adequate from the figures that have  
11. been shown to me by the Cook County Clerk. I would prefer to see  
12. this bill passed at the current time with the five percent cap  
13. in it. If they ever want to raise it beyond that, they'll  
14. have to come back to the General Assembly. I support the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Weaver.

17. SENATOR WEAVER:

18. Thank you, Mr. President. I think that we should go through  
19. least one consolidated election to find out what the actual costs  
20. are and how they're going to be conducted...how they're going to be  
21. supervised by the county clerk or the Election Commission before  
22. we give any additional tax increases. I would hope that we would  
23. defeat this at this time and come back after having experienced  
24. one consolidated election and then arrange for equitable taxation  
25. to provide for their costs.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Question to the sponsor. Did I understand you to say that  
30. presently that they can...the county board can levy this tax now  
31. and there's no lid on it and you want this bill to put a lid on and  
32. that being the case, we don't need the bill. County Board can levy  
33. whatever it needs for the necessary costs of the election as they're  
doing now presently. I urge you to vote No.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Maragos.

3. SENATOR MARAGOS:

4. Well, I don't know if you asked a question or made a statement,  
5. Senator Davidson, but in answer to your question...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Little...little bit of both.

8. SENATOR MARAGOS:

9. In answer to your question, that is right. The present law which  
10. we passed a year and a half ago, states that the counties and cities  
11. and school districts can levy as much as they want. There  
12. is no cap on them. And the only thing that this does is put a  
13. cap on it of five percent. The reason the amendment was amended  
14. from two to five because many county officials and other district  
15. officials stated that there was not enough money from their estimates.  
16. And if you want to go and have an election without proper  
17. funds, Senator Weaver, you're going to have basic problems because  
18. where are you going to get the money without the levy to conduct  
19. those elections. So, that is the question...you get them now by  
20. other means...you don't have to have the levy, you don't have a  
21. consolidation. Because the county clerks are going to  
22. be doing all this now for all the school districts and for everybody  
23. else. It's going to be only one agency and that's why you need  
24. this particular...particular bill to be passed.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Bruce, for what purpose do you arise?

27. SENATOR BRUCE:

28. Well, just...just to clarify what Senator Maragos said. That  
29. may be true as to Cook County, but I think that all counties other  
30. than Cook have an authority to levy two cents with a front  
31. door referendum and one cent without referendum and the effect  
32. of Senate Bill 1248 is to repeal the one cent tax and eliminate  
33. the referendum requirement on two cent tax. So, it takes off the  
lid rather than it restores it. Now, Cook County is another thing.

1. They don't have a limitation currently and they currently levy  
2. four cents, but for all the other counties in the State of  
3. Illinois, except Cook, there is presently a two cent/one cent  
4. limitation which would be removed by this and it would go to  
5. five cents.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Egan.

8. SENATOR EGAN:

9. Well, just briefly, Mr. President and members of the Senate.  
10. When consolidation becomes a reality, this...this is essential.  
11. The consequence of not passing this is disastrous in those  
12. elections and I urge your support.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Maragos may close. Senator Maragos.

15. SENATOR MARAGOS:

16. Mr. President and members of the Senate. In effect, right  
17. now, the county would have to put up the front money to pay  
18. for the election in odd years and send out a bill after the election  
19. and hope that it is timely paid. If the bill...disputed, the State  
20. Board would have to sit on a board of arbitration to settle  
21. disputes. This bill...this preferred method by which this bill  
22. addresses is as preferred by the State Board of Elections, the County  
23. Clerks Association, the Municipal League, Illinois Association of  
24. School Districts and all the other associations municipalities.  
25. They...all in favor of it because it means better government and  
26. better administration. I ask for your support.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Question is shall Senate Bill 1248 pass. Those in favor  
29. vote Aye. Those opposed Nay. The voting is open.

30. ...voted who wish? Have all those voted who wish? Have all  
31. those voted who wish? Take the record. On that question  
32. the Ayes are 26, the Nays are 27, 2 Voting Present. Senate Bill  
33. 1248, not having received a constitutional majority is declared lost.

1. Senate Bill 1251, Senator Collins. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1251.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Collins.

8. SENATOR COLLINS:

9. Thank you, Mr. President. Ladies and Gentlemen of the

10. Body, this is probably one of the most important bills that

11. I've sponsored since I've been in this Chamber.

12. And it's also one of the most important bills that I've seen

13. to really deal with the problem of juvenile prevention in the

14. State of Illinois. What the bill does, it sets up a pilot

15. project for youth incentive employment. This is not a new

16. project because this project, is, in fact, funded by the Federal

17. Government and the State of Maryland. It does not require

18. any new money.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Proceed.

21. SENATOR COLLINS:

22. The money for this project already comes into the Illinois

23. budget from the Comprehensive Youth Employment Act.

24. What I am attempting to do with this bill is to say that if we

25. are going to use that money and if we are going to employ youth

26. then why not do it in the most constructive way. This

27. particular program is very...has a very important cost effective

28. impact on the Department of Public Aid's budget.

29. Because it would, in fact, assist young people particularly young

30. females, from entering into the Public Aid rolls. What we have

31. is a tremendous large number of unemployed youth, sixteen

32. years old on the streets or have dropped out of school or are potential

33. dropouts who will probably end up on the welfare rolls.

1. If not, they will most certainly end up in the juvenile court  
2. system. This is an opportunity for us to act responsibly. I think  
3. that with the syndrome that...that has been going through  
4. this Chamber of responding to the rising crime among youth by  
5. locking them all up is absolutely irresponsible, by responding  
6. to the drinking...the problem of alcoholism, by raising the age  
7. level to 21, does not solve the problem. This is a very  
8. constructive way for us to deal with that problem and I would  
9. ask for your support. I would be happy to answer any questions. I  
10. must say that this bill will have to have an amendment in the House.  
11. I have got some assurance from the Governor's Office of Manpower,  
12. and Human Development that the money is already available for this  
13. project and they will, in fact, fund the program.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Mr. President and Ladies and Gentlemen of the Senate. I speak  
18. in favor of this bill. I think it's a necessary item. We've  
19. got to help our young people get adjusted and I think this is a fine  
20. way to do it.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Question...question is shall  
23. Senate Bill 1251 pass. Those in favor vote Aye. Those opposed  
24. Nay. The voting is open. Have all those voted who wish? Have  
25. all those voted who wish? Take the record. On that question the  
26. Ayes are 36, the Nays are 16. Senate Bill 1251 having received  
27. a constitutional majority is declared passed. Senate  
28. Bill 1254, Senator Demuzio. Read the bill.

29. SECRETARY:

30. Senate Bill 1254.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Demuzio.

1. SENATOR DEMUZIO:

2. Yes, thank you, Mr. President and Ladies and Gentlemen  
3. of the Senate. Senate Bill 1254 does precisely what the Calendar  
4. says. It transfers the duties of the Office of Consumer Services from the  
5. Governor's Office of Manpower and Human Development to the Attorney  
6. General. At the present time, the Attorney General has a...an  
7. Office of Consumer Division and this bill would combine and  
8. strengthen the office and really end duplication. But, Mr.  
9. President, if you would, I would like to yield to Senator  
10. Netsch who is the Chairman of that committee who has a comment  
11. to make.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. You have that right and she'll get a minute and a half.  
14. Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. The bill is necessary to be passed,  
17. I think, because it is involved in the total reorganization of  
18. the, what is now called the Department of Commerce. However  
19. that issue comes out, there are some agencies and functions being  
20. moved around and in the process, this...this Office of Consumer  
21. Services is going to have to be resolved someplace so  
22. that it is our present judgment and I have discussed this with  
23. someone on the Governor's staff, that we must keep this bill alive.  
24. We may or may not pass it in this form, finally, but we will  
25. have to have some disposition of the agency and on that basis,  
26. alone, I would solicit your support.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Question is shall Senate Bill  
29. 1254 pass. Those in favor vote Aye. Those opposed Nay.  
30. The voting is open. Have all those voted who wish? Have all  
31. those voted who wish? Take the record. On that question the  
32. Ayes are 41, the Nays are 7. Senate Bill 1254 having  
33. received a constitutional majority is declared passed. Senate Bill  
1262, Senator Martin. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1262.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Martin.

7. SENATOR MARTIN:

8. This bill says that if you are receiving, not a loan, but  
9. a free scholarship, an Illinois State scholarship, you will main-  
10. tain a C average. It's based over a one year period. It excludes  
11. the first year for adjustment and it does merely what probably  
12. all of your constituents already think, that to get a scholarship  
13. free money, never to be repaid, you at least maintain a C  
14. Average. That is all and I ask your support.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Walsh.

17. SENATOR WALSH:

18. Mr. President and members of the Senate. I hate to rise to  
19. oppose my colleague's bill, but I would like to support...to  
20. point out to the membership that...and not just those who receive  
21. Illinois State scholarships are receiving a subsidy to attend  
22. higher education, but every student at one of our public institutions  
23. of higher learning as well and as a matter of fact, the subsidy  
24. for those students at our public schools is much greater than the  
25. subsidy that a recipient of an Illinois State scholarship is. So,  
26. if we're going to require the recipient of an Illinois State  
27. scholarship to maintain a C average, we should require that every-  
28. one attending all of our colleges and universities  
29. maintain a C average. I think this is a poor bill and it should  
30. be defeated.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Buzbee.

33. SENATOR BUZBEE:

Thank you, Mr. President. The logic of the previous speaker  
completely escapes me. However, a lot of his logic has escaped

1. me the last couple of days, so that's nothing strange. But  
2. Senator Martin's concept is an absolutely superb one. We  
3. changed the name of this from...rather we changed the...the  
4. basis of awarding these things from pure scholastic scholarship  
5. to need a few years ago but it seems like that the very least  
6. we can do to those students who demonstrate need is to say  
7. however, you have to maintain a modicum of scholarship, that  
8. modicum being a C average and as a matter of fact, Senator  
9. Walsh, many students who attend public universities also receive  
10. Illinois State scholarships the only thing is they're not  
11. near...as big amount as those who attend privates because  
12. the tuition isn't as high at the publics. And as far  
13. as your charge that every student at a public ought to have to  
14. maintain a C, that, in fact, is already true in most universities  
15. by saying that anytime a student, their own self-imposed  
16. rules that anytime a student falls below a C average, you have  
17. about one semester to get it back up there or you are kicked out  
18. of school. So, the least we can do is to say if we're going to  
19. give you money to go to school, you've got to at least maintain  
20. a C average and I think it's a great bill, Senator Martin.

21. PRESIDENG OFFICER: (SENATOR DONNEWALD)

22. Senator Washington.

23. SENATOR WASHINGTON:

24. Mr. President, contrary to Senator Buzbee, I find Senator  
25. Walsh's logic somewhat enchanting. And although I don't always  
26. agree with him, I do this time. Senator Martin, you've made  
27. an attempt to clean the bill up, but I don't think you've quite  
28. made it. You're placing...you're bringing a class distinction into  
29. an institution. There are students who can pay their way for  
30. example, who may not have a C average, but who, in the wisdom of  
31. the dean and the faculty, should be maintained on probation such  
32. as that. And right beside him you have a student who is getting  
33. a grant who will be put out because he maintained a C average.  
You're simply formenting class distinction and furthermore, you're



1. really begging faculty members to beef up grades for students  
2. so that rather than put out those students who have a potential,  
3. that they maintain them in the school. I think it's self-  
4. defeating but the thing that bothers me is you draw distinctions  
5. between students which don't necessarily have merit and  
6. I think it's just a bad bill, but I want to commend you  
7. for trying and attempting to clean it up.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Grotberg.

10. SENATOR GROTBURG:

11. Yes, Senator. One question. Does this include legislative  
12. scholarships?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Martin.

15. SENATOR MARTIN:

16. Legislative scholarships are tuition waivers so are not  
17. included.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Grotberg.

20. SENATOR GROTBURG:

21. Well, Mr. President and members of the Senate. Very briefly.  
22. If you amend legislative scholarships into it in the House,  
23. I will support your bill now. Can I have a commitment from you?  
24. I think it's the same principle.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Martin.

27. SENATOR MARTIN:

28. Well, first of all, Senator Grotberg, they are two different  
29. things. I don't object to that amendment because I'm very lucky  
30. with the kids who get my scholarships. Every single one of them  
31. is on a Dean's List. But I do recognize that the law clearly  
32. says that legislators can hand out scholarships under their own  
33. conditions. And that is not something I attempted to touch in this  
bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator...Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Not to prolong the debate, Senator. We discussed this  
5. quite fully in committee and the problem that troubles me about  
6. this is that we often send some youngsters from small areas  
7. into very large institutions and in their first year there are  
8. some emotional problems getting adjusted. And it would be just  
9. unfair to those youngsters to put a restriction on them which they  
10. may themselves straighten out in the second year. We also have  
11. youngsters who come from two year institutions who have that same kind  
12. of a problem on entry and I think that we ought to just give them  
13. the opportunity to become the kinds of scholars that they  
14. possibly can be. I think we ought to take a look at the late  
15. bloomers. I do agree with the concept, however, and Senator Martin  
16. and I had discussed a peer scholarship type of arrangement on  
17. another level and I intend to cooperate with her in it. But on this  
18. bill, I would urge that it be defeated.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Martin may close.

21. SENATOR MARTIN:

22. Briefly, there is the one year grace period. I find it  
23. interesting to be...to have this bill described as setting up  
24. classes, it is simply this that tax money for scholarships  
25. should at least maintain a C average. You can agree or disagree.  
26. I see no classism, sexism or racism in that. I think most kids  
27. can maintain it and frankly, if they cannot, they should not be  
28. going to school totally paid for by the taxpayer.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Question is shall Senate Bill 1262 pass. Those in favor  
31. vote Aye. Those opposed Nay. The voting is open. Have all those  
32. voted who wish? Take the record. On that question the Ayes  
33. are 35, the Nays are 16. Senate Bill 1262 having received the  
constitutional majority is declared passed. Senator Regner as to

1. 1269. Senator Regner.  
2. SENATOR REGNER:  
3. Mr. President and members of the Senate. I would like to re-  
4. fer Senate Bill 1269 to the Pensions Committee.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. That's always in order. Those...is there leave?  
7. Leave is granted. Senator Johns, for what purpose do you arise?  
8. SENATOR JOHNS:  
9. I still want to verify that last roll call.  
10. PRESIDING OFFICER: (SENATOR DONNEWALD)  
11. You're a little late, Senator.  
12. SENATOR JOHNS:  
13. I tried to get your attention, Mr. President.  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)  
15. You...you usually can be heard, but you didn't this time,  
16. Senator. Senator Regner, 1271. Read the bill, Mr. Secretary.  
17. SECRETARY:  
18. Senate Bill 1271.  
19. (Secretary reads title of bill)  
20. 3rd reading of the bill.  
21. PRESIDING OFFICER: (SENATOR DONNEWALD)  
22. Senator Regner.  
23. SENATOR REGNER:  
24. Yes, Mr. President and members of the Senate. This amends the  
25. Risk Management Section for the State. The bill limits the claims  
26. covered under any plan for public liability self insurance not  
27. to exceed a maximum liability of two hundred and fifty thousand  
28. dollars per person per occurrence in connection with the operation  
29. of a motor vehicle. The bill also limits the claims in any other  
30. single occurrence to one hundred thousand dollars per person per  
31. occurrence and it establishes the Attorney General as the attorney  
32. with respect to all public liabilities self insurance claims  
33. that result in litigation. There was a problem with the bill when  
I called it last week one day. It was amended to satisfy the objection

1. that Senator Berman had. Ask for a favorable roll call at this time.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there discussion? Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, Mr. President. I wonder if the sponsor would answer

6. the question. I...there is one bill drifting around here about

7. group insurance for State Employees Health and Life. I don't see

8. anything quickly reading through this, all casualty, is that

9. correct, Senator? Okay.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there...further discussion? Senator Regner may close if

12. he wishes. Question is shall Senate Bill 1271 pass. Those

13. in favor vote Aye. Those opposed Nay. The voting is open...voted

14. who wish? Take the record. On that question the Ayes are

15. 55, the Nays are none. Senate Bill 1271 having received

16. a constitutional majority is declared passed. Senate Bill 1306,

17. Senator Lemke. Senate Bill 1331, Senator Wooten - Maragos.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. Mr. President. I would like leave of the Body to recall Senate

22. Bill 1331 to the Order of 2nd reading for the purpose of amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there leave? Leave is granted. The bill is now on the Order of

25. 2nd reading. Senator Wooten.

26. SENATOR WOOTEN:

27. I have amendment No. 6.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The Clerk advises me that Amendment No. 5 is the number. Is that

30. correct, Senator Wooten?

31. SENATOR WOOTEN:

32. That's right because the amendment last night was not adopted.

33. You're correct.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senate will stand at ease...just for a minute or two.
3. Senator Netsch, for what purpose do you arise?
4. SENATOR NETSCH:
5. Thank you, Mr. President. While you're looking for the
6. bill and the amendments, might I just make an announcement while
7. most of the people are here, about a committee meeting on Tuesday.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Please do.
10. SENATOR NETSCH:
11. The Committee on State Government Reorganization is scheduled
12. for 10:00 a.m. Tuesday. We have determined that some of the members
13. will not make it by 10:00 a.m. Tuesday and so the modification of
14. that schedule is we will meet a half hour before the Session begins,
15. that is at 11:30 on Tuesday here on the Senate Floor to dispose
16. of one issue that must be disposed of that day which is Executive
17. Order No. 3 and then we will be rescheduled for Wednesday at 5:00
18. for the other bills that were on the original notice. I repeat, we
19. will meet at 11:30 one half hour before Session on Tuesday, May the
20. 29th to dispose of Executive Order No. 3.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Sangmeister, for what purpose do you arise?
23. SENATOR SANGMEISTER:
24. Also to make an announcement regarding Judiciary II and remind
25. the members of Judiciary II that we meet at 10:00 o'clock on
26. Tuesday. I've polled, I think, all the members of the committee and
27. Senator Bowers assures me he's going to have some people here, so
28. that meeting is still on and those bills will still be heard so
29. I sure hope we're going to have a quorum. 10:00 o'clock.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Demuzio.
32. SENATOR DEMUZIO:
33. Yes, while we're on that Order of Business, I know that the
- Senate Finance Committee is scheduled for 10:00 a.m. also on

1. Tuesday and I have been told that some members are not going to be  
2. able to make it so we only have seven bills that have been posted  
3. so I think at this time, I will move to cancel the Senate Finance  
4. meeting on Tuesday at 10:00 a.m.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Let's proceed on the Order of 2nd reading, Senate Bill 1331,  
7. Amendment No. 5. Senator Wooten.

8. SENATOR WOOTEN:

9. Thank you, Mr. President. In trying to restore the balance  
10. to the agreed bill process, my proposal last night and again today  
11. is to keep the changes initiated by Senator Keats and to also pay  
12. heed to the statements of Senator Daley yesterday. It is true  
13. a very important change was made to give a real break to the small  
14. business man, to allow for the reduction of the rate down to .1  
15. percent. That is a good move. The problem that we have is that as  
16. everyone in the Chamber knows, the crux of the whole agreed bill  
17. process was some kind of parity between the escalation features.  
18. Now, what this amendment attempts to do is to place...to remove  
19. the escalation feature on the base period earnings requirement.  
20. And let me tell you that also is important, not to the average UAW  
21. worker in my area, but to the poor worker, the worker who does not  
22. make that much. This really, to permit the escalation on that  
23. end is tough on that worker. But if we take the escalation off of  
24. one end, we should we would take it off the other. The difference  
25. between this and the amendment that was defeated last night  
26. is that we put the maximum rate at five percent instead of 5.5  
27. as was proposed in the amendment and I believe the 6.5 that was in  
28. Senator Keats's Amendment No. 4. I would move the adoption of  
29. Amendment No. 5 to Senate Bill 1331.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. I second the motion and I hope that we do because this will be  
more equitable and we still may save the agreed bill process approach.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Keats.

3. SENATOR KEATS:

4. For various reasons, I also say that we should go with this  
5. amendment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further debate? The question is shall Amendment No.

8. 5 to Senate Bill 1331 be adopted. Those in favor indicate by saying

9. Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted.

10. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Wooten, for what purpose do you arise?

15. SENATOR WOOTEN:

16. Now, Mr. President, I move for the suspension of Rule 15

17. so that we may take a final vote on this bill after intervening  
18. business.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. That motion, of course, is in order, but we do have to have  
21. intervening business.

22. SENATOR WOOTEN:

23. That's why I incorporated that in my motion, Sir.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. All right...there...you've heard the motion. Those in favor

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

27. The motion carries. Senate Bill 1337, Senator Egan.

28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1337.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Egan.

1. SENATOR EGAN:

2. Thank you, Mr. President and members of the Senate. Senate Bill  
3. 1337 is very similar to the bill that Senator Walsh passed the  
4. Chamber yesterday. It's an...flat income tax exemption increase  
5. from a thousand...from one thousand to one thousand two hundred.  
6. His was to one thousand four hundred. Variety, my colleagues, is the  
7. spice of life. I think that if the Governor has to decide  
8. he'll make the decision based on what he can afford and so I'd like  
9. you to send this along with the other bill that Senator Walsh  
10. passed and I urge you to vote Aye.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? Senator Knuppel.

13. SENATOR KNUPPEL:

14. It's just an interesting concept in light of the way  
15. the bill is to replace the personal property tax on corporations  
16. come out of Senator Egan's committee.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is shall Senate Bill  
19. 1337 pass. Those in favor vote Aye. Those opposed Nay.  
20. The voting is open. Have all those voted who wish?  
21. Have all those voted who wish? Take the record. On that question  
22. the Ayes are 45, the Nays are 7. Senate Bill 1337 having  
23. received a constitutional majority is declared passed. Senate  
24. Bill 1331, Senator Wooten. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1331.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. Thank you, Mr. President. There's no point in debating at  
33. great length on this. I believe everyone in the Chamber knows  
the basic elements in this. What we've attempted to do is to put



1. money into the trust fund so the system can support itself. We've  
2. also tried to raise some requirements to end abuse of the system.  
3. And those are the main components. There are a series of agreed  
4. processes. I believe the exact number is about seventeen and I would  
5. be glad to answer questions to the best of my ability and solicit  
6. your favorable vote.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? The question is shall Senate Bill 1331 pass.  
9. Those in favor vote Aye. Those opposed Nay. The voting is open.  
10. Have all voted who wish? Take the record. On that question the  
11. Ayes are 50, the Nays are 1. Senate Bill 1331 having received  
12. the constitutional majority is declared passed. Senate Bill  
13. 1338, Senator Egan. Read the bill, Mr. Secretary.

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End of reel.

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1. SECRETARY:
  2. Senate Bill 1338.
  3. (Secretary reads title of bill)
  4. 3rd reading of the bill.
  5. PRESIDING OFFICER: (SENATOR DONNEWALD)
  6. Senator Egan.
  7. SENATOR EGAN:
  8. Thank you, Mr. President and members of the Senate.
  9. This is the third senior citizens tax relief bill that is being
  10. considered. The other two passed. Senator Davidson had a
  11. bill that passed and Senator Lemke had a bill that passed.
  12. This bill is not quite as costly as those, I think administratively
  13. it's better and I urge your favorable consideration.
  14. PRESIDING OFFICER: (SENATOR DONNEWALD)
  15. Senator Rhoads.
  16. SENATOR RHOADS:
  17. Question of the sponsor if he will yield.
  18. PRESIDING OFFICER: (SENATOR DONNEWALD)
  19. Indicates he will.
  20. SENATOR RHOADS:
  21. Senator Egan, last year with the passage of Senate Bill 1790,
  22. Senator Hynes's bill and other bills like this on the senior
  23. citizens property tax, we've seen an erosion of the...of the
  24. tax base. Do you have any idea how many new people this...
  25. would be included under this bill and what impact it might have
  26. on the tax base in Cook County in particular?
  27. PRESIDING OFFICER: (SENATOR DONNEWALD)
  28. Senator Egan.
  29. SENATOR EGAN:
  30. There is no cost to local government. It's State money and
  31. there's about a hundred thousand people.
  32. PRESIDING OFFICER: (SENATOR DONNEWALD)
  33. Senator...Senator McMillan.
- SENATOR McMILLAN:

1. Mr. President and members of the Senate. I would rise in  
2. opposition and I know this is not as costly as a couple of  
3. them that we've considered, but I do believe it's...it's more  
4. cost than we could bear so I'm going to oppose it.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is shall Senate  
7. Bill 1338 pass. Those in favor vote Aye. Those opposed  
8. Nay. The voting is open. Have all those voted who wish?  
9. Have all those voted who wish? Take the record. On that  
10. question the Ayes are 32, the Nays are 13, 1 Voting Present.  
11. Senate Bill 1338 having received a constitutional majority  
12. is declared passed. Senate Bill 1340, Senator Egan.  
13. Do you wish to call the bill? Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1340.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Egan.

20. SENATOR EGAN:

21. Thank you, Mr. President and members of the Senate. The...  
22. the bill has been rather thoroughly discussed as of yesterday.  
23. If you recall, there was a...probably a poor explanation on my  
24. part. It received 27 votes. We moved to reconsider and then  
25. the bill passed, rather the reconsider vote would indicate  
26. that the bill is...is more acceptable and I just ask if I can  
27. get the same roll call as I did when...on that motion.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. Mr. President and members of the Senate. I really doubt if  
32. the price that any consumer has to pay on items out of vending  
33. machines will go down at all as a result of this and I really

1. believe that food sold at retail whether it's in a vending machine  
2. or across the counter or at a stand or in the store, it's still  
3. food at retail. And I believe we ought to defeat this.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Regner.

6. SENATOR REGNER:

7. Question of the sponsor.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he will respond.

10. SENATOR REGNER:

11. Just a very simple one, Senator Egan. Who wants this bill?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Egan.

14. SENATOR EGAN:

15. Let me see if I can dig through my file here and find that  
16. information for you, Senator. I'll let you know.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
21. I rise to support this. I think many people have missed a very  
22. important part of what this legislation will do. All of us have  
23. heard through various expose's in the press and even common  
24. knowledge that many of the sales that actually are effectuated  
25. by these vending machines are never reported and therefore  
26. no tax is really collected. This would guarantee a tax being  
27. collected by the actual bills of what the people who have the  
28. vending machine companies pay for goods so that we would know  
29. that each and every item that is actually put into a machine is,  
30. in fact, taxed and paid for whether it's sold or not.  
31. This will have the effect of, in fact, increasing revenue  
32. to the State of Illinois by guaranteeing a tax that we don't now  
33. have.

PRESIDING OFFICER: (SENATOR DONNEWALD)

SB 1342  
3rd reading  
5-25-79

1. Is there further discussion? Senator Egan may close if he  
2. so desires.

3. SENATOR EGAN:

4. Well, thank you, very much, Mr. President and members.

5. I urge you to vote Aye.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The question is shall Senate Bill 1340 pass. Those in  
8. favor will vote Aye. Those opposed Nay. The voting is open.  
9. Have all those voted who wish? Have all those voted who wish?  
10. Take the record. On that question the Ayes are 34, the Nays are  
11. 16. Senate Bill 1340 having received a constitutional majority  
12. is declared passed. Senate Bill 1342, Senator Daley. Read the bill,  
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1342.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Daley.

20. SENATOR DALEY:

21. Mr. President and fellow Senators. This amends the Juvenile  
22. Court Act to provide a procedure whereby the court can declare a  
23. family as a family in need of supervision. Presently, they have to  
24. declare that the minor needs supervision. This is being recommended  
25. by the Juvenile Court of Cook County as well as the Chicago Bar  
26. Association and the Juvenile Law Committee. I would ask for a  
27. favorable roll call.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there discussion? The question is shall Senate Bill 1342  
30. pass. Those in favor vote Aye. Those opposed Nay. The voting is  
31. open. Senate Bill 1350, Senator Bloom. Sorry. On that question  
32. the Ayes are 51, the Nays are none. Senate Bill 1342 having  
33. received a constitutional majority is declared passed. Senate  
Bill 1350, Senator Bloom. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1350.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bloom.

7. SENATOR BLOOM:

8. Thank you, Mr. President, fellow Senators. This bill changes  
9. the title of the Act to the Environmental Control Bonding Act  
10. and it raises the present bonding cap by...from nine hundred million  
11. to 1.5 billion in tax exempt financing. They are getting to the top  
12. of their authority limit and it expands what kind of tax exempt  
13. financing they can do to add financing equipment to reclaim  
14. land that is ravaged by strip mining. At the suggestion of the  
15. Agriculture Committee, they are still kept within the appropriation  
16. process so the General Assembly can monitor their progress  
17. and it...the third amendment also restored the seventy-five  
18. million small business set aside. I'd try and answer any  
19. questions you may have.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Yes, thank you, Mr. President. A question of the sponsor.  
24. Did I understand you to say that this increases bonding authority  
25. from nine hundred million to 1.5 billion? Is that correct?  
26. I hope you're not charging this time against me that you're  
27. on the phone, Mr. President. You're going to start my switch  
28. over again, since you were on the phone? Thank you.  
29. I have a question of the sponsor of Senator Bloom.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. You may proceed.

32. SENATOR BUZBEE:

33. Senator Bloom.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. He...he...  
3. SENATOR BUZBEE:  
4. I know. I've asked him the question, now I would like for him  
5. to respond. Thank you.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. Senator Bloom.  
8. SENATOR BLOOM:  
9. Well, thank you for finally pressing the button. Now, I can  
10. answer. The bill was put in because they wanted to take a cap  
11. off altogether. So, it was put...amended in committee to put the  
12. cap at 1.5 billion as opposed to nine hundred million. I have  
13. the printout here showing that they are nearing the end of their  
14. authority. You did hear correctly, Senator Buzbee.  
15. PRESIDING OFFICER: (SENATOR DONNEWALD)  
16. Senator Buzbee.  
17. SENATOR BUZBEE:  
18. Are these general obligation bonds?  
19. PRESIDING OFFICER: (SENATOR DONNEWALD)  
20. Senator Bloom.  
21. SENATOR BLOOM:  
22. Revenue bonds.  
23. PRESIDING OFFICER: (SENATOR DONNEWALD)  
24. Senator Buzbee.  
25. SENATOR BUZBEE:  
26. From whence does the revenue come?  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator Bloom.  
29. SENATOR BLOOM:  
30. Well, from whence does the money come. They issue the bonds  
31. and they're bought in the money market. Now, the form of financing  
32. for these companies, it depends on which company it is, whether  
33. it's a little company or...or something big like Illinois Power  
or Commonwealth Edison, things like that. If you want a more

1. precise answer, I'll try and give it to you.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, my...my question is aimed at where does the revenue  
6. come from that pays off the revenue bonds? I know where the bonds  
7. are...okay.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Well, that's dependent on the company for whom it's...floats  
12. the bonds. The companies pay it back. It's a way of allowing  
13. them into the money market. I mean the full faith and credit  
14. of the taxpayers is not pledged.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Buzbee, your time has expired.

17. SENATOR BUZBEE:

18. A question of you, Mr. President. Since this increases  
19. the bonding authority, how many votes does it take to pass this?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Would you hold that question momentarily while I...Senator  
22. Gitz, do you wish to address...Senator Gitz.

23. SENATOR GITZ:

24. There are many things in this bill that I like, Senator  
25. Bloom. There's one thing that troubles me. Is there any removal  
26. of the statutory maximum?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. That's what Senator Buzbee and I were discussing. As you  
31. were on the subcommittee, I put it back in, or I should say  
32. that it was put back in. And it's now at 1.5 billion.  
33. There...being near there nine hundred million cap. Yes, the cap  
is on and they are in the appropriations process, Senator Gitz.



1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Knuppel.
3. SENATOR KNUPPTEL:
4. On a matter of personal privilege. I just want everybody to
5. know that Senator Gitz got even with me. He gets and we're getting
6. in the habit of spilling things over in this corner.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator D'Arco.
9. SENATOR D'ARCO:
10. Thank you, Mr. President. As I understand the necessity
11. for the bonding authorization increase is for mine reclamation
12. projects which would be consistent with the environmental
13. clean-up program that the agency...Environmental Agency
14. is involved in and I don't see any need to not pass this bill
15. and I support it.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Berman.
18. SENATOR BERMAN:
19. Well, Mr. President, I think that there are several bills here.
20. that have been under consideration that are important to many
21. people that have just the merit...the same merit if not more
22. so that this bill has and I think that the hour is just a little too
23. early to move this bill. I'm going to vote Present because we've
24. got a few bills that apparently have not been given due consideration
25. and I would ask the members on my side of the aisle to just
26. vote Present or not vote on this bill at this time.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. As to the question of Senator Buzbee, there is no State
29. obligation. They are revenue bonds and requires 30 votes for
30. passage. Is there further discussion? Senator Bloom may close.
31. SENATOR BLOOM:
32. I'd appreciate a favorable roll call.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Question is shall Senate Bill 1350 pass. Those in favor  
2. vote Aye. Those opposed Nay. The voting is open. Have all  
3. those voted who wish? Have all those voted who wish?  
4. Take the record. On that question the Ayes are...on that  
5. question the Ayes are 31, the Nays are 1, 15 Voting Present.  
6. There is a request for a verification of the roll call.  
7. Verification will be had on the positive votes. The Secretary  
8. will call the affirmative votes. Will the members please be in their  
9. seats and respond Present if they are.

10. SECRETARY:

11. The following Senators voted in the affirmative: Becker,  
12. Berning, Bloom, Bowers, Coffey, D'Arco, Davidson, DeAngelis,  
13. Geo-Karis, Graham, Grotberg, Keats, Knuppel,...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. You cannot interrupt a verification, Senator.

16. SECRETARY:

17. ...Lemke, Maitland, Martin, McMillan, Mitçhler,  
18. Moore, Nimrod, Ozinga, Philip, Regner, Rhoads, Rupp,  
19. Schaffer, Shapiro, Sommer, Walsh, Weaver, Wooten.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Savickas. On that question...the announcement...  
22. on that question the Ayes are 31, the Nays are 1, 15 Voting  
23. Present. Senate Bill 1350 having received a constitutional  
24. majority is declared passed. Senator Rhoads moves that the  
25. vote by which Senate Bill 1350 was adopted be reconsidered. Senator  
26. Weaver moves that lie upon the Table.. Those in favor indicate  
27. by saying Aye. Those opposed Nay. The Ayes have it. The matter is  
28. Tabled. Senator Demuzio, for what purpose do arise?

29. SENATOR DEMUZIO:

30. Well, just on a matter of personal privilege. On that last...  
31. on 1350, had I known that the measure was going to pass, I would  
32. have voted Present instead of No.

SB 1377  
5/25/79  
3rd reading

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator...I note that our Chief Executive is back from Japan  
3. and we welcome him back. The Senate is a sea of tranquility,  
4. Governor. Senate Bill...Senate Bill 1377, Senator Shapiro.  
5. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1377.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Shapiro.

12. SENATOR SHAPIRO:

13. Mr. President and Ladies and Gentlemen of the Senate.  
14. Senate Bill 1377 enacts the Illinois Human Rights Act and  
15. creates a Department of Human Rights and the Illinois Human  
16. Rights Commission. Currently, Illinois has eleven different Acts  
17. contained in the Statutes that deal with discrimination in one  
18. form or another. These provisions differ in coverage, enforcement,  
19. penalty scope and intent. Currently, our discrimination  
20. laws are enforced in the courts, both by criminal and civil  
21. actions and through three executive agencies. The Fair  
22. Employment Practices Commission, the Department of Equal Employment  
23. Opportunity and the Commission on Human Relations. I think you  
24. can all see that the confusion generated by multi-agency  
25. enforcement is counterproductive. The new Illinois Human  
26. Rights Act specifies the rights and enforcement procedures in relation  
27. to discrimination which are contained in this one Act.  
28. Thereby, eliminating many of the problems caused by the numerous  
29. existing Statutes. This is a very comprehensive bill. What it  
30. does is provide for a new cabinet level agency. Senator Washington,  
31. who has amended this bill, after it was brought out of committee  
32. yesterday, is going to speak on the bill but in addition, he will  
33. also handle the answers to all the questions and technicalities  
concerning the bill. So, I defer to Senator Washington.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Washington.

3. SENATOR WASHINGTON:

4. Thank you, Senator Shapiro. I didn't think you would  
5. quite desert me, however. Mr. President, I ask leave to have  
6. my name placed as a hyphenated cosponsor.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there leave? Leave is granted.

9. SENATOR WASHINGTON:

10. Mr. President, Senator Shapiro has pretty well covered the  
11. entire aspects of the Act, but let me just briefly repeat.  
12. What we have here in Illinois are quite a few civil rights  
13. or Acts designed to alleviate or to lessen the harshness of  
14. discrimination to our people. What has happened, actually, is these  
15. Acts are spread through so many agencies and so many sections  
16. of the law, that they have tended to add confusion rather than  
17. to resolve the question. It's confusion to the plaintiffs in  
18. terms of what they're rights are and whether they enforce them.  
19. It's confusing to defendants or potential defendants because  
20. they don't know just how to plan to defend themselves. What  
21. has happened here and I think it's a wise move, that we have  
22. merged...attempted to merge these various disciplines. We  
23. bring together the Fair Employment Practice Commission, EEO,  
24. Human Relations. We deal with public accommodations with financial  
25. credit, with housing with the brokering laws. We remove the  
26. brokerage laws out of the criminal court where they should never  
27. have been and placed them under this Act to make it a negotiational  
28. thing. We deal with public accommodations, not as a crime, but  
29. as something that should be negotiated and discussed. We cover the  
30. entire purview of the law. What we have here is really a  
31. codification of existing law. It is very simple if you have the  
32. scheme. There is a department. It will consist of nine...commission,  
33. it consists of nine members. The various agencies which  
Senator Shapiro alluded to will be placed in tact under this

1. umbrella. We have tightened up the law. There has been very  
2. little expansion. We have attempted to remove Federal interference  
3. wherever we could from enforcement of anti-discrimination in the  
4. State of Illinois because we feel if enforcement is going to  
5. take place, it should take place on the level closest to the people,  
6. in this instance, the State. I think it's a fine bill.  
7. I know I've exceeded my time. Be more than happy to submit  
8. to any questions which anyone may have.  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Graham.

11. SENATOR GRAHAM:

12. Mr. President and members of the Senate. As Minority Spokesman  
13. of the Committee on Reorganization, you will notice that this  
14. bill came out on the Calendar without reference to committee.  
15. That was not anyone's fault because Senator Netsch has a heck of  
16. a time finding anyplace for us to meet. However, sometimes it  
17. isn't all gold or glitter so you ought to know the part that  
18. doesn't glitter, I think. Things have been said about this  
19. bill that are true with reference to the consolidation of  
20. the many agencies, but the thing that I have a concern about and  
21. I know that...others that do and I'm not sure Senator Netsch  
22. doesn't. When we get all through with this and the nine member  
23. bipartisan Human Rights Commission handles the adjudication of  
24. all these matters, and of course, there is injunctive relief  
25. through the courts. The thing that concerns me the most is that  
26. we're putting in the hands of one man, one man, to make the most  
27. powerful decision with regard to human rights in the State of  
28. Illinois and I am just worried about one man control over this  
29. very, very large agency that has so much concern by so many people.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator...Senator Grotberg.

32. SENATOR GROTBORG:

33. Thank you, Mr. President. I think it's very timely that we  
finally got around to the only roll call the Governor is going to

1. keep and that he walked on the Floor and all of your highways  
2. will be judged on this bill. But this, I think, is also known  
3. as the repeal of the Thompson's law of probably dispersal,  
4. or whatever hits the fan will not be evenly distributed, also  
5. know...known as how come it all landed on me law. And I  
6. think that it's time that we repealed some of these laws  
7. and got them all into one bucket so that we can handle this  
8. situation. It's a serious bill. My flipancy has only to bring  
9. to your attention that it's one of the most important  
10. of the reorganization bills and I support it. Hope you all can.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Lemke.

13. SENATOR LEMKE:

14. Mr. President, members of the Senate. This is a fifty-four  
15. page bill. There's no committee hearing on it. Neither the Republican  
16. or Democratic Staff have even reviewed it in...fully. I've looked  
17. through the bill and have studied the bill. There are certain  
18. questions I have. On page 7, you talk about job ability tests.  
19. You talk about discrimination because of purpose or effect  
20. of the test. What do you mean by effect. What does the word mean?  
21. Is that still in the bill? I don't know. I don't know what this  
22. bill...you talk about three criteria for a financial institution  
23. and underwriting alone. What are the three criteria on page  
24. 57? I can't see any reason why this bill has to go out right  
25. now without a proper review and without proper justifications and  
26. definitions of words except maybe the Governor has tried to make  
27. a publicity stunt out of this bill and not...it doesn't really help  
28. the people they really want it to help. This bill needs  
29. further scrutiny because there's a lot of unquestionable facts in  
30. this bill. I urge that we all vote Present and we leave this bill  
31. here and send it back to committee so it can properly be reviewed  
32. and in...definitions and standards be put in the Act so it can  
33. accomplish what it means to be because there's nothing in here...

1. I see nothing in here about ethnic discrimination and I want to  
2. look at it, I want to see what they're defined...and I'm very  
3. interested in job discrimination for Polish and Bohemian  
4. and other ethnic people because we have been discriminated against  
5. for years, for years. We have done things in this State and  
6. we want to know if this bill is going to protect us.  
7. And from what I'm looking at, it doesn't protect us. It takes  
8. things away from us and otherwise, we're going to pass a fifty-  
9. four page bill without a committee hearing and...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator...

12. SENATOR LEMKE:

13. ...the only reason I can say this it was Harold Washington  
14. that didn't want the bill caught up in committee because they  
15. were against it. They were the ones that held up the committee  
16. hearing. If you guys want to go...do what you want to do.  
17. But I'm voting Present until I can understand. I am not going  
18. to vote on any bill that's fifty-four pages long and doesn't  
19. have a proper committee hearing.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. Chairman. As Chairman of the Committee  
24. on State Government Reorganization, I rise in support of the bill.  
25. It would, of course, have been better if we could have had a hearing,  
26. but I think Senator Graham made the point that it was very difficult  
27. for us to get any time set which we could take care of immediately  
28. imminent business. I think that one thing that should be called  
29. attention to is except for the structural changes, that is the  
30. reorganization changes, all of which, it seems to me, make  
31. great good sense from the very perspective that Senator Grotberg  
32. was referring to, the rest of it is basically existing law. We are  
33. not making new substantive law in the bill. So, that what we are  
doing is putting together in one sensible cohesive whole, a...a

1. patchwork pattern of laws and agencies that were becoming a little  
2. bit confused and overlapping in what they were doing. I think  
3. this will help the State better to fulfill it's responsibilities  
4. with respect to the protection of human rights, all human rights  
5. and I would urge support of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Mr. President and Ladies and Gentlemen of the Senate. I serve  
10. on that State Reorganization Committee and I can tell you at the  
11. time that this bill was supposed to be heard, we also had  
12. other committees meeting at the same time and it was in the flux  
13. of the last month where pressure was on us...multiple bounds.  
14. I think that this reorganization plan is a good one. You're  
15. putting all your human services together. You're trying to avoid  
16. duplication of personnel and duplication of services and I certainly  
17. respect Senator Washington for supporting it and Senator Netsch  
18. and I hope all of us support it because that's the  
19. to cost...cut costs and give the best service possible.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Newhouse.

22. SENATOR NEWHOUSE:

23. Thank you, Mr. President. Senator Lemke was right that this  
24. is a pretty big undertaking and I did oppose it initially and  
25. others did oppose it initially because we thought there wasn't  
26. the time to put together a comprehensive bill that could do the  
27. job that needs to be done. But I worked on this bill.  
28. I worked on it along with Senator Washington and what we did was  
29. consolidate most of the measures that were already in the Statute.  
30. There is some tightening up. The bill is not a strange animal.  
31. It's consolidation that could work to be very meritorious.  
32. Right now, between EEO and FEP and others a lot of things are  
33. dropping through the cracks, a lot of people not being served.  
I think many of you can remember last year there were about two



1. thousand cases FEP that were just dropped. The service wasn't  
2. there. It's possible under this consolidated effort that the  
3. services will be rendered and people will be protected. And yes,  
4. Senator Lemke, I think it will protect the Bohemians and  
5. the Bulgarians and all the other folks.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Collins.

8. SENATOR COLLINS:

9. I rise in support of this bill, too. I realize that the bill  
10. didn't have a formal hearing in the committee. But I disagree that  
11. the bill have not had any public hearings. I think that this  
12. bill have been...there have been many groups meeting and many  
13. hours spent with private agencies, civil rights organizations  
14. and business groups throughout the State have actually worked  
15. and have had input into this bill. Most of the objections have  
16. been satisfied, I think, among all of the various groups, including  
17. myself along with Senator Washington and others who have been  
18. very concerned about...about the contents of this bill.

19. I, too, worked...sit and worked on various sections of this bill  
20. and I think it's a very comprehensive package and I think it  
21. would get the job done. At least, it would be a great improvement  
22. over what we have now. And if it's not all that we feel that it  
23. should be; I think we can come back and amend it next year. But  
24. right now, I would urge an Aye vote.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator...there's nobody left to speak. Senator...Senator...  
27. oh, I'm sorry. Senator Savickas. I knew there would have to be  
28. one more.

29. SENATOR SAVICKAS:

30. Yes, Mr. President and members of the Senate. I do have a few  
31. questions. One, would concern the commission's authority over  
32. local governmental entities over the counties, over the municipalities.  
33. It's my understanding that the State will have full authority over our

1. local municipal and county affirmative action programs, our  
2. hiring practices, our dismissal practices. If...that  
3. we do have a question on how it affects our local municipalities.  
4. If the State will take over full authority over them or is it  
5. allowed for self-home rule in these areas...all right.  
6. PRESIDING OFFICER: (SENATOR DONNEWLAD)

7. Senator...Senator Shapiro. There was a question put.  
8. SENATOR SHAPIRO:

9. It's my understanding that there is no change from the  
10. existing law concerning local municipalities.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Well, I know that's his understanding, but I was looking  
15. at the amendment the other day and I have a different copy here  
16. and there was a direct reference to local municipalities and  
17. county governments. I also had one other question on a quick  
18. analysis of it, that when we talk about labor unions, they're  
19. prohibited from classifying its membership by sex, race,  
20. age, et cetera, so how can they establish whether it's discriminating  
21. against its membership without this data? I...I think the major  
22. argument...and I'd like that question answered, that the major  
23. argument is the concern on our local governmental entities and  
24. I...I would have to withhold any endorsement of this pending that  
25. answer, If Senator Washington could answer it, I'd be very happy to  
26. hear it.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Washington.

29. SENATOR WASHINGTON:

30. Very briefly. In the main, every Act or every phase incorporated  
31. into this merger acts now upon local government because it's  
32. State law already. The FEPC operates directly on political  
33. subdivisions throughout the entire State. We have maintained

1. existing law in that area. Not only that, we've gone a little  
2. further and eased it by saying that this jurisdiction may  
3. be shared with local government. It is not done so at present.  
4. Let me conclude, I assume that's the last question, let  
5. me conclude by wrapping this up, if I may. I assure you this is  
6. no publicity stunt. This is serious, serious legislation. I commend  
7. the Governor for initiating it. He started off with a fine bill.  
8. I think it's been improved immeasurably by the input. Secondly  
9. in to response to Senator Lemke, when he indicates that there  
10. is no ethnic coverage, certainly there is ethnic coverage  
11. and protection for...based on ancestry or country of origin.  
12. No one's excluded here. Secondly, if I may say so, the question  
13. of financial credit...pardon me, testing. We haven't changed the  
14. Supreme Court ruling on that. The Supreme Court says that  
15. tests may be used if they are professionally devised and designed  
16. to test a person for a particular job and the question is what  
17. affect that would have on them. That's the question  
18. of proof. There has been no significant and major change in  
19. the existing law. We've simply compiled it, incorporated it and  
20. codified it for the convenience of the citizens of this State.  
21. It's an excellent bill. It has had thorough discussion. There  
22. are very few parts in it which are new. Even though it's  
23. fifty-four pages, fifty-three pages, of it are probably old law simply  
24. incorporated. Some of the existing law was obsolete, outdated.  
25. We struck such language. It's a fine compilation. I commend it to  
26. you and I want to thank the Governor for submitting this original  
27. bill and I want to thank my colleagues who worked with me on it,  
28. Senator Collins and Chew and McLendon and Hall and Newhouse in  
29. making it a much better bill. And I urge your support.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Well, I think he said what I was going to say.  
32. This bill isn't out of here yet. It's still got to go through  
33. the House and it would be just a real rare thing that a bill  
fifty-four pages long wouldn't be amended. The ones that scare me

1. are those that come in here about 2:00 o'clock on July the 1st.  
2. We've got some time to look at this and working on it to make  
3. suggestions.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Carroll.

6. SENATOR CARROLL:

7. Parliamentary inquiry, Mr. President. Having heard Senator  
8. Savickas's question and being unsure of Senator Washington's  
9. answer, is this preemptive and therefore, would it take 36 votes?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. The Senate will stand at ease because of your question.

12. The Chair would ask each side to state their case and...

13. Senator Carroll, the Chair would request that you state your  
14. case as to why it might necessitate 36 votes...

15. SENATOR CARROLL:

16. I am not suggesting to the Chair nor has that ever been the  
17. policy of the Senate that this is a court of law and therefore,  
18. each side must state its case and the judge rule. I have asked  
19. a parliamentary inquiry because the issue was raised in debate.  
20. I think it is important that the debate be clear that it is  
21. or is not preemptive and therefore, it either takes 36 or if  
22. it is not preemptive, it takes a mere 30. I would not want  
23. this challenged at some future date, the issue having  
24. been raised in debate. I am not a proponent or opponent of  
25. either of those positions. I would just like a ruling from the  
26. Chair so that the record be clear.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Netsch, for what purpose do you arise?

29. SENATOR NETSCH:

30. I was going to try to help the discussion on this, if I might,  
31. by explaining why...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. We're reading, not discussing. Proceed.

1. SENATOR NETSCH:  
2. That...that's refreshing in itself. I think it does not  
3. require 30 votes. It is not preemptive. It would be preemptive  
4. if the bill attempted to say that home rule units cannot  
5. exercise jurisdiction in this subject matter area at all,  
6. but that is not what it says. What it is is expressing State law  
7. and State policy which, as a matter of fact, is State law  
8. in existing Statutes anyway. But it does not take away the  
9. power of home rule units to...to exercise concurrent jurisdiction  
10. in some of the same areas.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. The Chair rules that it requires 30 votes.  
13. Senator Lemke.

14. SENATOR LEMKE:  
15. Isn't the Senate...since this bill hasn't been heard in committee  
16. and we haven't looked at it entirely, I think...wouldn't it be  
17. best to have this bill read to the Senate in entirety so  
18. they'll know what they're voting on? Isn't that in the rules?  
19. The bill has to be read a 3rd a time...read the 3rd time. It should  
20. be read fully so people understand what's in the bill and  
21. I'm requesting the bill be read in the entirety.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)  
23. That motion is out of order. Senator Geo-Karis, for what  
24. purpose do you arise?  
25. SENATOR GEO-KARIS:  
26. Well, point of parliamentary inquiry. Why would it need  
27. 36 votes? He brought up the point...  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. The Chair...the Chair has already ruled it only requires  
30. 30.  
31. SENATOR GEO-KARIS:  
32. Oh, have you. Thank you.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)  
All right. The question...Senator Lemke.

1. SENATOR LEMKE:

2. Where in the rules is my request entirely...to be read in the  
3. entirety? I think the bills in this...anything say they have to  
4. be read three times and the way I interpret that, each bill should  
5. be read three times in the entirety and I'm requesting that.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Rule 13 reading and printing bills. Every bill shall be read  
8. by title on three different days. Senator Bruce.

9. SENATOR BRUCE:

10. And additionally in the Constitution of the State of Illinois,  
11. Article IV, Section 8, subsection D, a bill shall be read by title  
12. on three different days in each House. The old Constitution,  
13. it did require a reading in toto, although we never observed that,  
14. but the new Constitution clarified that.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. All right. Just...Senator Savickas.

17. SENATOR SAVICKAS:

18. Maybe for our own concerns so that we don't get in a real  
19. argument here about preemption, since you've ruled that way if the  
20. sponsors of this legislation would not object to putting a home  
21. rule amendment on this bill in the House, we can just at least  
22. get the business over here in the Senate on this...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Was that a question or a response, Senator?

25. SENATOR SAVICKAS:

26. Well...well, a question. Since it's been ruled already  
27. that it's not preemptive, that we can put a home rule amendment  
28. on it in the House.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Shapiro can respond to that if he so desires.

31. SENATOR SHAPIRO:

32. No.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. All right. The question...the question is shall Senate  
2. Bill 1377 pass. Those in favor vote Aye. Those opposed Nay.  
3. The voting is open. Have all those voted who wish? Have all  
4. those voted who wish? Take the record. On that question  
5. the Ayes are 45, the Nays are none, 4 Voting Present. Senate  
6. Bill 1377 having received a constitutional majority is declared  
7. passed. Senate Bill 1390, Senator Bruce-Demuzio-Gitz-  
8. Geo-Karis, et al. Read the bill, Mr. Secretary.  
9. SECRETARY:

10. Senate Bill 1390.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President and members of the Senate.  
17. In one minute, I would just briefly state that the bill  
18. prohibits ownership of Illinois farmland and requires  
19. reporting of such. The bill is limited to non-resident  
20. alien ownership. Business entities are involved only if  
21. ten percent or more of the corporation partnership or other  
22. business entity is owned by aliens. Persons who receive  
23. reports from fiduciary of a blind trust, shall file and report  
24. regarding alien ownership. It requires county assessors  
25. to report land transactions involving aliens, corporations,  
26. partnerships, and trusts. The...there is a penalty for failure  
27. to report and it also, I think, has met the questions of  
28. many members on exemption. Land acquired by inheritance  
29. pollution and safety law requirements land acquired in the  
30. enforcement of a legal claim, land acquired for research  
31. experimental purposes, land held by not-for-profit corporations,  
32. land acquired for non-agricultural purposes within ten years  
33. of acquisition. The land acquired by a mining company,

1. cooperative, pipeline, or public utility and land acquired by  
2. canneries and people who grow fresh vegetables. The bill has  
3. had a relatively thorough hearing. It's been debated in many  
4. places. Twenty-five states presently restrict the ownership of  
5. foreigners from owning farmland. I would ask for your favorable  
6. consideration.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator J.J. Joyce.

9. SENATOR JEROME JOYCE:

10. Yes, Mr. President. Thank you. Would the sponsor yield for  
11. a question?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Indicates he will.

14. SENATOR JEROME JOYCE:

15. Do...Senator, do we, in the State of Illinois, prohibit anyone  
16. else from owning anything?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Senator, that's a broad question. I wish you had asked me a  
21. little earlier. I'm sure there are restrictions on ownership.  
22. I frankly cannot call one to mind.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Senator Bruce, would you accede to a question? Has the...  
27. I think it was the one hundred and sixty acres limit which you  
28. had in the bill in the committee, has that been amended out?  
29. What...that did allow the ownership of one hundred and sixty  
30. acres? One hundred acres. I have a...the next question, as you  
31. explained the bill, that if it's for nonagricultural use, what  
32. about a county where they have zoned land for agricultural  
33. use if somebody comes in and wants to use that for a factory?



1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senator Bruce.  
3. SENATOR BRUCE:  
4. No, I don't think that would be covered by the legislation.  
5. It only deals with agricultural use.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. Senator Knuppel.  
8. SENATOR KNUPPEL:  
9. Well, I think...I think the bill has a lot of problems  
10. with it, then, on the basis that it classifies and...and that  
11. maybe the distinction isn't reasonable. I'm a little embarrassed,  
12. I think, by the fact that just a few moments ago our Governor walked  
13. on the Floor after being in Japan seeking industrial assistance  
14. and then saying that these people could not...could not own land  
15. here. I had a great-grandfather that came here from Germany  
16. a hundred years ago and I know it took him some time after he  
17. had owned land here before he was able to...before he was able  
18. to get his citizenship. Now, I don't know what the situation is  
19. with those people who have come here immigrated here. I think  
20. the bill has a lot of problems. I don't think that...that foreign  
21. ownership is as widespread as the media would have us believe  
22. that it is. I think this is a people bill again. I think that  
23. the way to do things like with ERA or anything else, is to get a paper  
24. tagger and keep...keep the troops marching and I think that  
25. the high price of our farmland is not due...is not due to foreign  
26. investments, it's due to our own farmer...  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator, Senator, your time has expired.  
29. SENATOR KNUPPEL:  
30. I realize that. It's due to our farmers who live on the next  
31. farm and pay those ungodly prices.  
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. Senator McMillan.

1. SENATOR McMILLAN:

2. Mr. President and members of the Senate. I do rise in opposition  
3. to the bill. I know a lot of farm people are concerned about this  
4. issue, but I believe we would be much better off as we've passed  
5. in another bill to get a mechanism going so we know exactly where  
6. the ownership of land is. Farmers and other people like  
7. to own land in other countries. Farmers like to be...and own  
8. stock in companies and I don't really think it's...it's just to  
9. expect that we can have a special provision to protect them, that  
10. we don't allow in other places. I just don't think it's...it's  
11. fair and I don't think this kind of action is warranted and I would  
12. seek a No vote.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Gitz.

15. SENATOR GITZ:

16. I would like to rise in support of this bill. I think some of  
17. the previous debate has missed several very important points.  
18. There are more than fifteen states in the United States that has  
19. some form of restriction on land ownership and I might  
20. add that a lot of those states go further and restrict financial  
21. and absentee ownership and large corporations from ownership.  
22. Why? The question is how to preserve a very valuable land source.  
23. There's more than thirty million dollars that was spent last year  
24. in Illinois that is recorded on record by large foreign investors.  
25. I don't see the sense in that. Why should we allow with our food  
26. supply and with land...the land prices to be forced up which in  
27. turn forces up property taxes so that we can have the same situation  
28. with OPEC picking up our money and using it to buy our land.  
29. I don't want that kind of control of the food chain. I cannot go to  
30. West Germany and own any of their land. The same thing is  
31. true in Japan. The same thing is true in most foreign countries.  
32. Cannot we at least give our own people that kind of protection.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. I wonder what we would have done  
3. in this country had the Iroquois and the Apache and the Shawnee  
4. had this kind of law in the 1600's because we...we have...we  
5. have got complete foreign ownership, as a matter of fact, of the  
6. land in this country. All of us are immigrants and unless there  
7. are any native American Indians here and I don't believe there  
8. are. There are, in my particular town, there is a gentleman  
9. who is of foreign extraction who, as a matter of fact, is the  
10. first foreign student to have been graduated from Southern  
11. Illinois University back in the late 40's or early 50's. He's  
12. married to an American girl. His family has all been educated  
13. in Carbondale and yet he's still a foreign citizen and he owns  
14. a considerable amount of property, including, he just recently  
15. bought the DuQuoin State Fairground. He owns controlling  
16. interest in Air Illinois and owns a lot of developments. Now, I  
17. don't know the gentleman myself. I've never even met him.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator, your time is up.

20. SENATOR BUZBEE:

21. But he has contributed greatly to the economy of  
22. my part of the State and he has several people who are on his  
23. payroll, people who have contributed a lot to our economy. I just  
24. think in this land of the free and home of the brave, that we  
25. cannot very well put on restrictions saying that other folks  
26. cannot own property in our country. Thank you very much for  
27. your kind consideration. I certainly appreciate it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator...Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. President, I will be very brief. This bill or any  
32. other bill like it interferes with the right of an owner of a piece  
33. of property to sell it to whomever he pleases. And if we start  
here, houses and apartment buildings are next and there is no reason

1. why they should not be included...chattel property such as clothing,  
2. jewels and automobiles. Bills of this type in this country  
3. should be defeated.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Philip.

6. SENATOR PHILIP:

7. Thank you, Mr. President. I just wanted to correct my  
8. downstate friend, that we never bought any land from Indians  
9. hell, we stole it all. And I might say this, too, Senator, that  
10. Americans own more land, more business in foreign countries  
11. than any country in the world and this bill is absolutely  
12. ridiculous.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. All right. The...just a moment. Senator Bruce may close if  
15. he so desires.

16. SENATOR BRUCE:

17. Thank you, Mr. President and members of the Senate.  
18. On Senator Shapiro's sell to whomever you please, I think, Senator,  
19. you voted this morning on condominium legislation which absolutely  
20. restricted the right of apartment owners to sell to whomever they  
21. wish without the permission of the people who don't even own  
22. those apartment buildings. If you didn't vote for it, that  
23. legislation went out of here this morning, so you should have  
24. spoken up against that one. To Senator Buzbee and Senator  
25. Knuppel, I'm not worried about the American Indian or the guy  
26. that came over from Ellis Island and created a farm in Illinois.  
27. We're talking about OPEC country money managers. These are  
28. nonresident aliéens who already own twenty-seven million dollars  
29. worth of Illinois farmland. They have another third purchase  
30. presently pending in my district. Now, maybe my district happens  
31. to be a great one to buy. They've bought three thousand acres,  
32. seven million dollars at...they have another three  
33. thousand they're trying to buy another thirty-seven hundred acres

1. in another county. Now, to me that is a problem that we have  
2. to face now. Twenty-five other states already do it. What  
3. good does it do the economy of the State of Illinois to have  
4. foreigners owning our productive capacity? They want to own  
5. banks, apartment buildings, that's one thing. But when they  
6. own our productive capacity, we have a very serious problem.  
7. If they can control the oil of this world, what makes you think  
8. that the foreign interest will not control the food capacity?  
9. I solicit your support.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Question is shall Senate Bill 1390 pass. Those in  
12. favor vote Aye. Those oppose Nay. The voting is open.  
13. Have all those voted who wish? Have all those voted who wish?  
14. Take the record. On that question the Ayes are 17, the Nays  
15. are 26. Senate Bill 1390 not having...Senator Bruce. Wish  
16. to postpone? The bill will be postponed. Senate Bill 14...  
17. Senator Rock has directed a letter to the Secretary authorizing  
18. Senator Savickas to handle Senate Bill 1429. Is there leave?  
19. Leave is granted. Senator...Senate Bill 1429. Read the bill,  
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1429.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. Yes, Mr. President and members of the Senate. Senator  
29. Rock always delegates the easy tasks to me and Senate Bill  
30. 1429 is the annual office staff and supply allowance for the  
31. members of the General Assembly. Due to inflationary costs,  
32. due to time that has to be spent down in Springfield and the volume  
33. of work that has been submitted to all of the members of the  
Legislature, an increase of three thousand dollars has been

1. sought. This is a legitimate rise in expense. It's not a pay  
2. raise. This is a allowance for our staff. The members, especially  
3. our downstate members, are very concerned. We talked about  
4. running an office the other day, the expenses that are incurred  
5. not only in our staff, but the physical plant itself, in  
6. maintaining the office. I would suggest that in the days  
7. of inflation that this bill is less than adequate, but it's  
8. about all that we can expect at this time from the General  
9. Assembly and I would seek its adoption.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? Question is shall Senate Bill 1429 pass.  
12. Those in favor vote Aye. Those opposed Nay. The voting is open.  
13. Have all those voted who wish? Have all those voted who wish?  
14. Take the record. On that question the Ayes are 28, the Nays  
15. are 19, 1 Voting Present. Senate Bill 1429 not having received  
16. a constitutional majority is declared lost. Senate Bill 1435,  
17. Senator Nimrod. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1435.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Nimrod.

24. SENATOR NIMROD:

25. Thank you, Mr. President and Ladies and Gentlemen of the  
26. Senate. Under the National Conservation Policy Act of 1978,  
27. which is the National Energy Act, the Federal Government instituted  
28. a grants program for schools, hospitals, buildings and which were  
29. owned by units of local government. Under this program, about  
30. fifty million dollars is expected to come into Illinois to allow  
31. the eligible institutions to make preliminary audits, energy audits  
32. and provide financial assistance and support for technical  
33. assistance. Now, the program involves a fifty-fifty Federal  
State...in recognizing that school districts and local governments

1. may not be able to raise the necessary funds locally to  
2. participate. Senate Bill 1435 would make such participation  
3. possible.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. May we have some order, please.

6. SENATOR NIMROD:

7. And what this would do...what this program would do would  
8. be by providing loans for those kind...of five thousand dollars  
9. would be the minimum for school districts and units of local  
10. government on a five year payback period including paying the  
11. interest and also one percent to cover the administrative costs.  
12. This means that...this means that we would get all our money back.  
13. We allow those...those public buildings to put in the necessary  
14. improvements that can...that will be able to make paybacks without  
15. having to have referendums and make the...both the savings to the  
16. State and also make some energy savings. I think this is a sensible  
17. approach on a loan basis and we do not pay for the audits.  
18. We only pay for the technical assistance and for the improvements  
19. that are made on the matching basis and we do get the money back  
20. within a five year period. Be happy to answer any questions.  
21. If not, I ask for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there any discussion? Senator Buzbee.

24. SENATOR BUZBEE:

25. Just a point of personal privilege, Mr. President. I'm sorry,  
26. Senator, to interrupt the presentation of your bill, but I just  
27. figured it out and I saw that a lot of our friends in the press  
28. left immediately upon the failure of the last bill. The total  
29. cost to the taxpayers for the services we provide to them in  
30. our districts would have been six hundred and ninety-nine thousand  
31. dollars. I have yet to see one story in the press about the  
32. fifty-four million dollars that the Governor gave away in his  
33. contract that he signed with employees a few weeks ago.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion of Senate Bill 1435? Question is shall  
2. Senate Bill 1435 pass. Those in favor vote Aye. Those opposed  
3. vote Nay. The voting is open. Have all voted who wish? Have  
4. all voted who wish? Take the record. On that question the  
5. Ayes are 24, the Nays are 8, 1 Voting Present. Senator Nimrod.  
6. SENATOR NIMROD:  
7. Postponed consideration.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Sponsor has asked that further consideration of Senate Bill  
10. 1435 be postponed. Will be placed on the Order of Postponed  
11. Consideration. For what purpose does Senator Nimrod arise?  
12. SENATOR NIMROD:  
13. Mr. President, I would seek leave to go to the Order of  
14. 2nd reading to amend bill...Senate Bill 7...925 and 926.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Is there leave? There is objection. We will now go back to the...  
17. SENATOR NIMROD:  
18. Roll call. Roll call. Roll call.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. For what purpose does Senator Donnewald arise?  
21. SENATOR DONNEWALD:  
22. Well, now, we were going to go back to the 1st page and start  
23. and finish where we left...where we started this morning  
24. earlier. I think everybody understands that. So, let's  
25. get going.  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. For what purpose does Senator Nimrod arise?  
28. SENATOR NIMROD:  
29. Mr. President, I persist on the motion to go to the Order of  
30. 2nd reading for the purposes of amending Senate Bills 925 and 926.  
31. We did...we did break abruptly last night and those bills were  
32. in the process and I would ask for a roll call.  
33. PRESIDING OFFICER: (SENATOR BRUCE)  
Thank you, Senator. You have made your motion.



1. The motion is to suspend the rules and go out of the ordinary
2. Order of Business to the Order of 2nd reading.
3. Senator Donnewald, for what purpose do you arise?
4. SENATOR DONNEWALD:
5. I resist that motion. I think that motion is out of order.
6. We should start back at Senate Bill 51 and continue to Senate Bill
7. 5...503. We started at Senate Bill 515 and we should go to 503
8. to complete the Calendar on the Order of 3rd reading.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. All right. The motion is to suspend the rules and go out of the
11. ordinary Order of Business. The motion will require 30
12. affirmative votes. Those in favor vote Aye. For what
13. purpose does Senator Carroll arise?
14. SENATOR CARROLL:
15. Does not that motion have to be in writing? Written motion.
- 16.
- 17.
- 18.
19. End of reel
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.



1. area. That there are so many people that are having to pay  
2. so much for fuel now, that you'll find even more who are  
3. uninsured.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Rupp.

6. SENATOR RUPP:

7. Thank you, Mr. President. I really wouldn't blame any  
8. of the members of the Senate if they doubted my sanity, and  
9. I'm glad that the...there I go, I guess I am off. Thank you.  
10. But I really wouldn't blame any of you one bit if you doubted  
11. my sanity, and I'm glad that D'Arco's Psychiatric Care bill  
12. passed, because here I am in the Insurance Business, and I'm  
13. standing here opposing a bill which would require everybody  
14. in the State to buy what I sell. I must have a problem. I  
15. would compare it to a situation for the lawyers, where everybody  
16. had to have an attorney on a retainer, and don't you think  
17. you lawyers really would have to be absolutely convinced that  
18. there be something wrong radically if you were to oppose it?  
19. But that's what I'm doing. Many states have tried Compulsory  
20. Insurance, and the results have been about three things. One  
21. is increased premiums. That means increased costs to all of  
22. those, including those who cannot afford to buy it right in  
23. the first place. There were some instances where more drivers  
24. drive without coverage because of that increased cost. It  
25. cannot be enforced. Our present Financial Responsibility law  
26. is not enforced. There's something like a two hundred and  
27. seventy day delay in the final checking out under our own  
28. Financial Responsibility thing. The amendment nor the bill  
29. as it now stands would require companies to mail to the  
30. Secretary of State notice of expiration on every policy.  
31. That...I think there's approximately five million drivers  
32. in the State of Illinois. I don't know what we'd do with the...  
33. just the stack of mail and all the stuff that would come in.  
This is a bad bill, and I ask for a No vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Knuppel may close.

3. SENATOR KNUPPEL:

4. Well, I just don't want to be one of those people that's  
5. hit by somebody that doesn't carry insurance, and the excuse  
6. that it takes two hundred and seventy days to get somebody's  
7. certificate back, it's still better that they get it back within  
8. two hundred and seventy days than they not recovered at all, and  
9. with respect to old people and people who...older people who  
10. are on Medicare, they would have to pay it. Our Welfare  
11. people that are struck by uninsured motorists, we pay it.  
12. The taxpayers are picking up the bill now. Of course the  
13. people who sell insurance don't want to write it, because  
14. those people who presently don't have it are damn poor risks,  
15. but I tell you, I don't want to be on the other side of that  
16. risk.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Rupp, he was closing, but we have limited debate,  
19. if you wish to just make a...okay. The question is shall  
20. Senate Bill 51 pass. Those in favor vote Aye. Those opposed  
21. vote Nay. The voting is open. Have all voted who wish? Have  
22. all voted who wish? Have all voted who wish? Take the record.  
23. On that question, the Ayes are 20, the Nays are 25. Senate Bill  
24. 51, having failed to receive a constitutional majority, is  
25. declared lost. Senate Bill 116, Senator Lemke. Senate Bill  
26. 121, Senator Lemke. Senate Bill 137, Senator Demuzio. Senate  
27. Bill 157, Senator Carroll. Senate Bill 193, Senator Carroll.  
28. Read the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 193.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President, Ladies and Gentlemen of the  
4. Senate. This is the bill to provide relief to Local Governments  
5. who were so hard hit by the snows this past winter. This  
6. affects those counties that were declared a disaster by the  
7. Federal Government who have submitted their bills to the  
8. State Disaster Agency, and who have had them approved by the  
9. Federal Government for partial reimbursement by the Feds.  
10. This bill would allow up to a limited amount those same  
11. municipalities to now receive a State grant, one-time grant  
12. to help them meet this unusual burden that they could not  
13. meet. Erie Jones as the Director of this agency did an outstanding  
14. job in all of those counties that had this disaster happen  
15. to them. This only covers those days that were declared a  
16. Federal Disaster. It therefore does not relieve the major  
17. part of the burden on Local Government, and only a small  
18. portion thereof, in all of those counties. We had talked about  
19. providing Flood Relief to those counties recently declared  
20. Flood Disaster Areas. The Feds finally agreed to give one  
21. hundred percent reimbursement to those flooded communities  
22. and therefore, there is no cost to those flooded communities.  
23. They've been approved one hundred percent. There is nothing  
24. we need or could reimburse all of their bills that would  
25. have been eligible under this type of formula have in  
26. fact been paid. We did attempt to see if there was any way  
27. we could help those areas that were not declared emergencies.  
28. We found, through Erie Jones' office, that there was no  
29. audit trail that we could develop. Many of those places did  
30. not keep those type of records, because they knew they could  
31. not be reimbursed. Therefore, they submitted nothing. They  
32. have nothing, and we...

33. PRESIDING OFFICER: (SENATOR BRUCE)

Time.

1. SENATOR CARROLL:

2. All right. I'll try and...This is the first time through  
3. on this. I'll try and limit it as much as I can. We therefore  
4. could not accomodate those counties. But all of those counties  
5. that were declared disasters would receive reimbursement for  
6. those emergency days, almost dollar for dollar, and I would  
7. ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion. I have Senator Sommer, Rhoads,  
10. Wooten and Knuppel...Senator Sommer.

11. SENATOR SOMMER:

12. Well Mr. President, this is simply an unbudgeted boondoggle,  
13. and I would urge the members on our side to vote against it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. Question of the sponsor.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Rhoads.

20. SENATOR RHOADS:

21. Senator Carroll, the...Senators Stevenson and Percy are  
22. co-sponsoring legislation which would have the effect of rolling  
23. back to January 1 of this year the assistance grants, the  
24. Federal money. Now, what is the status of that legislation,  
25. and if it passes, is there a mechanism for a refund in this bill?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. I have no idea of the status of that legislation. There  
30. is no mechanism for refund, nor would it apply, because even  
31. as to those days that this covers, the Feds have picked up  
32. two-thirds already. They will not pick up any more than that.  
33. It is my understanding that that legislation is an attempt to  
widen the days, but not to provide any additional money for

1. those days in question. This applies to only those days in  
2. question, and provides monies to help meet the one-third  
3. the locals had to come up with for those days only, and  
4. only for those bills that were approved as necessary for  
5. lifesaving snow removal.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion. Senator Wooten.

8. SENATOR WOOTEN:

9. Senator Carroll, will your legislation doggle this pro-  
10. posed boon in the Rock Island County?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Carroll.

13. SENATOR CARROLL:

14. Rather than let everybody guess, it will affect Will,  
15. Cook, Peoria, DuPage, Bureau, Grundy, Kendall, McHenry, Jo  
16. Daviess, Stevenson, Boone, Winnebago, Mercer, Lake, DeKalb,  
17. Ogle, Carroll, Marshall, Whiteside, Lee, Kane, McHenry, LaSalle,  
18. Putnam and Sangamon, and Carroll is no relative.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Well, my objection is that it neatly cuts right around  
23. Rock Island County, and we were absolutely paralyzed by the  
24. snow. Through bureaucratic bungling at the State level, we  
25. were omitted from that list, and this boon is of no good  
26. to us, Senator Carroll.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Well, I think you should talk to Erie Jones and President  
31. Carter and Governor Thompson about that, but maybe this boon  
32. will doggle a few other people who are in those counties mentioned.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion. Senator...Shapiro.

1. SENATOR SHAPIRO:  
2. Will the sponsor yield to a question?  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Indicates he will yield.  
5. SENATOR SHAPIRO:  
6. Senator Carroll, how much is in the bill for Lee County,  
7. did you say?  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator Carroll.  
10. SENATOR CARROLL:  
11. Lee County is one hundred and ten thousand seven hundred  
12. dollars. They having expended two hundred...they having  
13. expended three hundred and thirty-two thousand one hundred  
14. dollars, having gotten from the Feds two hundred and twenty-one  
15. four.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Senator...  
18. SENATOR CARROLL:  
19. Therefore, you should be supportive of your local county.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. All right. Gentlemen, I'm going to put you down in order.  
22. I...Senator Knuppel.  
23. SENATOR KNUPPEL:  
24. I have a question of Senator Carroll. You were talking  
25. about Flood Relief, and the inability, I guess, to determine  
26. how much and the extent and nature of flood? What did you  
27. say, then?  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Carroll.  
30. SENATOR CARROLL:  
31. To repeat. What I had said was we had talked about  
32. attempting to do the same thing for the nineteen counties,  
33. approximately, along the Illinois River that were declared  
disasters by President Carter. However, they received one



1. hundred percent reimbursement, instead of the two-thirds,  
2. and therefore, according to the Emergency Services Disaster  
3. Agency, there was no need to provide any reimbursement, because  
4. they had already been accommodated at the rate of one hundred  
5. percent by the Federal Government. Unlike these who have only  
6. been given two-thirds.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I know there's a lot of damage down there that hasn't  
11. been reimbursed. I don't know where that information came  
12. from, and I would seriously question it as compared to this.  
13. I think that...when we start taking natural tragedies and  
14. paying that part that the Federal Government doesn't pay,  
15. that we are assuming to do something the Federal Government  
16. doesn't want to do, and that it sets an extremely bad precedent.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion. Senator Becker. Senator Regner.

19. SENATOR REGNER:

20. I just wanted to comment. Senator Sommer forgot to mention  
21. the boondoggle to which he referred costs thirteen and one-  
22. half million dollars of unbudgeted General Revenue money.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. I was just wondering how much there was for McHenry County  
27. and also for the City of Chicago. See if we had parity.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? Senator Carroll may close.

30. SENATOR CARROLL:

31. Thank you, Mr. President, Ladies and Gentlemen of the  
32. Senate. I think Senator Knuppel missed the point, and other  
33. Senators had asked me the same question walking by. I think  
the important thing to remember is the type of monies that

1. could have been reimbursed under this legislation, that we  
2. had said we would try and do, are only those types of bills  
3. that have been declared by the Federal Government to have  
4. been Emergency Service Disaster related, and in which they  
5. helped pick up the tab. We were able, through very good  
6. offices of Erie Jones, and those of our Congressional delegation,  
7. to get one hundred cents on the dollar for the flood damage.  
8. Therefore, there was nothing to put into this bill to help  
9. that situation. But to all of those people who were in the  
10. Federally declared disaster area, and as municipalities have  
11. been unable to cope with these emergency day bills on top of  
12. their other bills that they could not have anticipated or  
13. budgeted for, this is a one time shot that will give them  
14. that portion that they are not reimbursed by the Feds. Again,  
15. only for those snow days that were declared emergencies, and  
16. that they have submitted bills, and that the bills have been  
17. approved, and they're already in. It is some thirteen million,  
18. Senator Regner, and I would be happy to give you a letter as  
19. you've requested on other things when BOB wouldn't, and I would  
20. urge for a favorable vote.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is shall Senate Bill 193 pass. Those in  
23. favor vote Aye. Those opposed vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish? Take the  
25. record. On that question, the Ayes are 23, the Nays are 24.  
26. 1 voting Present. Senate Bill 193, having failed to receive  
27. a constitutional majority, is declared lost. Senate Bill 194,  
28. Senator Carroll. Read the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 194.

(Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2.           There may not have been enough counties or townships in  
3. the last bill, so we'll try this bill. This bill helps  
4. everybody. This is Statewide. It covers all areas of  
5. the State. It covers them to the exact extent as the  
6. distribution of the current Motor Fuel Tax Formula, and  
7. what this is in effect, a baker's dozen. This gives  
8. a thirteenth month funding, one additional month's funding,  
9. to each of the recipients who would receive Motor Fuel  
10. Tax Fund monies, to be used for pothole repair or to  
11. help pay some of those snow removal bills that they had  
12. acquired during this past winter. Each and every one of  
13. us know the conditions of the roads in each of our districts,  
14. throughout this State. We also know that the Department  
15. of Transportation has done less than an adequate job in  
16. accommodatng those areas. We also know that Local Governments  
17. throughout this State, excuse me, have less than adequate  
18. money to take care of this situation.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20.           Time.

21. SENATOR CARROLL:

22.           What this would provide is one month's funding, one  
23. additional month of General Revenue Funds to be used for  
24. pothole repairs, and to get our roads in shape. I would  
25. urge a favorable vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27.           Is there discussion? Senator Sommer.

28. SENATOR SOMMER:

29.           Mr. President, members. This is the annual unbudgeted  
30. boondoggle to fix potholes, and by the time we get around to  
31. it, the potholes are all filled, and I would urge the members  
32. to vote No.

33. PRESIDING OFFICER: (SENATOR BRUCE)

          Any further discussion? Senator Carroll may close...Oh,

SB 263  
5-25-79  
3d reading

1. Senator Gitz.

2. SENATOR GITZ:

3. Normally, I wouldn't have said anything, but I couldn't  
4. resist this. Senator Sommer got up. I drive about two  
5. hundred miles one way to come here, and by God if all the  
6. potholes are filled, then I'd like you to join me in the  
7. next trip, because that's just ridiculous.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion. Senator Carroll may close. Briefly.

10. SENATOR CARROLL:

11. Very briefly. John Kramer's still rolling his hubcap  
12. because of the potholes down the roads. All of you drive.  
13. You see what happens. They're still there. Ask Kramer.  
14. He's dodging them. I would urge a favorable roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall Senate Bill 194 pass. Those in  
17. favor vote Aye. Those opposed vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Take  
19. the record. On that question, the Ayes are 26, the Nays are  
20. 24. 1 voting Present. Senate Bill 194, having failed to  
21. receive a constitutional majority, is declared lost. Senate  
22. Bill 195, Senator Carroll. Senate Bill 207, 208, 249,  
23. Senate Bill 261, Senator Nimrod. Senate Bill 263, Senator  
24. Maragos. Read the bill, Mr. Secretary. For what purpose  
25. does Senator...Senator...all right. Read the bill, Mr. Secretary.  
26. Senate Bill 263.

27. SECRETARY:

28. Senate Bill 263.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Maragos.

33. SENATOR MARAGOS:

Mr. President and members of the Senate. This is the

1. adoption bill that we've amended down to everybody's satisfaction.  
2. It doesn't allow to get information only for medical reasons  
3. at the present time, and for future, it gives it only upon  
4. consent. I think it's a good bill. I've talked to Senator  
5. Bowers and Senator Daley, who were part of the subcommittee  
6. with me, and we've discussed this, and it's been amended to  
7. the satisfaction of all those who had opposed...opposition.  
8. I ask for your favorable roll call.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Is there discussion? Senator Buzbee.  
11. SENATOR BUZBEE:  
12. Senator Maragos, it's not been amended to my satisfaction.  
13. Is it not true that already an adopted child, upon reaching  
14. its majority, can go in and demand to see the court records  
15. that finalized its adoption under present law?  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Senator Maragos.  
18. SENATOR MARAGOS:  
19. No he cannot, unless he gets a Court Order, and the  
20. court will not give it without discretion...without consent,  
21. normally.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Buzbee.  
24. SENATOR BUZBEE:  
25. Well, I'm not a lawyer, so I don't know what you mean  
26. by the court will not give it to him without consent.  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Senator Maragos.  
29. SENATOR MARAGOS:  
30. Normally, Senator Buzbee, the courts presently will  
31. normally ask the birthparent, if you might use the term, to  
32. see...would they give their consent before they would give  
33. that information to the child. The court records are sealed

1. now, and unless the court gives them that opportunity,  
2. the Act says that...this act does not change that fact,  
3. so it doesn't change that fact at all for the present...the  
4. prior adoptions.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. The way I understand the present law, it is designed to  
9. protect the child, the adoptive parent and the parents who  
10. gave birth. I don't see any reason whatsoever to change that  
11. current law.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Buzbee, there's...Senator Maragos.

14. SENATOR MARAGOS: .

15. The concern I have, and many who have asked, who worked  
16. on this particular bill, Senator Buzbee, is that right now,  
17. if a judge wants to refuse to give them the medical records,  
18. and in many cases, even the adopting parents want to go into  
19. the court and find out what the medical records are, and  
20. unless we have this type of a law, they don't have...they can  
21. be denied that fact, so I...we give them the opportunity to  
22. get their medical records, but anything else they have to  
23. get the consent of the court which they do now, so we're not  
24. changing anything outside of the fact that they have an opportunity  
25. to get their medical records, and...if...most adoptive parents  
26. usually agree with this, because they want to know if the  
27. child has any diseases which he's susceptible to, in order  
28. to give him or her proper care, so we're not changing that  
29. fact, that I give you my word that the way the amendment...  
30. the Act is amended now is...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. We'll have to go, Senator Buzbee, to someone else.

33. If you have further questions unanswered. We've already

1. taken four minutes. Senator Berning.

2. SENATOR BERNING:

3. A question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield. Senator Berning.

6. SENATOR BERNING:

7. I thought your intent was to restrict this to just

8. medical records, but as I see and interpret the amendment,

9. it does provide for genealogical records, and that of

10. course brings it right down to the normal parents. Now

11. I don't quite understand what you're doing.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Maragos.

14. SENATOR MARAGOS:

15. No, Senator Berning, that's been changed...They took out

16. the word genealogical. That's been taken out. The second

17. amendment only says medical. You can ask Senator Bowers, who

18. sits in front of you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berning. Senator Moore.

21. SENATOR MOORE:

22. Yes, just very briefly, Mr. President. There was considerable

23. controversy in Judiciary Committee when this bill come up.

24. This bill has been amended to where, I think, both the opponents

25. and the proponents can live with it. As Senator Maragos has

26. stated, it has been restricted greatly by the amendments placed

27. on it, and I for one intend to vote for it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion. Senator Buzbee.

30. SENATOR BUZBEE:

31. Mr. President, on a...am I allowed...being allowed to

32. speak the second time, because if I'm not, I'm going to ask

33. to waive that rule under which we've been operating, because

1. I've an extreme personal interest in this bill, and I  
2. would like to have the opportunity to finish my questioning.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Well Senator, on the limited debateschedule...  
5. SENATOR BUZBEE:  
6. I'm asking for leave to go away from the limited debate  
7. schedule for this question.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Is there leave to suspend the rules? Leave is granted.  
10. Senator Buzbee.  
11. SENATOR BUZBEE:  
12. Thank you. My only question is then, that you're saying  
13. that only the medical records are the ones that can be delved  
14. into with this bill, is that correct?  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Senator Maragos.  
17. SENATOR MARAGOS:  
18. That is correct, for the adoptions from...from here and  
19. past. That's correct.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Senator Buzbee.  
22. SENATOR BUZBEE:  
23. Thank you. And then...you're saying that...that the adoptive  
24. parents or the child himself, upon reaching majority, can  
25. go into the medical records to find prior family history, is  
26. that correct?  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Senator Maragos.  
29. SENATOR MARAGOS:  
30. Not full medical...not full family history, just  
31. medical history. We took out the word genealogical from the  
32. second amendment, so they can only find...because some people  
33. are afraid that if they get close enough, they could determine  
who their parents were, but we took the word genealogical



1. out, only their medical records. If they...when they  
2. were born and what the...had at the time they were born.  
3. SENATOR BUZBEE:  
4. Thank you very much.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Further discussion. Senator Maragos may close.  
7. SENATOR MARAGOS:  
8. Mr. President, members of the Senate. I don't want  
9. to take more time. We've worked this out to everyone's  
10. satisfaction. I thought that many adoptive parents who  
11. had some objections to it, and with the way it is restricted  
12. now, I think it is safe, that there will not be any  
13. divulge...should not be divulged, except for medical  
14. records, which I think is necessary for an adopted  
15. child, and I ask for your support.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. The question is shall Senate Bill 263 pass. Those in  
18. favor vote Aye. Those opposed vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Have  
20. all voted who wish? Take the record. On that question, the  
21. Ayes are 35, the Nays are 3. 4 voting Present. Senate Bill  
22. 263, having received the constitutional majority, is declared  
23. passed. Senate Bill 274, Senator Gitz. Read the bill, Mr.  
24. Secretary, please.  
25. ACTING SECRETARY: (MR. FERNANDES)  
26. Senate Bill 274.  
27. (Secretary reads title of bill)  
28. 3rd reading of the bill.  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30. Senator Gitz.  
31. SENATOR GITZ:  
32. I would call attention to the Body that this bill has  
33. been amended, and in amended form, it takes care of a lot of

1. initial problems. The general conclusion was is that the  
2. original phase-in over three years was far too extreme for  
3. the stress that it might put on the General Revenue Fund.  
4. In its amended form, this bill adopts the Auditor General's  
5. report in full for the first year. The second year takes  
6. care of judges' salaries. It's a phase-in there, and it  
7. takes in legislative areas of another fifty-seven million.  
8. In the Fiscal Year '82, if you'll look at the sheet,  
9. it phases out another seventy million, and it phases out  
10. Secretary of State at the end of four years. I might say that  
11. in introducing my remarks, this is actually much more moderate  
12. than many of the other diversion proposals. I notice that  
13. the diversion package the other day of Senator Regner for  
14. example, totaled some eighty-eight million dollars in  
15. terms of Appropriation amendments. It's a very sane, a very  
16. reasonable approach, particularly in adopting the Auditor  
17. General's report. I personally have supported every attempt,  
18. without regard to sponsorship or political party. I would  
19. hope that we would look at this bill in that light.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? The question is shall Senate Bill...  
22. oh, I'm sorry. Senator Shapiro, your light is not on.  
23. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President and Ladies and Gentlemen of the Senate.  
26. Senate Bill 274 is an anti-diversion bill, in the total amount  
27. of one hundred and ninety-one point four million dollars.  
28. Senate Bill 274, which was defeated here yesterday,...273,  
29. I'm sorry, 274 and 275 completely restructure the Road Fund  
30. as it presently operates today. I have real serious doubts  
31. as to whether this bill could even be effective if it became  
32. the law of the State. The total cost for FY-1980 would be  
33. ninety-nine point two million. 1981, seventy-six point

1. three. 1982, fifteen point eight. There is no way the  
2. Governor of this State is going to sign this bill, because  
3. there's really no provisions to earmark this money or make  
4. the funds available to affect this anti-diversion measure,  
5. unless they are taken out of General Revenue Funds totally.  
6. It also includes the Secretary of State. I'm not too sure  
7. at this point in time that the Secretary of State wants  
8. to be included. He is not included in the Governor's  
9. bill, and an anti-diversion amendment for his office that  
10. was going to be offered several days ago was withdrawn, so  
11. I would say that the bill, though laudable as the idea is,  
12. at the present time is way too costly and should be defeated.  
13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? Senator Gitz may close.  
15. Oh, I'm sorry. Senator Wooten.  
16. SENATOR WOOTEN:

17. Just briefly in support of this. Senator Gitz has  
18. been developing this program a long time, and I was privy  
19. to some of his early work on it, and I think that, really,  
20. the criticism of it, it comes down to whether you want to  
21. do it or not. The program is well thought out. It's well  
22. structured. It's an imaginative approach. The three bills  
23. I think...quite frankly, the three...those three bills give  
24. us the best approach to the whole problem. I'm sorry that  
25. we find one languishing on Postponed Consideration, but I  
26. would certainly urge people on both sides to give serious  
27. consideration to 274. I think it's a very good bill and  
28. ought to be supported.  
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion. Senator Gitz may close.  
31. SENATOR GITZ:

32. Well, informally it has been told to me and explained  
33. to me that the kill order is out on this, simply because the

1. sponsorship and the Democratic side. I voted Present on  
2. Senator Shapiro's bill, because I wanted him to have at least  
3. the pleasure of carrying a bill for the administration. I  
4. notice that he is one of the people that has always wanted  
5. to do diversions. Now the fact is that this is the  
6. more moderate approach than has been taken in the past  
7. on other bills. If he objects to the Auditor General's  
8. report, then I think he better go back to start from scratch.  
9. Yesterday, we had the misrepresentation of the separate  
10. Road Fund as costing money. His statements...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Now Gentlemen, wait one moment. Now I started the  
13. timer exactly when Senator Gitz started. He has spoken less  
14. than fifty seconds, and we will restart the time. Senator  
15. Gitz is recognized.

16. SENATOR GITZ:

17. Mr. President, I have tried to honor everybody else in  
18. this Body, and I've accommodated them on their bills, even  
19. though they seem to want to lock out on mine, and I kind  
20. of wish at least I had the courtesy of explaining my remarks.  
21. Now the fact is is that most of the financial representation  
22. that has taken place are to represent a separate bill, Senate  
23. Bill 275, not 274. I ran into the same problem last night  
24. when I offered an accountability bill, which suggests that  
25. they're really not serious about making that program delivering  
26. construction funds. The fact is this bill takes the Auditor  
27. General's report in Fiscal Year '80, spreads everything  
28. else out over a four year period. Now if that's too  
29. extreme, then I think we better start from scratch again.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is shall Senate Bill 274 pass. Those in  
32. favor 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 27, the Nays are 24.

1. None Voting Present. Senate Bill 274, having failed to  
2. receive a constitutional majority, is declared lost.  
3. Senate Bill 275, Senator Gitz. Read the bill, Mr. Secretary,  
4. please.  
5. ACTING SECRETARY: (MR. FERNANDES)  
6. Senate Bill 275.  
7. (Secretary reads title of bill)  
8. 3rd reading of the bill.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Senator Gitz.  
11. SENATOR GITZ:  
12. This bill has been amended to accommodate the Transportation  
13. Study Commission's recommendations. It no longer applies  
14. to the Sales Tax solely on gasoline. It does not apply  
15. in Fiscal Year '80. It applies in Fiscal Year '81.  
16. By that time, we'll have about six hundred million dollars  
17. more in the General Revenue Fund than we had at the very  
18. beginning, starting at the beginning of this Fiscal Year.  
19. In its present form, it has applied the total Sales Tax of  
20. the State.  
21. PRESIDING OFFICER: (SENATOR BRUCE)  
22. Is there discussion? Senator Shapiro.  
23. SENATOR SHAPIRO:  
24. Mr. President and Ladies and Gentlemen of the Senate.  
25. As I understand the bill, this takes six percent of the  
26. total State revenues on the Sales Tax and uses it to fund  
27. the anter diversion measures, plus the other things. The  
28. total cost of these three bills would require approximately  
29. three hundred million dollars to put this Act into effect,  
30. in transfers and in restructuring of the Road Fund as it  
31. presently exists. I would urge defeat of the bill.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Is there further discussion? Senator Gitz may close.

1. SENATOR GITZ:

2. Well once again, the Minority Leader insists upon  
3. viewing these bills as a package. He just voted down the  
4. diversion package. I think I'll remember that when their  
5. bills come back over. The fact is is this is applying  
6. a concept by a bi-partisan commission, the Transportation  
7. Study Commission. If you want to take the revenues that  
8. are generated at the gasoline pump and start applying them  
9. over time, this only begins in Fiscal Year '81, you  
10. can do so. And if you really want to persist in the  
11. hypocrisy about how we're going to handle the program,  
12. then go ahead and vote it down.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall Senate Bill 275 pass. Those in  
14. favor vote Aye. Those opposed vote Nay. The voting is  
15. open. Have all voted who wish? Have all voted who wish?  
16. Take the record. On that question, the Ayes are 24, the  
17. Nays are 26. None Voting Present. Senate Bill 275, having  
18. failed to receive a constitutional majority, is declared lost.  
19. Senate Bill 298, Senator Buzbee. Read the bill, Mr. Secretary,  
20. please.

21. ACTING SECRETARY: (MR. FERNANDES)

22. Senate Bill 298.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. This requires the Department  
29. of Agriculture to post notice of a license suspension of  
30. revocation on the premises of an affected grain dealer, and  
31. to publish the notice in a newspaper of general circulation  
32. within seven days. It requires the Department to check within  
33. one week of the suspension of revocation to be sure the facility

1. has been closed. We had an incident in my district where the  
2. Department notified on September the seventh that as of  
3. September the first, a grain dealer's license was suspended,  
4. and yet the man continued in business until October the  
5. fifteenth, and then ran off to Brazil or some other place  
6. unknown with three million dollars worth of farmer's money  
7. in his pocket, and had the Department gone around to even  
8. check, to call, to ask what he was paying for soybeans  
9. that day, or to post notice to tell the farmers that the  
10. guy was no longer licensed, perhaps we would not have had  
11. those farmers out three million dollars, and the idea of  
12. this bill is to simply to require the Department to be a  
13. little bit tighter in their control, and I think it's a  
14. good concept. It's been amended now to...with an amendment  
15. requested by the Department, which clarifies that a person  
16. who functions both as a seed dealer and a grain dealer  
17. is that the person is exempt...is not exempt from the  
18. requirements of the Grain Dealers Act, but as a seed dealer  
19. only, that he does not have to comply with the Grain  
20. Dealers Act requested by the Department, and I would request  
21. a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? Senator Maitland.

24. SENATOR MAITLAND:

25. Yes, Mr. President, very briefly. This bill was amended  
26. as Senator Buzbee has mentioned. It met my objections and  
27. I think it's a good bill and deserves passage.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? The question is shall Senate  
30. Bill 298 pass. Those in favor vote Aye. Those opposed vote  
31. Nay. The voting is open. Have all voted who wish? Have all  
32. voted who wish? Take the record. On that question, the Ayes  
33. are 49, the Nays are none. None voting Present. Senate Bill  
298, having received a constitutional majority, is declared

1. passed. . Senate Bill 305, Senator Geo-Karis. Sorry, I  
2. apologize, Senator Lemke. I did not see you on the Floor.  
3. Senate Bill 300. Read the bill, Mr. Secretary, please.  
4. ACTING SECRETARY: (MR. FERNANDES)  
5. Senate Bill 300.  
6. (Secretary reads title of bill)  
7. 3rd reading of the bill.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator Lemke.  
10. SENATOR LEMKE:  
11. What this does is amend the Chicago Teacher Retirement  
12. Fund Article of the Illinois Pension Code. It validates  
13. the twelve month. . . for unpaid Maternity Leave, which is  
14. in conjunction with the Court decision, Federal Court Decision.  
15. I ask for its adoption.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Is there discussion? Senator Berning.  
18. SENATOR BERNING:  
19. Thank you, Mr. President. Reluctantly, many of us voted  
20. for this in Committee. It apparently is something we have no  
21. control over now, because of a recent Supreme Court decision  
22. that mandates Pension Credit for Maternity Leaves, and so  
23. reluctantly, I suggest that it should be passed.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Is there further question? The question is shall Senate  
26. Bill...for what purpose does Senator Moore rise?  
27. SENATOR MOORE:  
28. If the sponsor will yield, Mr. President.  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30. He indicates he will yield. Senator Moore.  
31. SENATOR MOORE:  
32. What is the fiscal impact on the Pension Fund, Senator?  
33. PRESIDING OFFICER: (SENATOR BRUCE)



1. Senator Lemke.

2. SENATOR LEMKE:

3. I don't know. I'm only doing this in request. There

4. was no request for a fiscal note, and I think it's too late

5. for that, is that correct?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. For what purpose does Senator Egan rise? Perhaps Senator

8. Moore if we...

9. SENATOR EGAN:

10. Well, regardless of the impact, Senator, it's required

11. by the Federal Law. The reason the bill is introduced is

12. just to comply with the Federal Law. There is an impact,

13. and I can dig it out for you, but it's not significant. Karl,

14. do you have it?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. The cost would be approximately five hundred eighty thousand

19. dollars per year, and an increased accrued liability of five

20. million three hundred thousand.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion.

23. SENATOR BERNING:

24. Thank the Supreme Court.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke may close.

27. SENATOR LEMKE:

28. Ask for the adoption...roll call of this bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is shall Senate Bill 300 pass. Those in

31. favor vote Aye. Those opposed vote Nay. The voting is open.

32. Have all voted who wish? Have all voted who wish? Take

33. the record. On that question, the Ayes are 43, the Nays are

5. 1 voting Present. Senate Bill 300, having received a

1. constitutional majority, is declared passed. Senate Bill  
2. 305, Senator Geo-Karis. Read the bill, Mr. Secretary, please.  
3. ACTING SECRETARY: (MR. FERNANDES)  
4. Senate Bill 305.  
5. (Secretary reads title of bill)  
6. 3rd reading of the bill.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Geo-Karis.  
9. SENATOR GEO-KARIS:  
10. Mr. President, Ladies and Gentlemen of the Senate.  
11. In the essence of time, besides some of my votes aren't  
12. here, I'd like to re-commit this to Committee.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Which Committee, Senator?  
15. SENATOR GEO-KARIS:  
16. The Committee from which it arose. It's the Revenue Committee.  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. The motion is to re-refer Senate Bill 305 to the Committee  
19. on Revenue. Is there discussion on the motion? All in favor  
20. say Aye. Leave in granted. The bill will be re-referred to  
21. the Committee on Revenue. Senate Bill 320, Senator Lemke.  
22. Senate Bill...on this bill, Senator Lemke. College and University  
23. Student Employees. Read the bill, Mr. Secretary, please.  
24. ACTING SECRETARY: (MR. FERNANDES)  
25. Senate Bill 320.  
26. (Secretary reads title of bill)  
27. 3rd reading of the bill.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Lemke.  
30. SENATOR LEMKE:  
31. This is one of the few Unemployment Comp bills that  
32. Senator Keats and I agree on. I ask for a favorable roll  
33. call.  
PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? Senator Keats.  
2. SENATOR KEATS:  
3. He just took my discussion.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. All right. The question is shall Senate Bill 320  
6. pass. For what purpose does Senator Wooten rise?  
7. SENATOR WOOTEN:  
8. Just a question and to enter something into the record.  
9. The State is starting to put heat on the people who were  
10. inadvertently taken out of this. Their exemption was  
11. taken out two years ago. We're restoring it, and I think  
12. the message ought to be put in the record, that we don't want the  
13. State to try to go ahead for the mistake that we made. I  
14. was thinking about trying to put an amendment on it. It  
15. would be retroactive. That's patently unconstitutional.  
16. We simply want to make the point the State should not  
17. assist.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Further discussion. Senator Lemke may close.  
20. SENATOR LEMKE:  
21. I thought this was the...this is the Minimum Wage...  
22. the same. We passed the Unemployment bill. I ask for  
23. favorable adoption of this bill.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. The question is shall Senate Bill 320 pass. Those  
26. in favor vote Aye. Those opposed vote Nay. The voting is  
27. open. Have all voted who wish? Have all voted who wish?  
28. Take the record. On that question, the Ayes are 51, the  
29. Nays are none. None Voting Present. Senate Bill 320,  
30. having received a constitutional majority, is declared passed.  
31. Senate Bill 326, Senator Lemke. Senate Bill 327, Senator Lemke.  
32. Senate Bill 331, Senator Walsh. Senate Bill 370, Senator  
33. Newhouse. An appropriation, Senator. Shall we read the bill?

1. Read the bill, Mr. Secretary, please.

2. ACTING SECRETARY: (MR. FERNANDES)

3. Senate Bill 370.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Newhouse.

8. SENATOR NEWHOUSE:

9. Thank you, Mr. President, Senators. This is my biggie.

10. I'd appreciate help from across the aisle or from up above

11. or wherever it comes from. I'd like a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Walsh.

14. SENATOR WALSH:

15. Mr. President, members of the Senate. I believe this

16. bill, in its present form, contains an appropriation of some

17. thirty-seven million dollars General Revenue Funds which

18. would go to the Cook County Hospital. Now as a resident of

19. Cook County, this would probably be in my best interests, since

20. it would be State funds going to defray an expense which

21. should be borne by Cook County taxpayers. However, I do think

22. that we, as Illinois legislators sitting in the Illinois

23. Senate, should oppose this appropriation, which would

24. benefit Cook County citizens. I would urge everybody to

25. vote No, and especially my Republican colleagues.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion. Senator Regner. No, Senator Moore.

28. SENATOR MOORE:

29. Thank you, Mr. President, members of the Senate. Reluctantly,

30. I rise to oppose this bill. Principally on a matter that

31. we are setting an exceedingly bad precedent, which I might

32. add, Senator, we have set a few years ago with a bill that

33. Senator Partee had, with the State of Illinois coming in to

assist hospitals, whether they be the Cook County Hospital

1. or any hospital in the State of Illinois, because of financial  
2. difficulties they have. The Cook County Hospital and the  
3. School of Nursing and the Oak Forest Hospital have definite  
4. problems. There are bills that have been introduced on  
5. behalf of the Commission that will help alleviate this problem,  
6. but as far as an expenditure of thirty-eight million dollars  
7. to the Cook County Hospital at this time, I'm going to have  
8. to vote against the bill, and urge the members of this Body  
9. to vote against it. We're setting a bad precedent. There  
10. are other vehicles that are alive in the House and Senate that  
11. can help resolve this problem of which I'll be speaking in  
12. favor of, but as far as an outright grant to bail them out  
13. at this time, I'm going to have to oppose the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President, Ladies and Gentlemen of the  
18. Senate. I rise to support this legislation, and I'm a little  
19. bit shocked by the comments of some of the other speakers,  
20. especially those who were present during the testimony  
21. on this bill. I think Dr. Houghton very well explained  
22. the need and the problem concerning this legislation. We  
23. now provide that it's periodic payments, and if, as Dr.  
24. Houghton explained, the Department of Public Aid did its  
25. job in an ample and adequate way, not only would this  
26. bill not be necessary, this money will not be spent. It  
27. will not be asked for, not be offered, and not be received.  
28. The problem seemed to be that the Department of Public  
29. Aid has not been doing an adequate job in verifying those  
30. who seek to be on that Department's budget as an appropriated  
31. expense of State funds. They did not, for example, call any  
32. of those with Spanish surnames by someone who spoke Spanish  
33. in order to determine whether or not they were eligible to  
receive Public Aid reimbursement for this service. Also,

1. those who are of the working poor, they did not await until  
2. after working hours to see whether or not those people  
3. were still eligible to receive the Public Aid funds from  
4. the Public Aid budget. This is needed. If the Department,  
5. according to Dr. Houghton, would do its job, this bill  
6. would not even be here, and if they start doing their job  
7. now, very little, if any, of the thirty-seven million will  
8. in fact be spent. I would urge a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion. Senator D'Arco.

11. SENATOR D'ARCO:

12. Thank you, Mr. President. I rise in support of the  
13. bill. The House version of this bill has been killed, so  
14. that Appropriation bill is dead, and I just remind my colleagues  
15. that Cook County Hospital is facing a disaster, and if they  
16. don't get any relief, they will have...it is a disaster.  
17. You live in DuPage County with all those rich folk, so what  
18. do you know about poor folk? It is a disaster. Calling a  
19. hospital that has the best Burn Care Unit in the world  
20. a disaster. Calling a hospital where Dr. Mayo trained  
21. a disaster, and where some of the highly, most competent  
22. physicians in the world came to intern a disaster. And  
23. where the per diem rate of hospital care is less than  
24. any hospital in the country a disaster. Well you do that,  
25. Pate, because you live at the other end of town. You kill  
26. this bill. Go ahead.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion. Senator Philip.

29. SENATOR PHILIP:

30. Yeah, I guess I do live in DuPage County. I kind of like  
31. it, very honestly, but Cook County Hospital is probably the  
32. poorest managed hospital in the State of Illinois. Everybody  
33. knows it. It's obvious. Just remember what Senator D'Arco  
said. Remember it next week.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion. Senator Regner.

3. SENATOR REGNER:

4. Well, Mr. President, members of the Senate, I was present  
5. at the testimony when this bill was heard in Committee. Not  
6. only did I get the impression as the previous speaker said,  
7. that there was some mismanagement at the Department of Public  
8. Aid, but also there was a great deal of mismanagement and  
9. misinformation and uncompleted paperwork by the Cook County  
10. Hospital, and I would suggest that perhaps Cook County Hospital  
11. clean up their act, go back, complete their paperwork properly,  
12. and they'd probably wind up with a refund...a good deal of  
13. this money, but I'm sure it wouldn't be the full amount,  
14. because I'm also sure the full amount isn't justified. But  
15. I would suggest Cook County Hospital clean up their act and  
16. get the proper paperwork done, submit it to the Department of Public  
17. Aid, and they would get some reimbursements. I suggest a No vote on  
18. this particular piece of legislation, because it's a bad  
19. precedent, and next year, we'll have five more hospitals  
20. that have improperly done paperwork, asking for money.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator DeAngelis.

23. SENATOR DeANGELIS:

24. Thank you, Mr. Chairman. Contrary to the evidence presented  
25. by Mr. Carroll, I was...Senator Carroll, I'm sorry, the  
26. explanations for the deficit were not satisfactory at all.  
27. In fact, I would submit that if this bill...this bill fails,  
28. it is only because those who were on the Democratic side  
29. made absolutely no effort, during the course of the investigation  
30. of this budgetary matter, to ask one simple question regarding  
31. how this problem occurred.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion. Senator Moore.

SENATOR MOORE:

1. Yes, for the second time, very briefly, and in all  
2. respects to the distinguished Chairman of the Appropriations  
3. Committee, it's not altogether the fault of the Department  
4. of Public Aid. It's a two-way street. Maybe Public Aid  
5. has been delinquent, but on the other hand, maybe the  
6. administration at the County Hospital has been delinquent.  
7. And to put all the blame on the Department of Public Aid  
8. and say that the administration of the hospital at Cook  
9. County is pure and clean, I take a little issue with.  
10. I think it's a two-way street, Senator.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion. Senator Newhouse may close.

13. SENATOR NEWHOUSE:

14. Roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall Senate Bill 370 pass. Those in  
17. favor vote Aye. Those opposed vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Take  
19. the record. On that question, the Ayes are 26, the Nays are  
20. 21. 2 Voting Present. Senate Bill...for what purpose does  
21. Senator Newhouse rise?

22. SENATOR NEWHOUSE:

23. Postponed Consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The sponsor has asked that further consideration of  
26. Senate Bill 370 be postponed. The bill will be placed on  
27. the order of Postponed Consideration. Senator Donnewald,  
28. 391. Senator Nash, 432. Read the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 432.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nash.



1. SENATOR NASH:

2. Mr. President, Ladies and Gentlemen of the Senate.  
3. Senate Bill 433 simply provides in the event of...432.  
4. Amends the Sanitary District Articles to delete chronic  
5. alcoholism as an expulsion from ordinary disability benefits.  
6. All it does is make alcoholism an illness, providing the  
7. employee goes for treatment. I ask for a favorable vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? The question is shall Senate Bill  
10. 432 pass. Those in favor vote Aye. Those opposed vote  
11. Nay. The voting is open. Have all voted who wish? Have  
12. all voted who wish? Take the record. On that question,  
13. the Ayes are 50, the Nays are 1. None voting Present.  
14. Senate Bill 432, having received a constitutional majority,  
15. is declared passed. Senate Bill 433, Senator Nash. For what  
16. purpose does Senator Nash rise?

17. SENATOR NASH:

18. Mr. President, Ladies and Gentlemen of the Senate, I  
19. move that Senate Bill 433 be sent back to the Committee  
20. on Local Governments for further study.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to re-commit to the Committee on Local  
23. Government. Those in favor say Aye. Opposed Nay. The  
24. Ayes have it. The motion to re-commit prevails. Senator  
25. Lemke on 439. Time-and-a-half after forty-six hours.  
26. Do you wish the bill read, Senator? Senator Lemke.

27. SENATOR LEMKE:

28. I move that 439 be sent back to Labor and Commerce for...  
29. further study.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion...Senator Lemke asks leave to re-commit the  
32. bill to the...Committee on Labor. Is there leave? Leave is  
33. granted. The bill will be re-committed. Senate Bill 501,  
Senator Demuzio. Read the bill, Mr. Secretary, please.

1. For what purpose does Senator Berman rise?

2. SENATOR BERMAN:

3. Mr. President, I ask for leave to waive the rules and  
4. have 501 and 555 heard at the same time.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there leave? Leave is granted. Senate Bill 501.  
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 501.

(Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Thank you, Mr. President and Ladies and Gentlemen of  
15. the Senate. Senate Bill 501 is the Minimum Salary bill for  
16. Schoolteachers in Illinois. There was some objections raised  
17. by the various superintendents and by the Illinois Association  
18. of School Administrators and School Boards in Committee in  
19. reference to the steps. The steps have been amended out by  
20. virtue of Committee Amendment No. 1; and then on the...also  
21. in the Committee, there was some concern that was raised  
22. by those two groups as to the amount of money that is paid  
23. on behalf of schoolteachers to the Retirement System. An  
24. amendment was offered, Amendment No. 2 on the Floor of  
25. the Senate, that allowed those School Districts, those  
26. School Boards on...to allow them...to allow the dollars  
27. paid by School Boards of Education on behalf of teachers  
28. to their retirement systems to be counted as a salary for  
29. minimum salary purposes. I think that it has...it's a  
30. good bill in its form. There hasn't been a Minimum Salary  
31. increase in Illinois since nineteen seventy-one, and  
32. would ask for your favorable support.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Maitland.

2. SENATOR MAITLAND:

3. Thank you, Mr. President and Ladies and Gentlemen of  
4. the Senate. Well, this is the one you've been getting all  
5. the letters on, or one of them you've been getting all the  
6. letters on. We can't undo the wrong we've done in the  
7. past, and that's been to set minimum salaries. Though  
8. we can correct part of that wrong by not increasing these  
9. minimum salaries at this point in time. I would remind  
10. you that you've received a lot of opposition to this  
11. bill. The Illinois Farm Bureau is strongly opposed to  
12. it. The Illinois Association of School Boards, many,  
13. many rural superintendents. What you're doing here is  
14. suggesting to some of these small rural districts that  
15. they're going to have to come up with some more dollars.  
16. There's no question about that. It's a simple fact of  
17. life. So you in the State...we...those of us in the  
18. State Legislature will once again be mandating to local  
19. units of government an increased cost. I remind you very  
20. briefly, on May seventeenth, Senator Knuppel introduced  
21. legislation into this Body that would cause us to provide  
22. the money for mandated programs. This is in fact what  
23. we're doing. Forty-one of us voted Yes on this, so you  
24. can't vote for both of them. I urge a No vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion. Senator Berman.

27. SENATOR BERMAN:

28. Thank you, Mr. President. I rise in support of this  
29. bill. The minimums set by this bill are modest by today's  
30. standards of pay. Almost anybody in the trades makes sub-  
31. stantially more than the minimums that we're setting here  
32. for qualified, college graduates who are going to be  
33. teachers. I urge an Aye vote by the people that are  
interested in increasing the standards and the better

1. life...reasonable standard of life for teachers.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. Just to observe that you and  
6. I here, Ladies and Gentlemen, ought not to attempt to impose  
7. what you think is the most appropriate for someone else's  
8. obligation. We aren't in a position to determine what or  
9. why or when school boards and the citizens they represent  
10. should be doing. Ladies and Gentlemen, let's let the school  
11. boards handle their own affairs. You object when Washington  
12. mandates to us, and rightfully so, and I say to you, we  
13. should resist the effort to mandate to school boards or  
14. anyone else.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, I think my name was mentioned with respect to  
19. the mandated programs, and just so somebody won't say "Hey,  
20. you're inconsistent here," that commences as of July first,  
21. nineteen eighty, and all we're doing here is catching the  
22. salaries up. I'm not inconsistent when I vote Aye on  
23. this instance. I do feel that if the teachers were getting  
24. what they should be getting now in the minimum level, that  
25. we wouldn't need to vote for this, but it's unfortunately  
26. a situation where we've fallen behind.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Is there discussion? The question  
29. is shall Senate Bill...Senator Demuzio, do you wish to close?  
30. The question is shall Senate Bill 501 pass. Those in favor  
31. vote Aye. Those opposed vote Nay. The voting is open. Have  
32. all voted who wish? Have all voted who wish? Take the record.  
33. On that question, the Ayes are 37, the Nays are 15. None,  
Voting Present. Senate Bill 501, having received a constitutional

1. majority, is declared passed. Senate Bill 555. Read the  
2. bill...Senator Berman. Read the bill, Mr. Secretary, please.

3. SECRETARY:

4. Senate Bill 555.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berman.

9. SENATOR BERMAN:

10. Thank you, Mr. President, Ladies and Gentlemen of the  
11. Senate. Senate Bill 555 would authorize the Chicago Board  
12. of Education to issue thirty-nine million dollars in  
13. Working Cash Fund Bonds without referendum, and allows  
14. the rate of those bonds to be eight percent. The Board  
15. currently has a limited authority, and in view of the  
16. uncertainty of the situation...we got into Personal  
17. Property Tax...Replacement Tax, and the cash flow to the  
18. schools...This is a necessary bill in order to authorize  
19. and allow the Chicago schools to open in September. I  
20. ask for an Aye vote.

21.  
22.  
23.  
24.  
25.  
26. End of Reel.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President...Mr. President and Ladies and Gentlemen  
5. of the Senate. It's obvious as to what's going on. I really  
6. think that someone on the opposite side of the aisle made kind  
7. of a bad deal. Senate Bill 555 allows the City...the Chicago  
8. School Board to issue thirty-nine million working cash bond  
9. funds without referendum to increase its working cash fund and  
10. as you know, these things eventually have to be paid off, so  
11. every year they keep going into debt just a little bit deeper.  
12. I don't know what the total debt in this particular fund can be  
13. at the present time, but it's been going on now for approximately  
14. six or seven years, each year they have to pay back the working  
15. cash bonds plus the interest and they come back down here and  
16. get a new authorization. I think there's possibly the indication  
17. with the bill that just passed that there is a trade-off on that  
18. too. I would still urge that this side to vote No on this  
19. particular bill. It really doesn't have an awful lot of merit.

20. PRESIDING OFFICER: (SENATOR BRUCE)

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

22. SENATOR BERMAN:

23. Roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall Senate Bill 555 pass. Those in favor  
26. vote Aye. Those opposed vote Nay. The voting is open. Have  
27. all voted who wish? Have all voted who wish? Take the record.  
28. On that question, the Ayes are 27, the Nays are 25, none Voting  
29. Present. Senate Bill 555 will be placed on the Order of Post-  
30. poned Consideration. Senate Bill 157. On the Order of 3rd  
31. reading. Read the bill, Mr. Secretary, please.

32. SECRETARY:

33. Senate...Senate Bill 157.

1. (Secretary reads title of bill)  
2. 3rd reading of the bill.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Senator Carroll.  
5. SENATOR CARROLL:  
6. Why, thank you, Mr. President and Ladies and Gentlemen  
7. of the Senate. Senate Bill 157 is the appropriation and operating  
8. expenses for various of the boards and commissions. This, as now  
9. encompassed, is one million four hundred thirty-six thousand  
10. three hundred and sixty-one dollars. This is the, basically,  
11. what we consider the Omnibus Commission bill. I'd be happy  
12. to go through all the commissions, if anyone so saw fit and I  
13. would ask for a favorable roll call.  
14. PRESIDING OFFICER: (SENATOR BRUCE)  
15. Is there further discussion? Senator Berman.  
16. SENATOR BERMAN:  
17. Not on this bill.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Senator Berman. Oh, I'm sorry. Is there further discussion?  
20. The question is, shall Senate Bill 157 pass. Those in favor vote  
21. Aye. Those opposed vote Nay. The voting is open.  
22. PRESIDING OFFICER: (SENATOR SAVICKAS)  
23. Have all voted who wish? Have all voted who wish? Take  
24. the record. On that question, the Ayes are 36, the Nays are 8,  
25. none Voting Present. Senate Bill 157 having received the  
26. constitutional majority is declared passed. For what purpose  
27. does Senator Nimrod arise?  
28. SENATOR NIMROD:  
29. Mr. President, in compliance with the request of Senator  
30. Carroll, I have reduced my motion to writing pursuant to  
31. Rule 31C and ask to have action taken on it immediately.  
32. PRESIDING OFFICER: (SENATOR SAVICKAS)  
33. State your point. Senator Lemke.

1. SENATOR LEMKE:
2. We're on 3rd reading. We're not on motions.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. The point well taken. Senator Berman, for what purpose do
5. you arise? For what purpose does Senator Lemke arise?
6. SENATOR LEMKE:
7. I want to rerefer some bills back to committee. I want
8. to refer 121, 190, 326, 327, 439, 525, 527, 996...1018 to Labor.
9. I want to...
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator, you're out of order. Those are motions and those
12. are out of order at this point. We're on...we're on the next
13. order of business, which is Consideration Postponed. This...for
14. what reason does Senator Bowers arise?
15. SENATOR BOWERS:
16. Parliamentary inquiry.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. State your point.
19. SENATOR BOWERS:
20. Under Rule 31 it says every motion except to adjourn...or
21. recess or postpone further consideration shall be in writing and
22. shall have action taken on it immediately. I would...I would ask
23. that the Senator's request be granted.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Well, you can appeal my ruling, but the ruling stands. For
26. what purpose does Senator Donnewald arise?
27. SENATOR DONNEWALD:
28. Well, if that...if they persist in that motion, I'm going
29. to move to adjourn.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Donnewald moves to adjourn. The State Senate stands
32. adjourned.
- 33.