

81st General Assembly

Regular Session

June 28, 1979

1. PRESIDENT:

2. The hour of eleven having arrived, the Senate will please come
3. to order. Will our guests in the Gallery please rise? Our
4. prayer this morning by the Reverend George Matranga, Our Saviour's
5. Lutheran Church, Springfield, Illinois. Reverend.

6. REVEREND GEORGE MATRANGA:

7. (Prayer given by Reverend Matranga). *

8. PRESIDENT:

9. Thank you, Reverend. Reading of the Journal.

10. SECRETARY:

11. Friday, June the 22nd, 1979.

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. Good morning, Mr. President. I move that the Journal just read
16. by the Secretary be approved unless some Senator has additions or
17. corrections to offer.

18. PRESIDENT:

19. You have heard the motion. All in favor signify by saying
20. Aye. All opposed. The Ayes have it. The motion carries. So ordered.
21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, I move that reading and approval of the Journals
24. of Saturday, June the 23rd, Sunday, June the 24th, Monday, June the
25. 25th, Tuesday, June the 26th and Wednesday, June the 27th in the
26. year 1979 be postponed pending arrival of the printed Journal.

27. PRESIDENT:

28. You have heard the motion. All in favor signify by saying Aye.
29. All opposed. The Ayes have it. The motion carries. So ordered.
30. Messages from the House.

31. SECRETARY:

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

33. Mr. President - I am directed to inform the Senate the
House of Representatives has concurred with the Senate in the passage

1. of the following bills together with the request for concurrence in
2. House Amendments: 93, with House Amendments 4 and 5, Senate Bill 101,
3. with House Amendments 1 and 6, Senate Bill 222, with House Amendment 1,
4. Senate Bill 244, with House Amendment 6, Senate Bill 278, with
5. House Amendment 1 and 2, Senate Bill 495, with House Amendment 1,
6. Senate Bill 622, with House Amendments 1, 2, 3 and 4, Senate Bill
7. 971, with House Amendments 1, 2 and 3, Senate Bill 1072, with House
8. Amendments 1 and 2, Senate Bill 1104, with House Amendments 2 and 3,
9. Senate Bill 1331 with House Amendment 1, Senate Bill 1342, with House
10. Amendment 1.

11. PRESIDENT:

12. Secretary's Desk Concurrence.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate that the
16. House of Representatives has refused concur with the Senate in the
17. adoption of their amendments to the following House Bills: House
18. Bill 79, with Senate Amendment No. 1, House Bill 666, with Senate
19. Amendment No. 1, House Bill 828, with Senate Amendment No. 1,
20. House Bill 905, with Senate Amendments 2 and 3, House Bill 1325,
21. with Senate Amendment No. 1, House Bill 1686, with Senate Amendment
22. No. 1, House Bill 1790, with Senate Amendment No. 1, House Bill
23. 1939, with Senate Amendment No. 1, House Bill 2305, with Senate
24. Amendment No. 1, House Bill 2308, with House...Senate Amendments 1
25. and 2, House Bill 2184, with Senate Amendment No. 2.

26. PRESIDENT:

27. Secretary's Desk Non-Concurrence. All right, if I can have the
28. attention of the membership, there are pending some fifteen Messages
29. from the House with respect to Senate Bills where the House has refused
30. to recede from their amendment and they are asking us to accede
31. to their request for Conference Committee. If any of these members
32. are on the Floor, I would appreciate it if we could accede to that
33. request. We can then begin the flow of paper work to get the Conference

1. Committee actually moving. Senators Merlo, Martin, Vadalabene,
2. Rupp, Egan, Egan, Berman, Berman, Schaffer, Bloom, Regner, Mitchler,
3. Egan, Daley, Bloom. Messages from the House. Senate Bill 7.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate the House
7. of Representatives has refused to recede from their Amendment No. 2
8. to Senate Bill 7, request a Conference Committee and the Speaker
9. has appointed the members on the part of the House. Senator Merlo's
10. bill.

11. PRESIDENT:

12. Senator Merlo.

13. SENATOR MERLO:

14. Thank you, Mr. President. I...I request a Conference Committee.

15. PRESIDENT:

16. All right. The question is shall the Senate accede to the
17. request of the House that a Conference Committee be appointed. All
18. in favor signify by saying Aye. All opposed. The Ayes have it.
19. The motion carries and the Senate accedes to the request of the
20. House to appoint a Conference Committee. Is Senator Martin on the
21. Floor? All right. Message from the House with respect to Senate Bill
22. 505.

23. SECRETARY:

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

25. Mr. President - I am directed to inform the Senate the House
26. of Representatives has refused to recede from Amendment No. 2 to
27. Senate Bill...House Amendment No. 2 to Senate Bill 505 and requests
28. a Conference Committee and the Speaker has appointed the members on
29. the part of the House.

30. PRESIDENT:

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Yes, I request for a Conference Committee on...I...

1. PRESIDENT:

2. Senator Vadalabene, the question is shall the...Senator
3. Vadalabene moves to accede to the request of the House and the
4. question is shall the Senate accede to the House that a Conference
5. Committee be appointed. All in favor signify by saying Aye. All
6. opposed. The Ayes have it. The motion carries and the Senate does
7. accede to the request of the House to appoint a Conference Committee.
8. Message from the House with respect to Senate Bill 758. Mr. Secretary.

9. SECRETARY:

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

11. The House refuses to recede from Amendment No. 1 to Senate
12. Bill 758 and asks a...for a first conference and the Speaker has
13. appointed the members on the part of the House.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rupp.

16. SENATOR RUPP:

17. Thank you, Mr. President. I move to accede to the request to
18. the House on Senate Bill 758.

19. PRESIDENT:

20. Senator Rupp has moved to accede to the request of the House.
21. The question is shall the Senate accede to the request of the House
22. that a Conference Committee be appointed. All in favor signify by
23. saying Aye. All opposed. The Ayes have it. The motion carries and
24. the Senate does accede to the request of the House. Senator Egan, are
25. you ready on 807 and 811? Message from the House on Senate Bill 807,
26. Mr. Secretary.

27. SECRETARY:

28. The House refuses to recede from Amendment No. 1 to Senate Bill
29. 807 and requests a first conference and the Speaker has appointed the
30. members on the part of the House.

31. PRESIDENT:

32. Senator Egan.

33. SENATOR EGAN:

1. Yes, I move for a Conference Committee.

2. PRESIDENT:

3. All right. Senator Egan moves to accede to the request for
4. a Conference Committee. The question is shall the Senate accede
5. to the request of the House that a Conference Committee be appointed.
6. All in favor signify by saying Aye. All opposed. The Ayes have it
7. The motion carries and the Senate does accede to that request.
8. Message from the House with respect to Senate Bill 811, Mr. Secretary.

9. SECRETARY:

10. The House refuses to recede from House Amendment No. 1 to
11. Senate Bill 811, requests a first conference and the Speaker has
12. appointed the members on the part of the House.

13. PRESIDENT:

14. Senator Egan.

15. SENATOR EGAN:

16. Yes, Mr. President. I accede to the request for a Conference
17. Committee.

18. PRESIDENT:

19. Senator Egan has moved to accede to the request for a Conference
20. Committee so the question is shall the Senate accede to that request.
21. All in favor signify by saying Aye. All opposed. The Ayes have it.
22. The motion carries and the Senate accedes to the request of the House
23. to appoint a Conference Committee. Senator Berman on the Floor?
24. Senator Schaffer on the Floor? 955. Message from the House with
25. respect to Senator Bill 955, Mr. Secretary.

26. SECRETARY:

27. The House refuses to recede from Amendments 1...their...House
28. Amendments 1 and 2 to Senate Bill 955 and request a first conference
29. and the Speaker has appointed the members on the part of the House.

30. PRESIDENT:

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. I make the appropriate motion to get...

1. PRESIDENT:

2. Senator Schaffer moves to accede to the request for a Conference
3. Committee. The question is shall the Senate accede to the request
4. of the House that a Conference Committee be appointed. All in favor
5. signify by saying Aye. All opposed. The Ayes have it. The motion
6. carries and the Senate does accede to the request to appoint a Con-
7. ference Committee. Message from the House with respect to Senate
8. Bill 1099, Mr. Secretary.

9. SECRETARY:

10. The House refuses to recede from House Amendment 1 to 1099,
11. requests the first conference and the Speaker has appointed the
12. members on the part of the House.

13. PRESIDENT:

14. Senator Bloom.

15. SENATOR BLOOM:

16. Could we pass this presently and go to the other bill?

17. PRESIDENT:

18. Yes, Message from the House with respect to Senate Bill 1350.
19. Message from the House, Mr. Secretary.

20. SECRETARY:

21. The House refuses to recede from...House Amendment No. 1 to
22. Senate Bill 1350, requests the first conference and the Speaker has
23. appointed the members on the part of the House.

24. PRESIDENT:

25. Senator Bloom.

26. SENATOR BLOOM:

27. I would move we accede to their request and have a Conference
28. Committee.

29. PRESIDENT:

30. Senator Bloom has moved to accede to the request of the House.
31. The question is shall the Senate accede to the request of the House
32. that a Conference Committee be appointed. All in favor signify by
33. saying Aye. All opposed. The Ayes have it. The motion carries and

1. the Senate does accede to the request of the House. Senator Regner
2. on 1114. Message from the House with respect to Senate Bill 1114.
3. Mr. Secretary.

4. SECRETARY:

5. The House refuses to...to recede from House Amendments 1, 2 and
6. 3 to Senate Bill 1114, requests the first conference and the Speaker
7. has appointed the members on the part of the House.

8. PRESIDENT:

9. Senator Regner.

10. SENATOR REGNER:

11. Mr. President, I know the stupid position the House has taken
12. regarding the amendments on this bill and I would now move to Table
13. Senate Bill 1114.

14. PRESIDENT:

15. Senator Regner has moved to Table Senate Bill 1114. All in favor
16. signify by saying Aye. All opposed. The Ayes have it. Senate Bill
17. 1114 is Tabled. Senator Mitchler on 1117. Message from the House
18. with respect to Senate Bill 1117, Mr. Secretary.

19. SECRETARY:

20. The House refuses to recede from their Amendments 1 and 4 to
21. Senate Bill 1117, request a first conference and the Speaker has
22. appointed the members on the part of the House.

23. PRESIDENT:

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Mr. President, members of the Senate, I accede to the House
27. request for a Conference Committee, First Committee on Conference.

28. PRESIDENT:

29. Senator Mitchler has moved to accede to the request of the
30. House. The question is shall the Senate accede to the request of
31. the House that a Conference Committee be appointed. All in favor
32. signify by saying Aye. All opposed Nay. The motion carries and
33. the Senate does accede to the request of the House to appoint a

1. Conference Committee. Senator Demuzio, for what purpose do you
2. rise?

3. SENATOR DEMUZIO:

4. Thank you, Mr. President. Visiting with us today in the Gallery
5. behind me is the Branch of the NAACP from Jacksonville with R. P.
6. Rattler and Ossie Bonds. I'd like to have them rise and be recognized
7. by the Senate.

8. PRESIDENT:

9. Will our guests in the Gallery please rise and be recognized.
10. Message from the House on Senate Bill 1125.

11. SECRETARY:

12. The House refuses to recede from Amendments 1 and 3 from 1125,
13. requests the first conference and the Speaker has appointed the
14. members on the part of the House.

15. PRESIDENT:

16. Senator Egan moves to accede to the request of the House for
17. a Conference Committee. The question is shall the Senate accede to
18. the request of the House that a Conference Committee be appointed.
19. All in favor signify by saying Aye. All opposed. The Ayes have it.
20. The motion carries and the Senate does accede to the request of the
21. House. Senator Grotberg on 185. Message from the House with
22. respect to Senate Bill 185, Mr. Secretary.

23. SECRETARY:

24. The House refuses to recede from their...House Amendment 1 to
25. Senate Bill 185, request a first conference and the Speaker has
26. appointed the members on the part of the House.

27. PRESIDENT:

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. Yes, I move we accede to the wishes of the House and a Conference
31. Committee be named.

32. PRESIDENT:

33. Question is shall the Senate accede to the request of the

1. House that a Conference Committee be appointed. All in favor signify
2. by saying Aye. All opposed. The motion carries and the Senate
3. does accede to the request of the House to appoint a Conference
4. Committee. Senator D'Arco on 528. Message from the House with
5. respect to Senate Bill 528.

6. SECRETARY:

7. The House refuses to recede from their...House Amendment No. 1
8. to Senate Bill 528, request the first conference. Speaker has
9. appointed the members on the part of the House.

10. PRESIDENT:

11. Senator D'Arco moves to accede to the request of the House
12. for a Conference Committee. The question is shall the Senate accede
13. to the request of the House that a Conference Committee be appointed.
14. All in favor signify by saying Aye. All opposed Nay. The motion
15. carries and the Senate accedes to the request to appoint a Conference
16. Committee. Senator Regner on 1325. Message from the House with
17. respect to Senate Bill 1325.

18. SECRETARY:

19. The House refuses to recede from House Amendment No. 1 to Senate
20. Bill 1325, requests a first conference. Speaker has appointed the
21. members on the part of the House.

22. PRESIDENT:

23. Senator Regner.

24. SENATOR REGNER:

25. I move that we do concur with the action of the House and that
26. a Conference Committee be appointed.

27. PRESIDENT:

28. The question is shall the Senate accede to the request of the
29. House that a Conference Committee be appointed. All in favor signify
30. by saying Aye. All opposed. The Ayes have it. The motion carries
31. and the Senate does accede to the request of the House to appoint a
32. Conference Committee. Resolutions.

33. SECRETARY:

1. Senate Resolution 249, offered by Senator Shapiro, Weaver,
2. Philip and all Republican Senators. It's congratulatory. Senate
3. Resolution 250, offered by Senator Weaver and Geo-Karis. It's
4. congratulatory. Senate Resolution 251, offered by Senators DeAngelis
5. and Sangmeister. It's congratulatory. Senate Resolution 252,
6. offered by Senators Mitchler and Vadalabene and all Senators and
7. it's congratulatory. Senate Resolution 253, offered by Senators
8. Rock, Donnewald, Savickas, Bruce and Hall and Johns and all members
9. and it's congratulatory and Senate Resolution 254, offered by
10. Senators McLendon, Rock and all Senators and it's a Death Resolution.
11. PRESIDENT:
12. Consent Calendar. Senator Graham, for what purpose do you rise?
13. SENATOR GRAHAM:
14. Mr. President, either I have been up too late or I can't read
15. the Calendar. I have two Messages from the House, one on Senate
16. Bill 97...96 and one on 1088...oh, because 1088...we needed a
17. Conference Committee on that one, Senate Bill 1088.
18. PRESIDENT:
19. ...Those Messages came over too late to get on today's Calendar.
20. I have asked the Secretary to prepare a supplemental Calendar which
21. we will, in the course of time, get to as soon as we get some people.
22. SENATOR GRAHAM:
23. Fine...I just don't want to let them fall through the cracks.
24. PRESIDENT:
25. They will not fall through the cracks.
26. SENATOR GRAHAM:
27. Thank you, Sir.
28. PRESIDENT:
29. Yes, Sir. Message from the House.
30. SECRETARY:
31. Message from the House...Message from the House from Mr. O'Brien,
32. Clerk.
33. Mr. President - I am directed to inform the Senate the House

1. of Representatives has adopted the following Joint Resolution, the
2. adoption of which I am instructed to ask concurrence of the Senate,
3. to-wit:

4. House Joint Resolution 62, Senator Ozinga is going to be
5. the Senate sponsor.

6. PRESIDENT:

7. Senator Ozinga.

8. SENATOR OZINGA:

9. Mr. President and members of the Senate, this is a Joint
10. Resolution which I would ask for suspension of the rules and
11. have the matter placed on the Calendar for immediate consideration.

12. PRESIDENT:

13. Senator Ozinga moves to have House Joint Resolution 62 placed
14. on the Secretary's Desk on the Order of Resolutions. Is leave
15. granted? Leave is granted. So ordered.

16. PRESIDENT:

17. ...Senator Washington, for what purpose do you rise?

18. SENATOR WASHINGTON:

19. Mr. President, I rise on a point of personal privilege.

20. PRESIDENT:

21. State your point, Sir.

22. SENATOR WASHINGTON:

23. In the Gallery to the...to my rear, Mr. President and members of
24. the Senate, are a delegation of the Coalition of Black Trade Unities
25. with their leader, President Charlie Hayes from the Chicago Chapter.
26. I wonder if the Senate would give them a rousing applause.

27. PRESIDENT:

28. Will our guests please stand and be recognized? Senator Regner,
29. for what purpose do you rise?

30. SENATOR REGNER:

31. Mr. President, a little while ago I made a motion to Table Senate
32. Bill 1114 after the House had asked for a...that a Conference Committee
33. reported...be appointed. I understand we have a problem so now I'd

1. like to move to reconsider the vote by which Senate Bill 1114 was
2. Tabled.

3. PRESIDENT:

4. All right. Senator Regner has moved to reconsider the vote
5. by which Senate...Senate Bill 1114 was Tabled. All in favor signify
6. by saying Aye. All opposed. The Ayes have it. The vote is now
7. reconsidered. Mr. Secretary, take that Message out of the record.

8. All right. Message from the House with respect to Senate bill 930.

9. SECRETARY:

10. The House refuses to recede from House Amendment No. 4 to
11. Senate Bill 930, asks for a first conference and the Speaker has
12. appointed the members on the part of the House.

13. PRESIDENT:

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President. I move that we...appoint a Conference
17. Committee on Senate Bill 930.

18. PRESIDENT:

19. All right. Senator Berman has moved to accede to the request
20. of the House. The question is shall the Senate accede to the request
21. of the House that a Conference Committee be appointed. All in favor
22. signify by saying Aye. All opposed. The Ayes have it. The motion
23. carries and the Senate does accede to the request of the House to
24. appoint a Conference Committee. Message from the House with respect
25. to Senate Bill 932, Mr. Secretary.

26. SECRETARY:

27. The House refuses to recede from House Amendment No. 2 to Senate
28. Bill 932 and requests the first conference and the Speaker has appointed
29. the members on the part of the House.

30. PRESIDENT:

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you, Mr. President. I move that we accede to the request of
the House for a Conference Committee on Senate Bill 932.

1. PRESIDENT:

2. Senator Berman has moved to accede to their request. The
3. question is shall the Senate accede to the request of the House
4. that a Conference Committee be appointed. All in favor signify by
5. saying Aye. All opposed. The Ayes have it. The motion carries and
6. the Senate does accede to the request of the House to appoint a
7. Conference Committee. Senator Rupp, is 486 your bill? Would you
8. like to...Senator Shapiro, we have that supplemental appropriation...
9. shall we dispose of that? If I can have the attention of the member-
10. ship. Copies of the Conference Committee Report on Senate Bill 486
11. have been distributed. With leave of the Body, we'll go to that
12. Order of Business. On the Order of Conference Committee Reports,
13. Mr. Secretary.

14. SECRETARY:

15. First Conference Committee Report on Senate Bill 486, Senator
16. Rupp is the Senate sponsor.

17. PRESIDENT:

18. Senator Rupp.

19. SENATOR RUPP:

20. Thank you, Mr. President. I move that we accept the Conference
21. Committee Report. What it was is the report eliminated the hundred
22. and seventy-five thousand dollars for the Klinsberg Schools in Lake
23. County. That was Amendment No. 4. That was eliminated, and to
24. retain the sixteen hundred dollar supplemental for the printing of
25. the Department of Equal Employment Opportunity, Amendment No. 5, and
26. to reduce the amount appropriated to the Department of Mental Health
27. for Tinley Park improvements from a hundred thousand to sixty-nine
28. thousand. That was Amendment 6. I ask that we accept the Conference
29. Committee Report.

30. PRESIDENT:

31. Any discussion? Senator Carroll.

32. SENATOR CARROLL:

33. Thank you, Mr. President and Ladies and Gentlemen of the Senate.

1. I rise in support of the adoption of the Conference Committee Report.
2. It also agrees with our...with the House action in adding the two
3. million...the two billion one hundred sixty-one million...the FY '79
4. funds for the Department of Mental Health were added by the House...
5. the supplemental that we had cut short, the House added the money
6. and we have agreed with that addition. As to the Klingberg School
7. in which there is quite a bit of interest, I have been supportive
8. of the School. I think they have a case to make against the State.
9. However, I don't think we should get into the business of doing that
10. which we have created statutory agencies to do. I talked to Dr.
11. DeVito this morning and he is in agreement that this should be
12. handled by the Rate Review Commission which is meeting in July.
13. I understand from Senator Berning that a claim had been filed
14. with the Court of Claims. They have yet to act. We have set up
15. both of those agencies to deal with this type of activity. I would
16. hope that we not get in the business of then having every school or
17. anyone else who we have mandated a program to coming to us first
18. to come up with legislation to pay them when we have created either
19. the Court of Claims if appropriate or Rate Review if appropriate to
20. deal with the issue before we have to get into it and I would urge
21. adoption of Conference Committee Report No. 1.

22. PRESIDENT:

23. Further discussion? If not, the question is shall the Senate
24. adopt the Conference Committee Report on Senate Bill...I beg your
25. pardon. Senator Berning.

26. SENATOR BERNING:

27. Thank you, Mr. President. I realize it isn't going to do one
28. iota of good for me to remonstrate with this board...this Senate,
29. but I want the members to know once more that the Klingberg Schools
30. has been grossly discriminated against as Senator Carroll rightly
31. reported to you. There has been a suit pending in the Court of Claims
32. for over two years seeking adjustment in their rates. Our appropriation
33. bill here was for a hundred seventy thousand dollars for only

1. the cost incurred for the night provision of personnel and security
2. equipment for this particular year, starting September through June
3. of this year. There is no way that that can become an item in the
4. Court of Claims. To say that we will defer any action until July and
5. let the Rate Review Board consider it then simply means that another
6. year of unfunding will have gone by and we, Ladies and Gentlemen of the
7. Senate, who have the responsibility and the authority...we have the
8. prerogative of meeting the obligations that we have mandated through
9. our various State departments and then have failed to pay for. We
10. here, as the Legislature, have that authority and responsibility in
11. my opinion and I respectfully request the members of the Senate to
12. refuse to concur in the Conference Committee Report on Senate Bill
13. 486 and insist that Amendment No. 4 remain in there.

14. PRESIDENT:

15. Further discussion? Question is shall the Senate adopt the
16. Conference Committee Report on Senate Bill 486. Those in favor will
17. vote Aye. Those opposed will vote Nay. The voting is open. Have
18. all voted who wish? Have all voted who wish? Take the record. On
19. that question the Ayes are 38. The Nays are 11. 1 Voting Present.
20. The Senate does adopt the Conference Committee Report on Senate Bill
21. 486 and the bill, having received the required constitutional majority,
22. is declared passed. All right. If I can have the attention of the
23. membership, we have a few over a hundred concurrences and non-concur-
24. rences on the Calendar. It seems to me we can get through these rather
25. readily. We did two hundred and some yesterday. We will begin on
26. page 4. The Secretary's Desk on the Order of Concurrence...good.
27. Senate Bill 26, Senator Keats. Senate Bill 34, Senator Keats.
28. Senate 47, Senator Lemke. Yes, Senator Becker.

29. SENATOR BECKER:

30. I just want to say, Mr. President, that Senator Keats will be
31. on the Senate Floor at possibly two this afternoon.

32. PRESIDENT:

33. Oh, fine. We'll get back to that order with leave of the Body.

1. On the Order of Secretary's Desk Concurrence, Senate Bill 50, Senator
2. ...Mr. Secretary.

3. SECRETARY:

4. Senate Bill 50 with House Amendment No. 1.

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, House Amendment No. 1 to Senate Bill 50 eliminates the
9. Mississippi River Parkway Commission's subpoena power and I move
10. to concur with House Amendment No. 1 to Senate Bill 50.

11. PRESIDENT:

12. Is there any discussion? If not, the question is shall the
13. Senate concur...shall the Senate concur with House Amendment No. 1
14. to Senate Bill 50. Those in favor will vote Aye. Those opposed
15. will vote Nay. The voting is open. Have all voted who wish? Have
16. all voted who wish? Take the record. On that question the Ayes
17. are 50. The Nays are none. None Voting Present. The Senate does
18. concur in House Amendment No. 1 to Senate Bill 50 and the bill, having
19. received the required constitutional majority, is declared passed.
20. Senate Bill 88, Senator Knuppel. Senator Knuppel moves to non-concur
21. in House Amendment No. 1 to Senate Bill 88. Is there any discussion?
22. If not, all in favor signify by saying Aye. All opposed. The
23. Ayes have it. The motion carries and the Secretary shall so inform
24. the House. 114, Senator Knuppel. On the Order of Secretary's Desk
25. Concurrence, Senate Bill 114, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 114 with House Amendment No. 1.

28. PRESIDENT:

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Well, the amendments on here...I don't know which one is in
32. which order, but what happened was one of them was that only...that
33. they only purchase where they have experience, bad experience with

AB 133
6-28-79
non-concur

1. snow...snow drifting and the other amendment had to do with the
2. date and the price of the grain that they was going to purchase so
3. neither of them were significant. I move we concur with Amendment
4. No. 1 and Amendment No. 2.

5. PRESIDENT:

6. There is only one.

7. SENATOR KNUPPEL:

8. I thought there was another one...okay, Amendment No. 1. Okay.

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall the
11. Senate concur in House Amendment No. 1 to Senate Bill 114. Those
12. in favor will vote Aye. Those opposed will vote Nay. The voting is
13. open. Have all voted who wish? Have all voted who wish? Take the
14. record. On that question the Ayes are 49. The Nays are none. None
15. Voting Present. The Senate does concur in House Amendment No. 1 to
16. Senate Bill 49 and the bill, having received the required constitutional
17. majority, is declared passed. 133, Senator Nimrod. On the Order of
18. Secretary's Desk Concurrence is Senate Bill 133, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 133 with House Amendments Nos. 1, 2, 4, and 6.

21. PRESIDENT:

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Thank you, Mr. President. I would move that we concur with
25. House Amendments No. 1, 2 and 4 and not concur in House Amendment
26. No. 6.

27. PRESIDENT:

28. Is there any discussion? Senator Nimrod.

29. SENATOR NIMROD:

30. Yeah...what's happened here is that Amendment No. 6 which, in
31. fact, replaces Amendment...House Amendment No. 3 has caused some
32. problems and we presently have both the House staff and the Senate
33. staff and the Department of Mental Health trying to work out a solution

SB 154
6/28/79

1. to that Amendment No. 6 which, in fact, is in conflict with the
2. present Mental Health Code in one particular section. So, we
3. can concur in the others which are fine, but No. 6 does have a
4. problem and I would ask that we not concur in that.

5. PRESIDENT:

6. Further discussion? Senator Bowers.

7. SENATOR BOWERS:

8. Well, it just seems to me some of us are having a little
9. trouble on those other amendments. It just seems to me since it's
10. going to go to a Conference Committee anyway, why don't we just
11. plain non-concur in all of them and put it in a Conference Committee.

12. PRESIDENT:

13. All right, Senator Nimrod. Senator Nimrod moves to non-concur
14. with House Amendments 1, 2, 4 and 6 to Senate Bill 133. All those
15. in favor signify by saying Aye. All opposed. The Ayes have it. The
16. motion carries and the Secretary shall so inform the House. 154,
17. Senator Martin. On the Order of Secretary's Desk Concurrence is
18. Senate Bill 154, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 154, with House Amendment No. 1.

21. PRESIDENT:

22. Senator Martin.

23. SENATOR MARTIN:

24. Yes, House Amendment No. 1 changes the word accuse to charge
25. and clarifies one other small section and I would move we would
26. concur.

27. SECRETARY:

28. Just...just a second, Senator. The...the outside is not coop-
29. erating with the inside. It's Senate Amendments...or House Amendments
30. 3 and 4.

31. SENATOR MARTIN:

32. That...my description was of Amendment No. 3 and it's marked
33. that way. When you said 1 I just changed it. I'd move we concur

1. with that. Amendment 4 clarifies the escrow account and I would
2. move we would also concur with both amendments.

3. PRESIDENT:

4. All right. Senator Martin has moved to concur with House
5. Amendments 3 and 4 to Senate Bill 154. Is there any discussion?
6. Senator Bruce.

7. SENATOR BRUCE:

8. We're back on the question of the crime victim's compensation
9. and the...the amount of attorney's fees and I'm...no? Okay. Well,
10. someone tell me about Amendment No. 4, attorney's fees and it says
11. that he shall pay out...the State Treasurer shall pay out legal
12. fees based upon a court of...competent jurisdiction saying that they
13. are reasonable. I'm still wondering about...does this, Senator
14. Berman, still require an appearance? All right. Well, he's going
15. to answer it.

16. PRESIDENT:

17. Senator Berman.

18. SENATOR BERMAN:

19. This has nothing to do with the Crime Victims Compensation Act.
20. This is the...what do we call it...the Crime Victim's Escrow Account
21. Act. I mean there is a distinct difference. I'm just kidding. This
22. is the Act that's set up for the guy that's committed a heinous crime...
23. he's going to write a book, make a million bucks and this bill puts
24. that money into an escrow. This doesn't deal with the Crime Victim's
25. Act. This is the guy that writes the book that would put the money in
26. and this is regarding the...the fees for his lawyer from the proceeds
27. of the book. Am I right, Senator Martin?

28. PRESIDENT:

29. Indicates you are correct. All right. The question is shall
30. the Senate concur with House Amendments 3 and 4 to Senate Bill 154.
31. Those in favor will vote Aye. Those opposed will vote Nay. The voting
32. is open. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question the Ayes are 52. The Nays are none. None

1. Voting Present. Senate does concur in House Amendments 3 and 4 to
2. Senate Bill 154 and the bill, having received the required constitution-
3. al majority, is declared passed. 257, Senator Knuppel. Senator
4. Knuppel has moved to non-concur in House Amendment No. 1 to Senate
5. Bill 257. Is there any discussion? If not, all those in favor
6. signify by saying Aye. All opposed. The Ayes have it. The motion
7. carries and the Secretary shall so inform the House. 263, Senator
8. Maragos. 362, Senator Davidson. 375, Senator Schaffer. On the
9. Order of Secretary's Desk Concurrence is Senate Bill 375, Mr.
10. Secretary.

11. SECRETARY:

12. Senate Bill 375 with House Amendments 1, 4 and 6 has been marked
13. out. 1 and 4.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. President, I move to non-concur in both amendments so that
18. we can continue our search for truth, justice and responsible legis-
19. lation.

20. PRESIDENT:

21. Senator Schaffer moves to non-concur in House Amendments 1 and 4
22. to Senate Bill 375. Is there any discussion? If not, all in favor
23. signify by saying Aye. All opposed. The Ayes have it. The motion
24. carries and the Secretary shall so inform the House. 383, Senator
25. Bruce. On the Order of Secretary's Desk Concurrence is Senate Bill
26. 383. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 383 with House Amendment No. 3.

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. Thank you, Mr. President and members of the Senate. House Bill
33. 383 left this Body a million two hundred thousand dollars below the

1. Governor's allocation. The House has restored a cut of five hundred
2. thousand dollars in disadvantaged student grants. It is a reasonable
3. restoration. It will allow them to continue the programs, particularly
4. in the City of Chicago. I would ask for a...for concurrence in the...
5. House Amendment NO. 3 to Senate Bill 383.

6. PRESIDENT:

7. Senator Bruce has moved concurrence in House Amendment No. 3
8. to Senate Bill 383. Is there any discussion? Senator Sommer.

9. SENATOR SOMMER:

10. Mr. President, members, this is fine.

11. PRESIDENT:

12. The question is shall the Senate concur in House Amendment No. 3
13. to Senate Bill 383. Those in...those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Take the record. On that question the Ayes
16. are 51. The Nays are 1. None Voting Present. The Senate does concur
17. in House Amendment No. 3 to Senate Bill 383 and the bill, having re-
18. ceived the required constitutional majority, is declared passed.
19. All right. Senator Maragos was off the Floor. Senate Bill 263,
20. On the Order of Secretary's Desk Concurrence. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 263, with House Amendment No. 1.

23. PRESIDENT:

24. Senator Maragos.

25. SENATOR MARAGOS:

26. Mr. President and members of the Senate, I move to non-concur
27. to House Amendment No. 1 because that is now in the same shape as
28. the bill we defeated last night and I ask we non-concur.

29. PRESIDENT:

30. Senator Maragos has moved to non-concur in House Amendment No. 1
31. to Senate Bill 263. Is there any discussion? If not, all in favor
32. signify by saying Aye. All opposed. The Ayes have it. The motion
33. carries and the Secretary shall so inform the House., 484, Senator

1. Coffey. On the Order of Secretary's Desk Concurrence is Senate
2. Bill 484.
3. SECRETARY:
4. Senate Bill 484 with House Amendments 2, 3, 4, 5, 7 and 8.
5. PRESIDENT:
6. Senator Coffey.
7. SENATOR COFFEY:
8. Mr. President, I would like to split this question. I want to
9. concur with all the amendments, but I think there's three non-con-
10. troversial that I'd like to concur with first and that being 3, 5
11. and 7.
12. PRESIDENT:
13. Yes, Senator Sommer.
14. SENATOR SOMMER:
15. Could we remove this from the record and come back to it in a
16. minute.
17. PRESIDENT:
18. Take it out of the record. 487, Senator Grotberg. On the Order
19. of Secretary's Desk Concurrence is Senate Bill 487. Mr. Secretary.
20. SECRETARY:
21. Senate Bill 487, with House Amendments 1, 2, 3, 4, 5, 6 and 8.
22. PRESIDENT:
23. Senator Grotberg.
24. SENATOR GROTBORG:
25. Yes, on...as regards Senate Bill 487, we...would concur with all
26. but Amendment No. 4 and we'll non-concur in that so it's Amendment
27. 3, 5, and 6. I move to concur. Okay. Forgive me, Mr. President.
28. Awaiting instructions.
29. PRESIDENT:
30. All right. Take it out of the record. 488, Senator Ozinga.
31. On the Order of the Secretary's Desk Concurrence is Senate Bill 488.
32. Mr. Secretary.
33. SECRETARY:

1. Senate Bill 488 with House Amendment No. 1.

2. PRESIDENT:

3. Senator Ozinga.

4. SENATOR OZINGA:

5. Mr. President and members of the Senate, I would move to
6. concur with this slight reduction made by the House. I've heard
7. nothing from the Department so I would imagine that they are in
8. agreement with it...move to concur.

9. PRESIDENT:

10. Senator Carroll. Senator Carroll, please.

11. SENATOR CARROLL:

12. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
13. I echo the comments of Senator Ozinga and would urge concurrence
14. in the Conference...in the...

15. PRESIDENT:

16. Question is shall the Senate concur in House Amendment No. 1
17. to Senate Bill 488. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish? Have
19. all voted who wish? Take the record. On that question the Ayes are
20. 49. The Nays are none. None Voting Present. The Senate does
21. concur with House Amendment No. 1 to Senate Bill 488 and the bill,
22. having received the required constitutional majority, is declared
23. passed. 490, Senator Nimrod. 494, Senator Davidson. 509, Senator
24. Demuzio. On the Order of Secretary's Desk Concurrence is Senate
25. Bill 509, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 509 with House Amendments 1 and 2.

28. PRESIDENT:

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. Yeah, thank you, Mr. President. Senate Bill 509 was originally
32. designed to take care of a problem that Senate Bloom and I had in
33. the last Session. What Amendment No. 1 does, it...actually creates

1. a...a historical error that was made in the last Session by deleting
2. the penalty provision of the Consumer Loan Finance Act. The
3. Amendment 1 creates a new penalty section which is a duplicate of the
4. Federal penalties for disclosure violations and Amendment No. 2 is
5. a technical amendment. It merely insures that a violation of disclo-
6. sures of...of the loan objectors allows the consumer the right to
7. seek recovery through the State courts and I would move to concur in
8. both Amendments 1 and...House Amendments 1 and 2 to 509.

9. PRESIDENT:

10. Senator Demuzio has moved concurrence with House Amendments 1
11. and 2 to Senate Bill 509. Is there any discussion? Senator Bloom.

12. SENATOR BLOOM:

13. Yes, I agree with the comments made by the previous speaker.
14. This is all right.

15. PRESIDENT:

16. Any further discussion? If not, the question is shall the
17. Senate concur with House Amendments 1 and 2 to Senate Bill 509.
18. Those in favor will vote Aye. Those opposed will vote Nay. The
19. voting is open. Have all voted who wish? Have all voted who wish?
20. Take the record. On that question the Ayes are 50. The Nays are
21. none. None Voting Present. The Senate does concur with House Amend-
22. ments 1 and 2 to Senate Bill 509 and the bill, having received the
23. required constitutional majority is declared passed. 533, Senator
24. Knuppel. Senator Knuppel moves to non-concur in House Amendment No.
25. 1 to Senate Bill 533. Is there any discussion? All those in favor
26. signify by saying Aye. All opposed. The Ayes have it. The motion
27. carries and the Secretary shall so inform the House. 542, Senator
28. Regner. On the Order of Secretary's Desk Concurrence is Senate Bill
29. 542. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 542, with House Amendments 1 and 2.

32. PRESIDENT:

33. Senator Regner.

1. SENATOR REGNER:

2. Yes, Mr. President, I'm going to move to concur in House
3. Amendments No. 1 and 2. House Amendment No. 1 adds four million
4. dollars for the Scholarship Commission to provide for the...as was
5. argued the other day...the smart kids that just get merit scholarships.
6. The bill did pass this Senate. We had quite a lot of discussion
7. by various people regarding classes of people and class action and
8. everything else, however, the way I read the bill, as it was sent
9. out of the Senate, if we do not appropriate this money, those monies
10. will come from the other line item and there will be a shortage in
11. the other part of the Scholarship Fund. Amendment No. 2 is simply
12. a further break-out of various line items and we move that we concur.

13. PRESIDENT:

14. All right. Senator Regner has moved concurrence with House
15. Amendments 1 and 2 to Senate Bill 542. Any discussion? Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
18. We agree in part and disagree in part with the motion made by Senator
19. Regner. He has...we agree with Amendment No. 2. That is no real
20. problem. There's no change in the amount. Amendment No. 1 as Senator
21. Shapiro said yesterday, now's our chance to rectify mistakes made on
22. prior occasions. This would provide four million dollars of un-
23. budgeted money...four million more than the Governor wants to spend
24. and it would earmark those monies not for people in need at all and
25. that's what the...in my opinion the Scholarship Commission should be
26. about. I for one would not want to waste taxpayers' money and go over
27. a Governor's request by some four million dollars and I just think it
28. is silly to concur in that kind of spending. I would ask that we non-
29. concur in this four million dollars add-on to the Governor's request
30. for scholarship since it has nothing to do with those who need the
31. money.

32. PRESIDENT:

33. Further discussion? Senator Rhoads.

1. SENATOR RHOADS:

2. Thank you, Mr. President. Well, as to the money being unbudgeted,
3. Obviously during a Session of the General Assembly if the General
4. Assembly takes action on substantive bills which bring about new
5. policies and new programs, obviously such money could not be included
6. in the Governor's Budget as of March 1 prior to the time that the
7. action was taken by the General Assembly. The General Assembly, after
8. all, has the final say. We have passed the substantive bill. We have
9. embarked on this new project and, frankly, the money...the funds
10. for it should be put in. Otherwise, as Senator Regner pointed out,
11. it will be taken out of those needful cases that you argued about the
12. other day. So it makes absolutely no sense to...to take this money
13. out. We ought to support Senator Regner's concurrence motion.

14. PRESIDENT:

15. Further discussion? Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President and members of the Senate. I rise
18. in opposition to the Amendment. Senator Regner, is this...I know it's
19. unbudgeted, but have you gotten approval of the Governor to add this
20. four million? Is this one of those little sheets you got from Dr.
21. Mandeville?

22. PRESIDENT:

23. Senator Regner.

24. SENATOR REGNER:

25. I haven't seen any letter.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Well, I think that...you know, somewhere along the way the news-
30. papers and the media haven't picked up the fact that between when the
31. Governor introduced his budget and when it has now passed the Senate
32. he alone has asked for the addition of nine hundred and thirty-two
33. million dollars to his proposed budget and as the budget stands now

1. the Senate staff tells me that his requests to increase his own
2. budget exceed 1.3 billion dollars. Now, the budget book was nearly
3. useless, but now we've done the Governor one better by saying look,
4. you can add a billion...a billion three hundred million, but we're
5. going to kick it along with another four hundred million dollars
6. for programs that we couldn't even think of to get into the budget
7. book and they can't even get approval. This is the rich kids'
8. scholarship program...give away the money. It is a program that ought
9. not to be created...the bill passed here...were I think some ob-
10. jection then now here comes along the money. The cat is out of the
11. bag. Senator Regner, after all everybody denied what this was
12. going to do says if we don't add this four...additional four million
13. dollars it comes out of the other kids'money. Well, that's what we
14. said all along and everyone denied it and now the truth is out. That's
15. right. If you don't appropriate this additional funding money, it's
16. going to hurt the kids that really need it. I rise in opposition to
17. the motion to concur.

18. PRESIDENT:

19. Further discussion? Senator Sommer.

20.
21. (END OF REEL #1)
22.
23.
24.
25.
26.
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30.
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33.

1. SENATOR SOMMER:

2. Mr. President, and members. I would like to ask the
3. prior speaker to detail where the Governor has asked
4. for a billion dollars more during the Budgetary Process.
5. Detail it Senator Bruce, and you'll find that you've certainly
6. misstated the case.

7. PRESIDENT:

8. Further discussion? Senator Maitland.

9. SENATOR MAITLAND:

10. Well, Mr. President, and Ladies and Gentlemen of the
11. Senate. Senator Bruce we...we told you the other day where
12. this money was that had been placed in the House in the
13. Appropriations bill, the four million dollars was there, so
14. I think the thought and the issue was debated quite extensively
15. the other day. This...this proposal passed out of the House
16. with a lot of enthusiasm, and a lot of support. I believe
17. it was debated very fairly and squarely the other day. The...
18. the Senate acted upon it, gave it its approval, and I think...
19. I think we should support it.

20. PRESIDENT:

21. Further discussion? Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, I just kind of reached a point that I'm a little
24. tired of somebody saying that if you're poor and dumb you're
25. entitled to money, but if you're rich and smart you're not.
26. Now, damn it, I went to school with four dollars in my pocket
27. and the only kind of scholarship I could get was if I got
28. it on academic excellence, and today I sent..I sent a daughter
29. to Vanderbilt University, which is a tough school. I didn't
30. send them back, I earned my way. I sent them back to private
31. universities and I sit here day after day after day to vote
32. money for other people to send their kids to public universities,
33. and the only kind of she could get even those she was one of the
ten top students in her freshmen class at Vanderbilt, was a little

1. token of two hundred dollars a year, just something to kind
2. of give her an honor. Now, I think it's about time, you know,
3. when you breed horses you don't breed the two poorest horses
4. in the pasture, and you don't care what they're damn re-
5. cords are, you want the best horses. America for some reason
6. believes that we're supposed to sponsor and to...and to do
7. this, and I'm in favor of doing it with those kids that are
8. qualified and can carry it, but I'll be damned if you can
9. take everybody from forty percent on up, and I think it's
10. about time we give a little bit back to excellence and to
11. those people who are paying the bill, and I agree with Senator
12. Regner, and I do not agree with Senator Bruce, that just because
13. a kid as some money, if he's really putting out, and some of
14. them are the best performers we have, and they'll be the next
15. Presidents of the United States, most of them cause the poor
16. boy ain't got a change on that score. They're...by God let's
17. educate them, cause they're the people going to be running
18. our country. They're the fellows that are going to be the
19. surgeons and the lawyers, and I think we ought to be giving
20. something for academic excellence.

21. PRESIDENT:

22. Further discussion? Senator Geo-Karis.

23. SENATOR GEO-KARIS:

24. Mr. President, and Ladies and Gentlemen of the Senate.
25. I concur with Senator Knuppel's remarks, cause I know there
26. was a misstatement made that only the rich kids are the ones
27. who have the high grades, and that is absolutely stupid
28. assertion because I can tell you, I've been in touch with
29. a lot of rich kids and they're not half as smart as those
30. who have been underprivileged and have been working and trying to
31. better their plight in live.

32. PRESIDENT:

33. Further discussion? Senator De Angelis.

SENATOR DE ANGELIS:

1. Thank you, Mr. President. I don't want to belittle
2. this point, but I read the editorial commending Senator
3. Bruce this morning in the Sun Times for his class warfare
4. shot, but I would like to indicate that I come from a
5. district that has on the social economic scale put out
6. by the Chicago Tribune, the second most affluent community
7. I also have the three lowest, and I want to tell you, on
8. the letters that I sent out to those students who, in fact,
9. achieved the high scores in the State of Illinois, the school
10. that received the most letters had in it, the three towns
11. that were at the bottom of the socio- economic scale, and
12. I think making the statement that affluency automatically
13. produces intelligence and poverty produces stupidity, should
14. in fact..that dialogue should stop immediately.

15. PRESIDENT:

16. Further discussion? Senator Berning.

17. SENATOR BERNING:

18. Mr. President, and members of the Senate. I has been
19. called to my attention that under the present scholarship
20. program there is at least three million dollars granted to
21. students who can't even maintain a C average. If we can
22. do that for the very, very low, we ought to be able to
23. afford four million for the very, very, high.

24. PRESIDENT:

25. All right, further discussion? For the second time, Senator
26. Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. Not meaning to rise for the
29. second time generally. I think it's necessary in some of these
30. appropriation bills... Doctor Bob has been very good in providing
31. letters to sponsors of programs that the Governor incorporates
32. after his March budget. That's part of that billion three we've
33. been talking about. Doctor Bob and the autopen have not seen fit
to send a letter yet, and I doubt if they will. The Governor not

1. being one to react to editorials to often, only everytime one
2. is printed, I'm sure will react in appropriate way in the
3. Sun Times editorial today that recommends that the veto the substantive
4. legislation. I think as Senator Shapiro said, yesterday we
5. should go along in helping him, and after all we did yesterday
6. pass a new program, Senator Shapiro had prevailed upon enough
7. members to avoid appropriating money for that program. I think
8. now is the time to do it again, and I would urge that we do do
9. that.

10. PRESIDENT:

11. Senator Bruce.

12. SENATOR BRUCE:

13. Well, just so we get the point. No one is saying
14. that rich kids are smarter than poor kids, what we do say
15. and no one has yet disputed it, there is not a testing company
16. in the United States of America that will not tell you there
17. is a positive correlation between income and test scores. It
18. was testified in committee, that's exactly what happens. It
19. doesn't mean you're testing intelligence, it doesn't mean you're
20. testing anything except your ability to pass exams folks, but
21. you give these scholarships based on that, that's the first
22. point. Second point is, that no one is saying that rich
23. kids can't go to school, it just says that we ought to keep
24. our scholarships based on need. Senator Knuppel, I went on
25. that same problem with four dollars, and a lot of the guys
26. in this Body went to college, and didn't have the money to
27. afford it and had to hock everything they could, but this
28. program just says that no matter what your need is you get
29. the scholarship, and somehow it just seems to be unfair when
30. we have limited resources. We had a multi-million dollar
31. program that we could give a scholarship to everybody I'll
32. be the first one to vote for it, but it just seems when we
33. have limited resources we ought to restrict it to the people
who won't get to go to college, unless they get some financial

1. assistance. I don't mean to rankle anybody, it's just a
2. philosophical disagreement.

3. PRESIDENT:

4. Further discussion? Senator De Angelis.

5. SENATOR DE ANGELIS:

6. Mr. President, I hate to arise for the second time, but
7. I think some irresponsible asserations are being made. To make
8. the statement that no testing company has disputed that fact,
9. first of all many tests are taken with absolutely no social-
10. economic data on them at all, and to turn around and say
11. that all testing companies are in full agreement that affluent
12. children produce higher secores is, in fact, erroneour. It's not...
13. you can't even support that statement, Senator Bruce. Well,
14. you show...you've got a list of all the testing companies
15. in the United States that have given tests. The fact that
16. they don't refute it doesn't indicate that...that your premise
17. is correct.

18. PRESIDENT:

19. All right, any further discussion? Senator Regner may
20. close.

21. SENATOR REGNER:

22. Well, anybody that's going to vote on this bill based on
23. what the Sun Times said, you know, it is pretty funny, because
24. you tell tehm two and two is five and they'll believe it especially
25. if you read that article, all they're doing is quoting Senator
26. Bruce, who hasn't been right very much lately. The same as the
27. Sun Times being right when they will not endorse a candidate
28. that doesn't vote for ERA, so just take that, and that's about
29. the rightness of that editorial, and the rightness of Senator
30. Bruce's remarks, and I'd urge a concurrence with this Amendment
31. No. 1 and 2 to Senate Bill 542.

32. PRESIDENT:

33. Question is...question is, shall the Senate concur in
House Amendments 1 and 2 to Senate Bill 542. Those in favor will

1. vote Aye. Those opposed will vote Nay. The voting is
2. open. Have all voted who wish? Have all voted who wish?
3. Take the record. On that question, the Ayes are 36, the
4. Nays are 19. None Voting Present. The Senate does concur
5. on House Amendment 1 and 2 to Senate Bill 542, and the bill
6. having received the required constitutional majority is
7. declared passed. If we could have the attention of the
8. membership, before we proceed, we are honored today to have
9. a special guest, and I will yield to Senator Jack Merlo.

10. SENATOR MERLO:

11. Well, thank you, Mr. President, and members of the Senate.
12. I'm sure that many of you in this Chamber, if you would reflect
13. you would come forth with pleasant memories as we had gone through
14. the aging process, and have taken to radio and television, to
15. listen to the Chicago Cubs, and the White Socks ball games. Today
16. in the Chambers here, we have Bob Elson, and I'm sure that
17. many of you will remember the name of Bob Elson. This Gentlemen
18. has spent forty years of his life broadcasting baseball. Four
19. decades and during that period of time he broadcast over five
20. thousand games, twelve world series, eight no hitters, and
21. six all star games, and only for a brief time, and that was
22. during his absence when he went into the United States Navy
23. did he not broadcast these games. Forty years, and when he
24. left the services, he left as a commander, and has affectionately
25. been called commander ever since, but Bob Elson, at age seventy-
26. five is still on the go. I'm sure that many of you remember
27. him on the show, the century train show, and when he performed
28. of course, at the...what was that hotel Bob? At the Pumproom
29. in the Ambassador East, but I think in my estimation he's
30. highest attainment of course, when he was selected to the Hall
31. of Fame. One of only three baseball casters that were selected
32. to this high honor. Bob has been a neighbor of mine, a family
33. friend for many years, and still, we regard each other as such.
It gives me a great deal of pleasure, and a privilege to present

1. to you, Bob Elson.

2. BOB ELSON:

3. (Remarks by Bob Elson)

4. PRESIDENT:

5. Senator Graham for what purpose do you rise?

6. SENATOR GRAHAM:

7. You know I'm one of the old timers that have listened
8. to Bob Elson for years and years and years, and Senator
9. Donnewald, and I, and Senator John Donnewald joins with me
10. in saying that in all of his years of excellence and there
11. have been many, his most...the peak of his excellence is
12. when he broadcast the Cardinal-Cub games when the Cardinals
13. beat the Cubs, but he's been extremely good all time, and
14. he was excellent then. Bob, congratulations.

15. PRESIDENT:

16. Senator Maragos for what purpose do you rise?

17. SENATOR MARAGOS:

18. Before our guest of honor leaves Mr. President, I would
19. like to ask him if he's going to leave a book on how he plays
20. gin rummy.

21. PRESIDENT:

22. Further discussion? All right, back to the Calendar.
23. On the Order of Secretary's Desk Concurrence, is Senate Bill
24. 546. Put the number up.

25. SECRETARY:

26. Senate Bill 546, with House Amendments 1 and 2.

27. PRESIDENT:

28. All right, if I can have the attention of the membership.
29. WAND TV seeks permission to film in the Senate for the period
30. of one hour. Is leave granted? Leave is granted. Senator
31. Rhoads.

32. SENATOR RHOADS:

33. Thank you, Mr. President, and members of the Senate.
As Senate Bill 546 left the Senate, it contained an appropriation

1. of five hundred and fifty-five thousand, seven hundred
2. dollars, to be used for the payment of election judges
3. as mandated by the 81st General Assembly. The House
4. deleted the money prior to taking action on the substantive
5. bill which was Senate Bill 80, the 7:00p.m. polling hour
6. bill. Senator Nedza's amendment in the Senate was based
7. on a fiscal note...

8. PRESIDENT:

9. Senator Merlo, please.

10. SENATOR RHOADS:

11. Senator Nedza's amendment in the Senate was based on
12. a fiscal note, which was in error. The true amount which will
13. be needed, will be nine hundred and sixty-one thousand. I
14. therefore would be moving to not concur in House Amendment No.
15. 1 and 2, and do concur in House Amendment No. 2.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Well, I thought you were going to non-concur in House
20. Amendments 1 and 2, and then if there's any problem we'll just
21. deal with it in conference committee.

22. PRESIDENT:

23. Senator Rhoads moves to non-concur in House Amendments
24. 1 and 2 to Senate Bill 546. All those in favor signify by
25. saying Aye. All opposed. The Ayes have it. The motion
26. carries, and the Secretary shall so inform the House. 575,
27. Senator Graham. On the Order of Secretary's Desk Concurrence,
28. is Senate Bill 575. Mr. Secretary.

29. SECRETARY:

30. Senate Bill 575, with House Amendments No. 1, 2, and 5.

31. PRESIDENT:

32. Senator Graham.

33. SENATOR GRAHAM:

Mr. President, I've talked with Senator Hall, I've talked

1. with the Big 4, and I would wish to concur in House Amendments
2. to Senate Bill 575, House Amendments 1, 2, and 5.

3. PRESIDENT:

4. Any discussion? Senator Carroll.

5. SENATOR CARROLL:

6. Mr. President...can you hold it for a minute, Senator
7. Buzbee had problems with concurring with these amendments.

8. PRESIDENT:

9. Senator Graham.

10. SENATOR GRAHAM:

11. Do we have to listen to his speeches? Why doesn't he
12. come over and talk to me? I'll wait.

13. PRESIDENT:

14. 576, Senator Sommer. 577, Senator McMillan. On the
15. Order of Secretary's Desk Concurrence, is Senate Bill 577.
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 577, with House Amendments 1, 2, 3, 4, 7, and 9.

19. PRESIDENT:

20. Senator McMillan.

21. SENATOR MCMILLAN:

22. Mr. President, first I would like to move to concur with
23. Amendments No. 3, No. 4, and No. 9 to Senate Bill 577.

24. PRESIDENT:

25. Any discussion? Senator Carroll.

26. SENATOR CARROLL:

27. Mr. President, and Ladies and Gentlemen of the Senate. We
28. would be against concurrence at this time, in 3, and probably
29. in 4, although we agree in concurrence with 9. I understand a
30. letter has been provided on 4, I haven't had a chance to see
31. it yet, and then if we're going to non-concur on the others,
32. why don't we just do that and put it in conference. The rest
33. that you're seeking to concur on is not that big a deal...you know
that we're going to get final passage in the House anyway, so

1. if we could just non-concur.

2. SENATOR MCMILLAN:

3. In...in which ones, I'm sorry Senator.

4. PRESIDENT:

5. All of them.

6. SENATOR CARROLL:

7. Basically all of them, we could concur in nine, but it's not
8. going to matter, they're not going to recede in the House
9. from the others, so we're going to end up in a conference anyway.
10. I don't we just on an oral vote non-concur, and let the House set
11. up the conference.

12. PRESIDENT:

13. Senator McMillan.

14. SENATOR MCMILLAN:

15. If...if you prefer to proceed that way, I'd much rather move to
16. concur and defeat it if you would like because several of these amend-
17. ments are quire sound, and I frankly don't want wish...don't want to
18. move to non-concur. So I would move to concur in all the amendments
19. then, and if you...if you can't accept them, then that'll automatically
20. put it in conference.

21. PRESIDENT:

22. The question is, shall the Senate concur in House Amendments 1,
23. 2, 3, 4, 7, and 9 to Senate Bill 577. Those in favor will vote Aye.
24. Those opposed will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Have all voted who wish? Take the
26. record. On that question, the Ayes are 27, the Nays are 27. The
27. Senate does not concur, in House Amendments 1, 2, 3, 4, 7, and 9 and
28. the Secretary shall so inform the House. 581, Senator De Angelis. 584,
29. Senator Rhoads. 590...584. On the Order of Secretary's Desk Concur-
30. rence is Senate Bill 584. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 584, with House Amendment No. 2.

33. PRESIDENT:

SENATOR RHOADS:

SENATOR RHOADS:

1. Thank you, Mr. President, and members of the Senate.
2. The Senate Appropriations Committee provided for the seven
3. percent solution and the House decided to put some money
4. back in, so I move that the Senate do not concur in the
5. House Amendment.

6. PRESIDENT:

7. Senator Rhoads moves to non-concur with House Amendment
8. No. 2 to Senate Bill 584. All in favor signify by saying Aye.
9. All opposed. The Ayes have it. The motion carries, and the
10. Secretary shall so inform the House. 590, Senator Grotberg.
11. On the Order of Secretary's Desk Concurrence, is Senate Bill
12. 590. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 590, with House Amendments 1 and 2.

15. PRESIDENT:

16. Senator Grotberg.

17. SENATOR GROTEBERG:

18. Thank you, Mr. President. I move to concur in Senate
19. Amendment 1 and 2 to Senate Bill 590, my reason for doing
20. this is that I may recall the urgency with which Amendment
21. No. 1 was approached to me in the House as money for Gateway
22. Drug Center, in the amount of a hundred and thirty-seven
23. thousand dollars, and Amendment No. 2 is thirty-four
24. thousand in Federal Funds available to them, even though it
25. replaces the seven percent solution. So, I would move concurrence
26. on this.

27. PRESIDENT:

28. Any discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President, and Ladies and Gentlemen of
31. the Senate. I would oppose Senator Grotberg's motion, excuse
32. me, were we to allow Amendment No. 1 to be concurred in, we
33. would end up almost a half a million dollars over the two
plus million, just over the two million that the Governor

1. has originally requested. This is again in unbudgeted
2. monies, a half a million dollars over. Amendment No. 2,
3. has been what we've have done uniformly and that's the
4. seven percent solution. I see no reason to allow any one
5. group to have any more than we are providing from all others.
6. I think it does not make sense at this time to...to either
7. of those, to overexpend in grant items, that which the
8. Governor has allocated for that amount without providing
9. the income somewhere else. Nor to move away from our
10. seven percent solution, and I would urge a rejection of
11. Senator Grotberg's motion.

12. PRESIDENT:

13. Further discussion? Senator Grotberg.

14. SENATOR GROTBORG:

15. Just to urge the members on our side of the aisle to
16. support my motion, thank you.

17. PRESIDENT:

18. Question is, does the Senate concur in House Amendments
19. 1 and 2 to Senate Bill 590. Those in favor will vote Aye.
20. Those opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record.
22. On that question, the Ayes are 24, the Nays are 32. None
23. Voting Present. The Senate does not concur on House Amendments
24. 1 and 2, and the Secretary shall so inform the House. 628,
25. Senator Bruce. On the Order of Secretary's Desk Concurrence,
26. is Senate Bill 628. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 628, with House Amendments 1, 2, and 3.

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. Thank you, Mr. President, and members of the Senate. The
33. amendments make three minor changes in which I will ask the
Senate to concur. Changes ten days to ten working days for mailing

1. in a publication of proposed certificates from the Aeronautics
2. Board. Amendment 2 provides that you can have an additional
3. service certificate without a public hearing, and they can
4. approve it, deny it, or modify it, without a public hearing
5. if it is so requested. Amendment 3 puts an effective date
6. in, and I would move that we concur with House Amendments
7. 1, 2, and 3, to Senate Bill 628.

8. PRESIDENT:

9. Senator Bruce has moved concurrence in House Amendments
10. 1, 2, and 3, to Senate Bill 628. Is there any discussion?
11. If not, the question is, shall the Senate concur in House
12. Amendments 1, 2, and 3 to Senate Bill 628. Those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is
14. open. Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 55, the
16. Nays none. None Voting Present. The Senate does concur
17. with House Amendments 1, 2, and 3 to Senate Bill 628 and
18. the bill having received the required constitutional majority
19. is declared passed. 659, Senator Demuzio. On the Order of
20. Secretary's Desk Concurrence is Senate Bill 659. Mr.
21. Secretary.

22. SECRETARY:

23. Senate Bill 659, with House Amendments 1, 2, 3, 5, 6, and 7.

24. PRESIDENT:

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Yes, thank you, Mr. President.

28. PRESIDENT:

29. Senator Demuzio wait just a minute. The Calendar indicated
30. there's an eighth amendment.

31. SENATOR DEMUZIO:

32. Yes.

33. SECRETARY:

The amendment...the House Amendments are No. 1, 2, 3, 5, 6, and 7,

1. and 8, right.

2. PRESIDENT:

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Yes, thank you, Mr. President, and members of the Senate.

6. The reason for so many amendments was this was the hazardous
7. waste bill that went out of the Senate over into the House.

8. Most of these amendments are those amendments that seek to

9. bring into line the same provisions, at least, many of the

10. same provisions that Senate Bill 453 passed out of this Body

11. yesterday, of Senator Knuppel's. Amendment No. 1, amends

12. the definition of waste to exclude any solid or dissolved

13. material from surface mines, since coal mining is regulated

14. under the new...Federal Surface Mining Act. They are thus

15. exempt from this bill, and therefore, we took them out.

16. Amendment No. 2, redefines ultimate disposal, meaning minimal

17. migration of hazardous waste, but no more than ten feet in five

18. hundred years. Amendment No. 3, is the fee provisions, which

19. are the same as those that passed out of here yesterday on

20. House Bill 453, the amendment also places a cap of twenty-

21. five million dollars on the size of the Hazardous Waste Fund

22. but the collections would still be continued after that

23. cap is reached and those revenues would be placed in the

24. General Revenue Fund, rather than in the Hazardous Waste

25. Fund itself. Amendment No. 5, would give the EPA authority

26. to use the money from the fund to correct incidents involving

27. hazardous waste sites or waste sites which does not extend to

28. those instances where hazardous material involved is the

29. exempt from the payment of the hazardous waste disposal

30. fee, what...the amendment clarifies that no fee is paid on

31. ...if no fee is paid on the material, and an incident occurs

32. the money in the fund cannot be used to mitigate the incident.

33. Amendment No. 6, is the exemption of the sludge from publicly

owned sewage works, and that was put in at the request of the

1. Metropolitan Sanitary District. Amendment No. 7, is the
2. amendment that was put in it te request the City of Chicago
3. which...is also identical to 453, exempting from the
4. hazardous waste disposal fee, boiler ash and fly ash from
5. all incinerators, which process solely municipal waste.
6. Amendment No. 8, this...Amendment No. 8 is a restriction
7. against locating the site along an earthquake fault or mine
8. which apply both to home rule and non-home rule municipalities.
9. I would move for concurrence in all the amendments.

10. PRESIDENT:

11. All right, Senator Demuzio has moved concurrence with House
12. Amendments, 1, 2, 3, 5, 6, 7, and 8. Is there any discussion?
13. Senator Grotberg.

14. SENATOR GROTBORG:

15. A question of Senator Demuzio.

16. PRESIDENT:

17. He indicate he'll yield. Senator Grotberg.

18. SENATOR GROTBORG:

19. Is the exemption from fly ash for the utilities still
20. in there? I noticed there's a special amendment here for
21. fly ash, from incinerators. What...is that language put
22. in still in?

23. PRESIDENT:

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Yes Sir, it is still in.

27. PRESIDENT:

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. Is there anything else we should know before we concur?

31. PRESIDENT:

32. Senator Demuzio.

33. SENATOR DEMUZIO:

Well, I went through the amendments rather specifically. If

1. there's a specific point that you wish to raise, raise it. I
2. don't know of anything that was...there's no more toying
3. with nuclear plants or anything of that nature in the bill,
4. if that's what your suggesting.

5. PRESIDENT:

6. Further discussion? Senator Grotberg.

7. SENATOR DEMUZIO:

8. ...or meddley movers or anything like that.

9. SENATOR GROTBORG:

10. Just to remind the Body that this is a monumental piece
11. of legislation. I commend everybody that worked on it. I
12. worked long and hard, with Senator Demuzio, and a lot of
13. people. It may not be the best EPA bill in the world but
14. it's the only one that's prevailed in about what, six years
15. of effort, and I pledged that I would vote for whatever the
16. compromise was, and take the heat. I would advise anybody
17. else in this side of the aisle, it's certainly not a partisan
18. matter, nobody wanted to carry the damn bill in the first
19. place, and it's about like the Corporate Personal Property
20. Tax Bill, it's a matter of pride or authorship. It does
21. nothing but save people in the State of Illinois and our
22. children and their children to follow by getting started on
23. a sensible program. Let's concur and send this one and the
24. other on to the Governor, and let him sign whichever one
25. there is, there maybe amendatory veto needed during the
26. summertime, and those who are getting hurt by this bill
27. will have the summer to deal with that. I would ask each and
28. ever one of you to vote for it.

29. PRESIDENT:

30. Any further discussion? Senator Davidson.

31. SENATOR DAVIDSON:

32. Just one question, Senator Demuzio. I wasn't on the Floor
33. when you started the explanation, but the...the time limit which
I had spoke to you last week, the three, seven, and twenty year

1. relation to solid waste, not hazardous and hazardous
2. waste, is that...that amendment in there, and solve the
3. problem of the people who run the non-hazardous waste disposal
4. dumps?

5. PRESIDENT:

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Senator, I'm told this only sets the time limits on
9. hazardous, and it does not set the time limits on solid.

10. PRESIDENT:

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. In other words, the current prevailing law, that pertain to
14. them stays the same, there's no change on those. It only
15. changes dealing with hazardous waste, is that correct?

16. PRESIDENT:

17. Senator Demuzio.

18. SENATOR DEMUZIO:

19. I'm told by my expert, yes. That is correct.

20. PRESIDENT:

21. Further discussion? Senator Mitchler.

22. SENATOR MITCHLER:

23. Mr. President, and members of the Senate. I believe
24. Illinois should have a good hazardous waste piece of legis-
25. lation, and law in which we can guide ourselves, because this
26. is a large State, it's centrally located, we do generate a lot
27. of hazardous waste material, and I think a lot of time has
28. gone into working on this. I suppose we could still have it
29. in the working stage, and be working with it, but in the form
30. that it is now I think that we should move ahead with it, if
31. there are some faults in it, we're always back here. We're subject to
32. amending the EPA Act where this new hazardous waste definition,
33. and proposal for disposal and storage will rest, so I think
that we can show as a product of this Session, that we have

1. addressed ourselves to this very important subject matter.

2. Thank you.

3. PRESIDENT:

4. Any further discussion? Senator Demuzio do you wish to
5. close? If not, the question is, shall the Senate concur, with
6. House Amendments 1, 2, 3, 5, 6, 7, and 8 to Senate Bill 659.
7. Those in favor will vote Aye. Those opposed will vote Nay.
8. The voting is open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question, the Ayes are
10. 49, the Nays are 2. None Voting Present...2 Voting Present.
11. The Senate does concur with House Amendments 1, 2, 3,5,6,7,and
12. 8 to Senate Bill 659, and the bill having received the re-
13. quired constitutional majority is declared passed. 674,
14. Senator Berman. On the Order of Secretary's Desk Concurrence,
15. is Senate Bill 674. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 674, with House Amendment No. 1.

18. PRESIDENT:

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President. I move to concur in House
22. Amendment No. 1. This was the bill that started out as the
23. bill to allow a doctor to voluntarily surrender his license,
24. because of the press of the...of litigation. That was taken
25. out of the bill, and the bill now provides for the guidelines
26. for advertising by persons licensed under the Medical Practice
27. Act. The amendment provides that the details as to what will
28. be allowed in doctors advertising. Publication of the name,
29. information pertaining to his areas of specialization, and
30. about another four or five points that really talk about dis-
31. tinguished and reserved types of advertising. The Department
32. of Registration, Education, and the Medical Society are in
33. support of the amendment. It's necessary in order for the
department to properly regulate the area of medical advertising.

1. I move the concurrence.

2. PRESIDENT:

3. Senator Berman has moved concurrence with House Amendment
4. No. 1 to Senate Bill 674. Any discussion? Senator Davidson.

5. SENATOR DAVIDSON:

6. Yes, Mr. President, and members of the Senate. First
7. off since this does apply to the other half of my life. I
8. do have a conflict of interest when I vote on this, and I am
9. going to vote Yes, because this is...the other part I rise
10. in support of this amendment, and urge all of you to vote
11. for it. This will let those people who legitimately want
12. to make name address, location available, but will prevent
13. any of the kooks from saying they can do everything to
14. everybody, which that's not true. I urge you all to vote
15. Aye.

16. PRESIDENT:

17. Further discussion? If not, the question is, shall the
18. Senate...Senator Wooten.

19. SENATOR WOOTEN:

20. What will be the effect of not passing a bill like this
21. at all?

22. PRESIDENT:

23. Senator Berman.

24. SENATOR BERMAN:

25. The Department says that unless they are given guidelines
26. legislatively, they probably would not have the power at all
27. to regulate medical advertising at all.

28. PRESIDENT:

29. Senator Wooten.

30. SENATOR WOOTEN:

31. So, in other words, this really, and I must say just the
32. cursory glance I've had this seems reasonable, but we ought
33. to make clear that this really is a restriction, because right
now, with recent court decisions, I don't believe there are any

1. restrictions on advertising. Any practical restrictions
2. at all, are there?

3. PRESIDENT:

4. Senator Berman.

5. SENATOR BERMAN:

6. Well, there is a recent Illinois Supreme Court decision,
7. and taking one comment out of it is the court says, we
8. commend to the General Assembly a reconsideration of these
9. restrictions, in the light of current constitutional interpre-
10. tations. I think there are some general court setforth
11. guidelines, but there're not specific, and they certainly
12. aren't regulatory from the point of view of regulating the
13. medical industry.

14. PRESIDENT:

15. Further discussion? Senator Grotberg.

16. SENATOR GROTEBERG:

17. Yes, this is a new amendment to me, and I'm really
18. delighted to see it, because I believe, Senator Berman, that
19. this is the truth in advertising amendment for the medical
20. profession, is that correct?

21. PRESIDENT:

22. Senator Berman.

23. SENATOR BERMAN:

24. Yes.

25. PRESIDENT:

26. Senator Grotberg.

27. SENATOR GROTEBERG:

28. Well, it has...we'll have all the professions getting on
29. top of this thing. As you know House Bill 4 is the same thing
30. for the optometrist. We've got that in an conference to
31. clean up some of the language, but for Heaven's sake this
32. is very timely and I'm delighted to see it, and to vote for it.
33. I recommend everybody to.

1. PRESIDENT:

2. Further discussion? Senator Davidson for the second
3. time.

4. SENATOR DAVIDSON:

5. I'm sorry to speak a second time, in relation to
6. Senator Wooten, the Illinois Supreme Court decision came
7. down after the U.S. Supreme Court that freed everything
8. up on the pharmacist optometry part, and this is a reasonable
9. ...you're right it does have some restrictions, but it's a
10. reasonable restrictions means that whoever is going to present
11. their professional services, either an MD, osteopath, or a
12. chiropractor under the Medical Practice Act, in essence is
13. going to have his...Senator Grotberg said truth in advertising.
14. It's a good bill.

15. PRESIDENT:

16. Question is, shall the Senate concur in...Senator Wooten.

17. SENATOR WOOTEN:

18. I'm sorry, but as a practicing capitalist I merely
19. want to point out, that what you're doing is restricting so
20. that you save money for people. Now, maybe that's the way
21. it ought to be done, but let's not delude ourselves. By
22. passing this kind of legislation, we prohibit an individual
23. from getting ahead of his fellows in the profession, by more
24. aggressive...well you shake your head but that's the purpose
25. of this...this kind of legislation, historically, and if
26. we want to restrict for economic advantage for common safety
27. in the profession, okay, but let's not kid ourselves, we're
28. just trying to save them a bundle of money.

29. PRESIDENT:

30. Question is, shall the Senate concur with House Amendment
31. No. 1 to Sente Bill 674. Those in favor will vote Aye. Those
32. opposed will vote Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Take the record. On that
question, the Ayes are 51, the Nays are 1. None Voting Present.

1. The Senate does concur with House Amendment No. 1 to
2. Senate Bill 674, and the bill having received the required con-
3. stitutional majority is declared passed. 696, Senator...
4. Senator Egan back on the Floor? On the Order of Secretary's
5. Desk Non-Concurrence Senate Bill 669. Mr. Secretary.

6. SECRETARY:

7. Senate...Senate Bill 669, with House Amendment No. 1.

8. PRESIDENT:

9. Senator Egan.

10. SENATOR EGAN:

11. Senator Egan and Senator Berning moves to non-concur.

12. PRESIDENT:

13. Senator's Egan and Berning move to non-concur on House
14. Amendment No. 1 to Senate Bill 669. Those in favor signify
15. by saying Aye. Those opposed. The Ayes have it. The
16. motion carries, and the Secretary shall so inform the
17. House. 696, Senator Knuppel. On the Order of Senate...
18. Secretary's Desk Concurrence, is Senate Bill 696. Mr.
19. Secretary.

20. SECRETARY:

21. Senate Bill 696, with House Amendment No. 1.

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. This is one of those instances where everybody in the
26. House thinks they're brighter than everybody in the Senate.
27. So, they struck...guttled the bill, and put in their own idea.
28. They just said it a little different, but they said the same
29. thing, and hell they got to have something to do too, so I
30. move that we concur.

31. PRESIDENT:

32. Is there any discussion? Senator Maitland.

33. SENATOR MAITLAND:

Thank you, Mr. President. Just one question on the State

1. Board of Appeals, is this a non-salaried position or a salaried
2. position?
3. PRESIDENT:
4. Senator Knuppel.
5. SENATOR KNUPPEL:
6. I'd have to go get the total, I've just got the summary
7. here.
8. PRESIDENT:
9. Senator Maitland.
10. SENATOR MAITLAND:
11. Well, it...it does create a new State Board of Appeals,
12. to hear the appeals. I was just curious whether or not this
13. was an ongoing bureaucracy, or what's involved here? We
14. may not like this, John, is what my concern is.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Weaver. Oh, take it out of the record. I'm
17. sorry. Senate Bill 725, Senator Philip and Berning. Senate
18. Bill 745, Senator Washington.
19. SECRETARY:
20. Senate...Senate Bill...
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Just a minute. Just a minute. Hold it. Just a minute.
23. Senator Philip.
24. SENATOR PHILIP:
25. I think the next one was 725.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. I called it but there was...no one responded. I did call
28. it, but...do we have leave to go back to 725? Leave is...leave
29. is granted. All right.
30. SECRETARY:
31. Senate Bill 725, with House Amendment No. 1.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Philip.

AB 745
Concurrence
6-28-79

1. SENATOR PHILIP:

2. Thank you, Mr. President, and Ladies and Gentlemen
3. of the Senate. What 725 does, is provides a working cash
4. fund for the County Board up to twenty-five hundred dollars.
5. What the House Amendment did was put a limit of one hundred
6. dollars on each transaction. I think it's unnecessary, but
7. it doesn't really bother me too much, and I move that we
8. do concur with House Amendment No. 1 to Senate Bill 725.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there discussion? Is there discussion? The question
11. is, shall the Senate concur in House Amendment No. 1 to Senate
12. Bill 725. Those in favor vote Aye. Those opposed vote Nay.
13. The voting is open. Have all those voted who wish? Have all
14. those voted who wish? Take the record. On that question, the
15. Ayes are 52, the Nays are none. The Senate does concur in
16. House Amendment No. 1 to Senate Bill 725, and the bill having
17. received the required constitutional majority is declared passed.
18. Senate Bill 745, Senator Washington.

19. SECRETARY:

20. Senate Bill 745, with House Amendments 1 and 2.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Washington.

23. SENATOR WASHINGTON:

24. Mr. President, and members of the Senate. There are
25. two amendments, the first is really technical and it supplants
26. the word board with the phrase "purchasing agent" in several
27. cases. Amendment No. 2 is of substantive more or less and
28. it repeals this Act as of January 1983, replacing the original
29. stipulation that it would be looked at by the General Assembly
30. in January of 1983. I concur in both amendments, because I
31. think the program, the Small Business Set a Side Program can and will
32. prove itself by that time and if so it can be reinstated.
33. I move concurrence in House Amendments No. 1 and 2 to Senate
Bill 745.

JB 756
4-28-79
col.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there discussion? Question is, shall the Senate
3. concur in House Amendments...House Amendments 1 and 2 to
4. Senate Bill 745. Those in favor vote Aye. Those opposed
5. Nay. The voting is open. Have all those voted who wish?
6. Have all those voted who wish? Take the record. On that
7. question, the Ayes are 54, the Nays are none. The Senate
8. does concur in House Amendment 1 and 2 to Senate Bill 745,
9. and the bill, having received the required constitutional
10. majority is declared passed. Senate Bill 756, Senator
11. Rhoads.

12. SECRETARY:
13. 756, with House Amendment No. 1...or No. 7.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Rhoads.

16. SENATOR RHOADS:
17. Thank you, Mr. President. This is the bill that left
18. the Senate rather substantially amending the Wrongful Death
19. Act, which allows persons to maintain an action for wrongful
20. death for an unborn child. Now, there had been concerns
21. expressed over here in the Senate about the liability of
22. doctors who are performing a legal abortion. So, over in
23. the House in committee the attorneys for the Illinois State
24. Medical Society and the attorneys of the Americans United for
25. Life agreed upon an amendment which says that there shall be
26. no cause of action against a physician or medical institution
27. for wrongful death of the fetus caused by an abortion where
28. the abortion was permitted by law, and the requisite consent was
29. lawfully given, and there are a few other protections built
30. in for the doctors so that...as I say this is something that
31. Representative Cullerton worked out with the Medical Society
32. and I would urge concurrence with House Amendment No. 7.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator Ozinga.

SB 767
6/28/79
Concurrence

1. SENATOR OZINGA:

2. Question, would this bar an action for a schlock
3. operator doctor?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. No, Senator Ozinga I don't think so. The amendment
8. goes onto say...I didn't read it in its entirety, and I'll
9. be happy to show it to you. There shall be no cause of
10. action against the physician or medical institution for
11. the wrongful death of a fetus, based on the alleged misconduct
12. of the physician or Medical Institution where the defendant
13. did not know under the applicable standard of good medical
14. care, had no medical reason to know of the pregnancy of the mother,
15. or of the fetus. Now, you certainly can still go after them
16. under malpractice or negligence or any of those types of
17. cause of action.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is, shall
20. the Senate concur in House Amendment No. 7 to Senate Bill
21. 756. Those in favor vote Aye. Those opposed Nay. The
22. voting is open. Have all those voted who wish? Have all
23. those voted who wish? Take the record. On that question,
24. the Ayes are 43, the Nays are 2. 5 Voting Present. The
25. Senate does concur in House Amendment No. 7 to Senate Bill
26. 756, and the bill having received the required constitutional
27. majority is declared passed. Senate Bill 767, Senator Egan.

28. SECRETARY:

29. Senate Bill 767, with House Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Egan.

32. SENATOR EGAN:

33. Thank you, Mr. President, and members of the Senate.
The amendment that the House put on the bill, clarifies the fact

1. that a cooling pool is not exempt from the tax exemption
2. at the request of Senator Joyce, to make it absolutely
3. crystal clear that such is not exempt, and I move for
4. concurrence in House Amendment No. 1.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there discussion? Question is, shall House Amendment...
7. just a moment. Shall...shall the Senate concur in House
8. Amendment No. 1 to Senate Bill 767. Those in favor vote
9. Aye. Those opposed Nay. The voting is open. Have all
10. those voted who wish? Have all those voted who wish? Take
11. the record. On that question, the Ayes are 46, the Nays are
12. none. 2 Voting Present. The Senate does concur in House
13. Amendment No. 1 to Senate Bill 767, and the bill having
14. received the required constitutional majority is declared
15. passed. Senate Bill 830, Senator Bloom.

16. SECRETARY:

17. Senator Bill 830, with House Amendments 1, 2, and 5.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Bloom.

20. SENATOR BLOOM:

21. Okay, I'm going to move to non-concur, and here's why,
22. in Amendment No. 2. What they did is they deleted funding
23. for claims other than crime victim claims out of the Road
24. Fund, the effect of the amendment is to have all claims
25. paid out of General Revenue. Well, as a practical matter there
26. are a lot of DOT contracts that...you know contracts with
27. agents, that really belong in the Road Fund. We might as
28. well non-concur in 1 and 2 'cause they took some money out
29. of operations and put it in another thing.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there discussion? Senator Bloom moves to non-concur
32. in House Amendments 1, 2, and 5 to Senate Bill 830. Those
33. in favor indicate by saying Aye. Those opposed Nay. The
Ayes have it. The motion carries, and the Secretary shall

1. so inform the House. Senate Bill 872, Senator Newhouse.

2. Senate Bill...Senator Newhouse.

3. SECRETARY:

4. Senate Bill 872, with House Amendment No. 1.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Mr. President, and members. I would...I want to concur
9. on Amendment No. 1. It has been pretty extensively rewritten
10. but all it does is conform this bill more closely to the
11. other sections of the Statute that deal with fiscal notes,
12. and I would move its concurrence.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? Question is, shall the Senate concur
15. in House Amendment No. 1. Those in favor vote Aye. Those opposed
16. Nay. The voting is open. Have all those voted who wish?
17. Have all those voted who wish? Take the record. On that
18. question, the Ayes are 39, the Nays are none. 9 Voting Present.
19. The Senate does concur in House Amendment No. 1 to Senate Bill
20. 872, and the bill having received the required constitutional
21. majority is declared passed. Senate Bill 905, Senator Demuzio.
22. Senate Bill 906. Senate Bill 908, Senator Carroll.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 908, with House Amendments 1, 2, and 3.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of
29. the Senate. We would concur in Amendment No.2, and non-
30. concur in Amendments 1 and 3. I would move to concur in
31. Amendment No. 2.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there discussion? The question is, shall the Senate
concur in House Amendment No. 2 to Senate Bill 908. Those in

1. favor vote Aye. Those opposed Nay. The voting is open.
2. Have all those voted who wish? Have all those voted who
3. wish? Take the record. On that question, the Ayes are 49,
4. the Nays are 1. The Senate does concur in Amendment No. 2
5. to Senate Bill 908, and the...now Senator Carroll moves
6. to non-concur in House Amendments 1 and 3. Is there
7. discussion? All those in favor say Aye. All those opposed
8. Nay. The Ayes have it. The motion carries, and the
9. Secretary shall so inform the House. Senate Bill 918,
10. Senator Gitz.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 918, with House Amendments 1 and 2.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Gitz.

15. SENATOR GITZ:

16. Mr. President, it appears that particularly Amendment
17. No. 2 may impose actually a greater hardship than even the
18. present law, consequently I'm going to move to non-concur
19. in both Amendments No. 1 and 2, until we can clarify the
20. situation.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there discussion? Senator Gitz moves to non-concur
23. in House Amendments 1 and 2 to Senate Bill 918. Those in
24. favor vote Aye...those in favor say Aye. Those opposed Nay.
25. The Ayes have it. The motion carries, and the Secretary
26. shall so inform the House. Senate Bill 927, Senator Egan.

27. ACTING SECRETARY: (MR. FERNANDES)

28. Senate Bill 927, with House Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Egan.

31. SENATOR EGAN:

32. Thank you, Mr. President, and members of the Senate.
33. I move to non-concur in the House Amendment No. 1 to Senate
Bill 927.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there discussion? Senator Egan moves to non-concur
3. in House Amendment No. 1 to House Bill 927. Those in favor
4. say Aye. Those opposed Nay. The Ayes have it. The motion
5. carries and the Secretary shall so inform the House. Senate
6. Bill 937, Senator Rock.
7. ACTING SECRETARY: (MR. FERNANDES)
8. Senate Bill 937, with House Amendment No. 1.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Rock.
11. SENATOR ROCK:
12. Yes, House Amendment No. 1 restores the...original
13. amount requested for the DRI budgetary computer system,
14. in the amount of three hundred and sixteen thousand dollars.
15. I have been hearing from the Speaker every twenty minutes for
16. the past four days and I would urge...urge concurrence in
17. House Amendment No. 1.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there discussion? Senator Regner.
20. SENATOR REGNER:
21. I just don't think the money is necessary.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is there further discussion? The question is, shall the
24. Senate...shall the Senate concur in House Amendment No. 1 to
25. Senate Bill 937. Those in favor vote Aye. Those opposed Nay.
26. The voting is open. Have all those voted who wish? Have all
27. those voted who wish? Take the record. On that question, the
28. Ayes are 34, the Nays are 17. The Senate does concur in House
29. Amendment No. 1 to Senate Bill 937, and the bill having received
30. the required constitutional majority is declared passed. Senate
31. Bill 940, Senator Maragos-Carroll.
32. ACTING SECRETARY: (MR. FERNANDES)
33. Senate Bill 940, with House Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President, and members of the Senate. I move
5. that we concur with Amendment No...House Amendment No.1
6. to Senate Bill 940. This make the...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. This provides that the money that's being given to the
11. ...to the Capital Development Fund for the purposes of the
12. Iroquois land in lakefornt terminus, will be a loan instead
13. of a grant, and I ask that we consent.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there discussion? The geustion is, shall the Senate
16. concur in House Amendment No.1 to Senate Bill 940. Those
17. in favor vote Aye. Those opposed Nay. The voting is open.
18. Have all those voted who wish? Have all those voted who wish?
19. Take the record. On that question, the Ayes are 52, the Nays
20. are none. The Senate does concur in House Amendment No.1
21. to Senate Bill 940, and the bill having received the required
22. constitutional majority is declared passed. Senate Bill 966,
23. Senator Coffey.

24. ACTING SECRETARY: (MR. FERNANDES)

25. Senate Bill 966...House Amendment No. 1 and 2.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Coffey.

28. SENATOR COFFEY:

29. Yes, Mr. President, and members of the Senate. I
30. ask that we concur with House Amendment No. 1...and House
31. Amendment No. 2 to Senate Bill 966.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there discussion? The question is, shall the Senate
concur in House Amendment No's 1 and 2 to Senate Bill 966. Those

1. in favor vote Aye. Those opposed Nay. The voting is open.
2. Have all those voted who wish? Have all those voted who wish?
3. Take the record. On that question, the Ayes are 49, the Nays
4. are none. The Senate does concur in House Amendments 1 and
5. 2 to Senate Bill 966, and the bill having received the
6. required constitutional majority is declared passed.

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(END OF REEL)

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SB 973
non-concurrence
6-28-79
Reel #3

- 1. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 2. Senate Bill 973, Senator Buzbee.
- 3. ACTING SECRETARY: (MR. FERNANDES)
- 4. Senate Bill 973 with House Amendments No. 6, 7 and 8.
- 5. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 6. 973. Senator Buzbee.
- 7. SENATOR BUZBEE:
- 8. Mr. President, I move we non-concur. I don't have the slightest
- 9. idea what this does and I'm not going to move to concur.
- 10. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 11. Is there discussion? Senator Buzbee moves to non-concur in
- 12. House Amendments 6, 7 and 8 to Senate Bill 973. Those in favor
- 13. say Aye. Those opposed Nay. The voting is...open. The Ayes have it.
- 14. The motion carries and the Secretary shall so inform the House.
- 15. Senate Bill 975, Senator Weaver.
- 16. ACTING SECRETARY: (MR. FERNANDES)
- 17. Senate Bill 975 with House Amendments...House Amendment No. 3.
- 18. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 19. Senator Weaver.
- 20. SENATOR WEAVER:
- 21. Thank you, Mr. President. I would move that the Senate concur
- 22. with House Amendment No. 3 to Senate Bill 975. This bill left the
- 23. Senate creating a special fund for Environmental Protection Trust
- 24. Fund. The House has changed it a little bit by creating an Environ-
- 25. mental Protection Trust Fund Commission composed of the Attorney
- 26. General, the Director of the Institute of Natural Resources and
- 27. the Pollution Control Board and the EPA Agency. I think probably
- 28. this is all-inclusive...inclusive of those who are concerned with
- 29. trying to attract private dollars for EPA projects and I think it
- 30. makes it a better bill and so I would move that the Senate concur to
- 31. House Amendment No. 3.
- 32. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 33. Is there discussion? Question is shall the Senate concur in
- House Amendment No. 3 to Senate Bill 975. Those in favor vote Aye.

1. Those opposed Nay. The voting is open. Have all those voted who
2. wish? Have all those voted who wish? Take the record. On that
3. question the Ayes are 47. The Nays are 6 and the Senate does concur
4. in House Amendment No. 3 to Senate Bill 975 and the bill, having
5. received the required constitutional majority, is declared passed.
6. Senate Bill 983, Senator Nimrod.

7. ACTING SECRETARY: (MR. FERNANDES)

8. Senate Bill 983 with House Amendment 2.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. ...Mr. President, I would move that we concur with House
13. Amendment No. 2. What House Amendment No. 2 did was to remove
14. several definitions that were inapplicable to the bill as it had
15. been presented on the Conservation Bill and those definitions were
16. not pertaining to...they do not substantially change the bill at all.
17. In fact, it cleaned it up and made it a better bill. I would move
18. for the concurrence.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there discussion? Question is shall the Senate concur in
21. House Amendment No. 2 to Senate Bill 983. Those in favor vote Aye.
22. Those opposed vote Nay. The voting is open. Have all those voted
23. who wish? Have all those voted who wish? Take the record. On
24. that question the Ayes are 47...47. The Nays are 4. 1 Voting Present.
25. The Senate does concur in House Amendment No. 2 to Senate Bill 983.
26. and the bill, having received the required constitutional majority,
27. is declared passed. Senate Bill 1037, Senator Rhoads. Senate Bill 1053,
28. Senator Mitchler.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Bill 1053 with House Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Mitchler.

33. SENATOR MITCHLER:

SB 1146
6-28-79
concurrent

1. Mr. President and members of the Senate, I move to non-concur
2. with House Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there discussion? All right. Senator Mitchler moves to
5. non-concur with House Amendment No. 1 to Senate Bill 1053. Those
6. in favor indicate by saying Aye. Those opposed. The Ayes have it.
7. The motion carries and the Secretary shall so inform the House.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senate Bill 1146, Senator McMillan.

10. ACTING SECRETARY: (MR. FERNANDES)

11. Senate Bill 1146 with House Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator McMillan.

14. SENATOR McMILLAN:

15. Mr. President, I would move to concur with House Amendment
16. No. 1 to Senate Bill 1146.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Motion is to concur. Is there discussion? Senator Rock.

19. SENATOR ROCK:

20. I'd like to have the sponsor's explanation of this amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator McMillan.

23. SENATOR McMILLAN:

24. This provides for a systematic means of absentee balloting for
25. residents of nursing homes and it provides it in such a way that it
26. protects their franchise. It deals with the appointment of judges,
27. one from each party, to go to the...the designated home for half days.
28. It provides for poll watchers. It provides that when the ballots are
29. cast and sealed they shall be counted on the day of election as
30. other absentee ballots.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33.

1. SENATOR ROCK:
2. Can you inform me what...what was the fate of House Bill 2738?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator McMillan.
5. SENATOR McMILLAN:
6. I cannot. Perhaps Senator Rhoads has a response to that.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Rhoads.
9. SENATOR RHOADS:
10. Thank you, Mr. President and members of the Senate. House Bill
11. 2738 passed out of the House Elections Committee and was on the
12. Order of 3rd reading in the House and has been placed on their Spring
13. Calendar.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Rock.
16. SENATOR ROCK:
17. Well, then I suggest that's where Amendment No. 1 ought to be
18. placed...on the Spring Calendar. It just seems to me that to enter
19. into a program by virtue of an eleventh hour amendment, the pro-
20. vision for elections judge supervision of nursing home absentee
21. voting and nursing home disabled person voting are presumably intended
22. to...eliminate abuse. There is, however, a substantial expense on
23. local authorities and substantial effort on the part of our already
24. beleaguered election judges. I just think this is an idea that should
25. be rightfully fully debated. Was a bill introduced like this in the
26. committee...Senate Committee on Elections, Senator?
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Further discussion?
29. SENATOR ROCK:
30. Wait a minute. I want an answer.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Rhoads.
33. SENATOR RHOADS:

1. Well, to begin with, Senator Rock, there are only nine hundred
2. nursing homes in the whole State of Illinois. Number two, this
3. would average out to about seven hundred dollars per legislative
4. district. What we're talking about is to...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. For what purpose Senator Rock rise?

7. SENATOR ROCK:

8. That was not my question. My question was was a bill intro-
9. duced in this respect in the Senate Elections Committee and was
10. there, in fact, any hearing or debate or discussion?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. I'm sorry, Senator Rock. I did not hear your question. The
15. answer to that question is no.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rock.

18. SENATOR ROCK:

19. Well, I would urge that we non-concur and send this back to the
20. House Spring Calendar where it belongs.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator D'Arco.

23. SENATOR D'ARCO:

24. Can I...Senator Rhoads, we did discuss a bill in the Senate
25. Elections Committee...well, I don't know if you don't remember it,
26. but there was a bill...there was a bill that would provide for
27. election...the election authorities would have to provide access to...
28. provide utilities for people that were disabled in nursing homes to
29. vote and that was...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator D'Arco, have you concluded?

32. SENATOR D'ARCO:

33. No...that's all.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Netsch.

3. SENATOR NETSCH:

4. Thank you. I would rise in support of the motion to concur...
5. if I have my procedures in the right order. This is a...I think a
6. good solution or at least it looks like a good solution to a problem
7. that has plagued many of us for a long period of time and that is
8. what to do about those who are residents of nursing homes. We know
9. that there has been a lot of abuse of their voting rights as well
10. as of the electoral process in some of the procedures that have been
11. used in that past. By the same token, I don't think...and I'm talking
12. in part about phony affidavits for those who cannot get out and so
13. forth, but by the same token, I think we do not want to create a
14. system whereby those people who are residents and for whom movement
15. out to vote may be difficult, if not literally impossible, are in
16. effect, denied the vote and it seems to me that this is the best
17. approach to that that has been devised yet and I would point out,
18. Senator Rock that it is not that costly. I think Senator Rhoads said
19. it averages to about seven hundred dollars. I think the exact
20. figure is about six hundred and eighty-six dollars per legislative
21. district. You're talking only about two judges, a half day each,
22. which comes to one judge per day at forty-five dollars per judge.
23. That comes to forty-five thousand five hundred dollars...State-wide
24. assuming that every one of them would...would need the process
25. and I'm not sure that that is true at all. So that it is a very
26. modest addition and I think it's not...it's important not just to
27. protect the integrity of the electoral process, but also effectively
28. to protect the voting rights of those people who are residents of
29. nursing homes.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Grotberg.

32. SENATOR GROTBORG:

33. Yes, as regards this amendment, I see Senator Rhoads is debating

1. and I would maybe ask you, Senator. In the nursing home voting...
2. I don't have the amendment. All I have is the analysis. What do
3. we do about incompetency within the home. Is there anybody sitting
4. in judgment upon who votes in...in that amendment?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Under the present law, we really don't have any safe guards.
9. Those residents of a nursing home apply for an absentee ballot in
10. the same way that other incapacitated voters do. Under this
11. amendment, we would have the ability to have two judges of election
12. present and poll watchers present, a safeguard that we've never had
13. before.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg.

16. SENATOR GROTEBERG:

17. That sounds to me like that probably better than...than the
18. precinct committeemen whistling in and whistling out as we all know
19. happens in both parties...I'm not talking partisanship, but I'm
20. telling you a good hustler can swing an election and if we've got
21. a couple of watchdogs on the inside it might not hurt. I think this
22. is good legislation.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Wooten.

25. SENATOR WOOTEN:

26. Thank you, Mr. President. Just briefly, when I first ran for
27. office, I remember vividly an aged couple called me to apologize.
28. They said they had intended to vote for me, but...as they said,
29. the lady came in and voted us straight Republican and we didn't have
30. a chance to do otherwise. Now, whichever way it goes...whichever
31. way it goes, I believe once the public speaks either side, that's fine.
32. Winner take all, loser loses, but I'd sure like to see the process
33. fair.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Collins.
3. SENATOR COLLINS:
4. I think everything has been said and Senator Grotberg really
5. pinned it all down and I...I also am in favor of concurrence with
6. this amendment.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Daley.
9. SENATOR DALEY:
10. Mr. President, fellow Senators, in regards to that amendment,
11. we just passed Nursing Home Reform Act which does not make nursing
12. home residents or individuals that live in shelter care homes or
13. homes for the aged second class citizens and I think this is what
14. the amendment does again. It says they are second class citizens
15. to keep them in the homes.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Further discussion? Senator Berman.
18. SENATOR BERMAN:
19. Well, Mr. President, this sounds like a very extensive change
20. in the present procedures. I happen to have some nursing homes in
21. my district, my seat-mate has a few and probably between the two
22. of us and Senator Netsch we may have a good proportion of them that
23. are in the State. I don't see how it would be possible...at least
24. without further investigation for a judge to be able to cover all
25. of the nursing homes within the time period or within the dollar
26. amount that would be...that's reported to be available to cover the
27. number of nursing homes to provide the assistance necessary for
28. absentee ballots. I'm concerned that you are going to be disenfran-
29. chising people in the name of voting reform and that concerns me.
30. I wish we could have some time to hear...have some full hearings on
31. this. I would urge a No vote.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Further discussion? Senator...it's Senator Rock.

1. SENATOR ROCK:
2. Yes, thank you. I would just ask the proponents or those who
3. are rising in support of the motion to concur with House Amendment
4. No. 1 if they can explain to me the procedure as out-lined on pages
5. 62 and 63 of this amendment in Section 19-12.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Rhoads.
8. SENATOR RHOADS:
9. ...Senator Rock, could you be more specific? What is it you
10. wish to have explained to you?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Rock.
13. SENATOR ROCK:
14. Who made...who put the motion to concur?
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator McMillan did.
17. SENATOR ROCK:
18. All right. I would ask him to explain to me what the procedure
19. is on the bottom of page 62 and the top of page 63 of House Amendment
20. No. 1.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Well, Senator McMillan sought leave of the Body to have Senator
23. Rhoads answer the questions on the amendment so we have...Senator
24. Rhoads has been responding. Does that meet with your approval?
25. Senator Rhoads?
26. SENATOR RHOADS:
27. One judge from each party goes in with the binder and the ballots
28. on the day before the election. They supervise the...the casting of
29. ballots on that day...from I believe it's nine a. m. to 5 p. m. The
30. candidates...for the various...candidates are entitled to poll watchers
31. just as they would be in an ordinary election polling place and you
32. conduct it like you would a regular election.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rock.

2. SENATOR ROCK:

3. Well, I would suggest you re-read the bottom of page 62 and
4. the top of page 63. That's not the way I read it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. Well, yes, Mr. President. Speaking to that point on operation,
9. what happens if the person is incapacitated, unable...and is immobile?
10. Are...do they bring the binder, bring all the judges around the bed
11. and watch them vote or...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Senator Savickas, now under current law if you are in a polling
16. place and you have some handicap or some difficulty you may request
17. a judge from each party to go into the polling booth with you so I
18. don't see that it's such a leap from that to having assistance of
19. the judges in the nursing home for an incapacitated voter. As a
20. matter of fact, it's far preferable to having nobody around and
21. having...and having these people who might be bed-ridden casting
22. their absentee ballot in some other way without any judges around.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. All right. Senator Savickas.

25. SENATOR SAVICKAS:

26. Preferable for who, for the person that's incapacitated, that's laying
27. there that doesn't want this intrusion of a...the judges, the people
28. with binders? Well...let's...who's going to be responsible on these
29. binders? They take them out the night before. They have to be
30. delivered at the polling place in the morning. How are we guaranteeing
31. this? You seem to just take a flippant attitude that it's for granted
32. they can carry these books around and they are just going to take
33. care of them all night, bring them back to the polling place in the

1. morning without any problem.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Well, these are regular election judges of the precinct to

6. begin with, one for each party. Secondly, so...presumably, they

7. have custody of the binder books anyway. They cast the ballots...

8. those ballots are treated in the same way as other absentee ballots.

9. In other words, they won't be counted the day before. They will be

10. counted at the close of the polls the following day on election day.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. So we will have ballots floating around between these two judges,

15. whoever they may be, floating around in the precinct the night before

16. an election?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rhoads.

19. SENATOR RHOADS:

20. Well, you now have all kinds of absentee ballots floating around

21. Senator Savickas is the office of the County Clerk in the usual manner.

22. These ballots will be in the custody of election judges. Who better

23. should they be in the custody of?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Daley.

26. SENATOR DALEY:

27. Well, I'd like to clarify...where are the ballots floating around?

28. Yeah...this is not mandating an individual because he or she lives in

29. a nursing home. They have the right as I understand it, under State

30. law to go into this option or to request a sick affidavit. Is that

31. correct? In other words, if I'm an individual...we just passed a

32. nursing home reform and now you are telling me...if...there are abuses,

33. you're right. There's been Federal indictments, election judges went

1. jail. Officials went to jail, precinct captains, the county, the
2. Federal Grand Jury...we've been all through that in the City,
3. suburban area and downstate, there's been abuses, but now you are
4. telling me that the individual has no right. If I live across the
5. street from the nursing home I have to go under the old process,
6. but you...you're not mandating nursing home residents to do this,
7. correct?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rhoads.

10. SENATOR RHOADS::

11. That is correct. We are not...mandating them to do it. They
12. still have the other option.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Daley.

15. SENATOR DALEY:

16. They still have the other option to do anything they want?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rhoads.

19. SENATOR RHOADS:

20. Yes.

21. SENATOR DALEY:

22. Now, the judge...say, if a person opts in to this program, now
23. are the judges going to be sent out on an eight hour basis or an
24. hour basis? What's the procedure? In other words, if a nursing
25. home...if I have someone living...say if the small nursing home in
26. the uptown area or anyplace...now is the county judge going to have...
27. like is it going to be a thirty day process...thirty days before,
28. they going to...the judges will be there only on a Tuesday at a
29. certain place, Wednesday...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Monday, the day before the election is when they would be there

1. for four hours.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator...Savickas.

4. SENATOR SAVICKAS:

5. Senator Merlo...I lost my train of thought there. Yes...

6. we're doing this just for those incapacitated persons that apply

7. for absentee ballots in nursing homes, but we do not provide for the

8. same service for those incapacitated persons that are at home. Now,

9. I would think that this is a discrimination towards those people,

10. that they would have the right to demand that the judges come to

11. their home with the binders, check them out, vote...vote in front

12. of them. They would have the same entitlement. Is that what we

13. are talking about, that only a certain group of people, only certain

14. class of incapacitated people have this available to them.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. It's no more discriminatory than a registration bus pulling

19. into certain neighborhoods and not into others, Senator Savickas.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Savickas.

22. SENATOR SAVICKAS:

23. We're not talking about registration buses. We're talking

24. about the right and ability of people to vote. We're...we're doing

25. a certain group of people, incapacitated people that live in a

26. nursing home, not incapacitated people that live in apartment

27. buildings or in a home by themselves or with a family so if I had

28. a party that was incapacitated across the street from a nursing home

29. they wouldn't have this advantage.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Senator Savickas, they still have the option of the...of the

1. regular incapacitated voter absentee ballot application. This is
2. an effort to assist people in voting and most of these nursing
3. homes have hundreds of residents so you would be encouraging voter
4. turn-out among these people.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. That's my point, you're encouraging it for one certain area.
9. You're not saying well all incapacitated people are entitled to this
10. and that's my point. Next, once you put this into law, the next...
11. portion of it and the law will read that all must be entitled to this
12. and you're going to be sending judges with the precinct binder books
13. throughout every precinct going to individual homes. I...you're forc
14. cing...at this point maybe forty thousand dollar expense to spotlight
15. individual areas, but as you and I know, the government will rule
16. that you are discriminatory towards the rest of the incapacitated
17. people and they will and can demand this service for them.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. ...Senator Kenneth Hall.

20. SENATOR HALL:

21. Will the sponsor yield for a question? Senator Rhoads, if I
22. follow you correctly...I'm sorry, I got in on the tail end of this.
23. The Monday before the Tuesday you are going to have election judges
24. go out into a nursing home and spend four hours there registering
25. people, correct. Is that right, so far?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. No, Senator Hall. They won't be registering people, they will
30. have...be supervising the voting.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Hall.

33. SENATOR HALL:

1. Yes, that's what I had reference to. They will be supervising
2. the voting. Now, where are all these people going to come from?
3. I mean the people that you're going to have doing that. Who's
4. going to pay these people?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Rhoads.
7. SENATOR RHOADS:
8. Two election judges paid for by the local election authority.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Kenneth Hall.
11. SENATOR KENNETH HALL:
12. I got an election judge that's...works as a contractor. He
13. makes close to a hundred dollars a day. Are we going to pick up
14. the tab for him for four hours to lay off from his job to do that?
15. Is that...are you advocating something like that?
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Rhoads.
18. SENATOR RHOADS:
19. No, Senator Hall. That would be paid the same...or a lesser
20. amount of money than what they are paid on election day. These
21. would be the same election judges...two...two out of the five.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Hall.
24. SENATOR HALL:
25. Well, this is just added expense also. There's no way...I
26. mean, that we have enough problems getting money to pay the judges
27. that we have now, let alone being able to pay additional money.
28. I think it's a...just another drain on the taxpayers.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Graham.
31. SENATOR GRAHAM:
32. I think we're getting into a period of redundancy. I move
33. the previous question.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. There are several members that wish to speak, Senator Washington
3. and then Senator McMillan. The motion is to move the previous
4. question. Those in favor indicate by saying Aye. Those opposed.
5. The Ayes have it. Senator Washington.

6. SENATOR WASHINGTON:

7. Mr. President, perhaps I will be repetative, but redundant,
8. but let me simply say this. The problem this amendment seems to
9. ...attempts to resolve is very simple. In Chicago there are
10. numerous allegations, which go from one election to the another...
11. I hear now all over the State that certain precinct captains
12. through whatever means they use, get medical affidavits, go into
13. the nursing homes, get them signed en masse by people in their
14. beds, et cetera and so forth and get a doctor or some medical
15. authority who is not present to sign an affidavit to the effect
16. that they are incapacitated and cannot go to the polls. Those
17. are the allegations. There is some truth to it, how widespread
18. it is, I can't testify, but you can bet your life there's some
19. truth to those allegations. People believe that it is true. The
20. question is what do you do? Do you permit this kind of a sully
21. on your electoral process or do you attempt to resolve it as best
22. you can? In my opinion, this simple amendment attempts to resolve
23. that problem. I don't know what it's going to cost. I can't
24. imagine it's going to cost any hundreds of thousands of dollars
25. if you have two judges of election going into the various...nursing
26. homes over a certain amount of people. I think that's a very small
27. cost to pay to assure people, the electors, that the electoral
28. process is held sancrosanct, that there's no fraud and collusion
29. going on between any party and the voters and the medical profession.
30. I would think that you'd want to clear that up. Now, I happen to
31. be a Democrat and I hope we continue to win in Chicago and every
32. place else, but I don't want my party being labeled as a bunch of
33. vote frauds and thieves in the City of Chicago. As a precinct captain

1. or former precinct captain, I used to work pretty hard. I didn't
2. steal any votes and I didn't want anybody accusing me of it and I
3. would think that those who are part...part of any party, Democrat
4. or Republican wouldn't want those accusations either. This
5. business about the cost, I think is a red herring. I don't think
6. the cost is much at all, but if the cost is great, so what. We
7. need to clean up the electoral process and we need to clean up
8. not only the electoral process, but to clean up the rumors, which
9. constantly state that the process is corrupt. This is a good
10. amendment. I think we ought to vote it out and I...frankly, I
11. think, we in Chicago, Democratic precinct, captains, ward committee-
12. men and everybody else can and should live with this very good
13. electoral reform amendment.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator McMillan may close.

16. SENATOR McMILLAN:

17. Mr. President and members of the Senate. I realize there are
18. lots of questions with regard to the details of this bill and in
19. normal circumstances, I would certainly like to have all those
20. questions answered, but I would say this. This bill did have an
21. adequate hearing in the House. This...this did pass out of the
22. House Elections Committee by a vote of 11 to 6. It got caught in
23. a crunch over there on the Floor and there was an objection raised,
24. which I think is a very sound one, that the Senate should have had
25. an opportunity in committee to hear this with...with great detail
26. and I would have to respond No. The Senate Elections Committee
27. did not have an adequate opportunity to hear the details of this...
28. bill, but unfortunately, that's precisely the same treatment that
29. every other elections bill got in the Senate Elections Committee.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. The question is, shall the Senate concur in House Amendment
32. No. 1 to Senate Bill 1146. Those in favor vote Aye. Those opposed
33. Nay. The voting is open. Have all those voted who wish? Have all

SB 1217
7th concurrence
6-28-79

1. those voted who wish? Take the record. On that question, the
2. Ayes are 34, the Nays are 18, 1 Voting Present. The Senate does
3. concur in House Amendment No. 1 to Senate Bill 1146 and the bill
4. having received the required constitutional majority is declared
5. passed. Senate Bill 1150, Senator Lemke. Senate Bill 1171,
6. Senator Bruce. Senate Bill 1172, Senator Bruce. Senate Bill
7. 1178, Senator Geo-Karis.

8. ACTING SECRETARY: (MR. FERNANDES)

9. Senate Bill 1178 with House Amendment No. 1.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Mr. President and Ladies and Gentlemen of the Senate. I
14. move for the concurrence of...of House Amendment No. 1. It's
15. similar to the one I've had in the Senate. They changed the
16. language a little bit, but the intent is there the...and it's
17. the same...the same effect. May...I move its concurrence.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there discussion? The question is, shall the Senate
20. concur in House Amendment No. 1 to Senate Bill 1178. Those in
21. favor vote Aye. Those opposed Nay. The voting is open. Have
22. all those voted who wish? Have all those voted who wish? Take
23. the record. On that question, the Ayes are 54, the Nays are none.
24. The Senate does concur in House Amendment No. 1 to Senate Bill
25. 1178 and the bill having received the required constitutional
26. majority is declared passed. Senate Bill 1183, Senator Hall.
27. Senate Bill 1217, Senator Nedza.

28. SECRETARY:

29. Senate Bill 1217 with House Amendments 1 and 2.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Nedza.

32. SENATOR NEDZA:

33. Yes, Mr. President. I move not to concur with House Amendments

AB 1232
HA #1
6-28-79

- 1. No. 1 and 2.
- 2. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 3. Is there discussion? The question is, shall the Senate...
- 4. Just a moment. Senator Nedza moves to nonconcur in House Amendments
- 5. No. 1 and 2 to Senate Bill 1217. Those in favor say Aye. Those
- 6. opposed Nay. The Ayes have it. The motion carries and the
- 7. Secretary shall so inform the House. Senate Bill 1232, Senator
- 8. Sangmeister.
- 9. SECRETARY:
- 10. Senate Bill 1232 with House Amendment No. 1.
- 11. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 12. Senator Sangmeister.
- 13. SENATOR SANGMEISTER:
- 14. Mr. President and members of the Senate. This is one of the
- 15. coroner bills that's coming back over from the House and when
- 16. their Amendment No. 1...they delete the provision that when the
- 17. coroner conducts...toxicological tests as provided in this bill,
- 18. the tests are to be used only at the inquest and for no other
- 19. purposes. It deletes that so that these tests can be used for
- 20. other purposes, civil suits, prosecution, so on, so forth. I
- 21. don't find that any problem and therefore, I would move that the
- 22. Senate concur in House Amendment No. 1 to Senate Bill 1232.
- 23. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 24. Is there discussion? The question is, shall the Senate
- 25. concur in House Amendment No. 1 to Senate Bill 1232. Those in
- 26. favor vote Aye. Those opposed Nay. The voting is open. Have
- 27. all those voted who wish? Have all those voted who wish? Take
- 28. the record. On that question, the Ayes are 53, the Nays are none
- 29. and the Senate does concur in House Amendment No. 1 to Senate Bill
- 30. 1232 and the bill having received the required constitutional
- 31. majority is declared passed. Senate Bill 1238, Senator D'Arco.
- 32. SECRETARY:
- 33. Senate Bill 1238 with House Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. I would move to concur in House
5. Amendment No. 1 to Senate Bill 1238. There was some discussion.
6. I had some discussion with Senator Bruce about this...about this
7. bill and Senator Bruce and I reached some type of an accord, but
8. the Medical Society and the psychiatrists felt that it would be
9. more appropriate to leave the bill in...in the form that it was
10. in when we passed it out of the Senate and I don't see any other
11. way to handle this thing, but to concur in it. I wanted to
12. accommodate Senator Bruce, but I don't think it...the bill is in
13. good form. It's...it was a question of how many trips to the
14. psychiatrist's office a patient would be allowed to make in the
15. course of a week and I'll let Senator Bruce...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Well, I rise in opposition to this bill and Senator D'Arco
20. and I worked out a compromise on this, which said that anyone would
21. be limited to fifty psychiatric visits a year and that was denied
22. by the psychiatrists. Now, let me tell you what we have happening
23. in one particular case. We have one lady that has spent four
24. hundred thousand dollars in three years on psychiatric care. Now,
25. you paid it, every dime of it. Every one of us on this Floor
26. paid that cost, either as a taxpayer or as a member of our dependant
27. optional coverage. Now, this is a "stinko" bill and I...I...we
28. provide psychiatric coverage beyond the wildest dreams of anyone
29. and when anyone pays four hundred thousand dollars, folks, I think
30. it's time to say we've got to limit on how many times. This lady
31. saw one physician thirty-two times in one month and I just think
32. that there's...there is abuse when we start seeing people on a
33. 'twenty day work month, thirty-two times. Now, this bill is just

1. unreasonable. We ought to be able to say, fifty times a year.
2. Senator D'Arco and I talked about it. He wanted to do one visit
3. a week. I said no, I don't want to restrict it that much. I think
4. he was very reasonable. Let's just say fifty times a year if she
5. needs four or five visits a week for the first three or four weeks,
6. we ought to do that, but to say that she gets thirty-two visits in
7. a twenty...twenty work days is...is just excessive and this bill
8. ought to be nonconcurrent in and see if we can adopt the amendment
9. we agreed to adopt in the Senate.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Netsch.
12. SENATOR NETSCH:
13. Senator D'Arco, what is the limitation, if any, right now? Is
14. it thirty-two visits in twenty work days...they...what Senator
15. Bruce just described?
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator D'Arco.
18. SENATOR D'ARCO:
19. The problem with the law right now is, that apparently the
20. psychiatrists are not...being reimbursed at all because...well, I
21. know that wasn't your question, but I'm trying to tell you what the
22. law is so we can...you know...reach an understanding about your
23. question. Apparently the psychiatrists are not being...reimbursed
24. at all right now, so no matter how many visits a patient makes to
25. the psychiatrist's office, the patient has to pay the full cost of
26. the visit and the State will not reimburse the psychiatrist. As
27. far as any limitation being placed on the number of visits that a
28. patient may make right now, there is none, but if we don't pass
29. this bill the patient will not be...or the psychiatrist will not
30. be reimbursed by the State and the patient will have to pay the
31. full cost of the psychiatric visit and what I'm trying to say is,
32. that it's better to have a patient see a psychiatrist as an out-
33. patient then to be put into a State hospital and if you think it

1. costs a lot on an outpatient basis, put them in a State hospital
2. and...and the cost you can triple and quadruple the cost.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Netsch.

5. SENATOR NETSCH:

6. One more question, Senator D'Arco. Now, your answer was,
7. there is no limitation right now. I understand the...the fiscal...
8. long-range fiscal argument, which is why I ended up supporting
9. a bill that you...that you sponsored last Session and I thought,
10. as a matter of fact, we had already taken care of this with a
11. limitation built-in. What happened to that bill?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. That was the problem, Dawn. We tried to take care of it and
16. apparently, they said that the language...though they construed
17. the language in such a way that they said it didn't do what we
18. intended it to do and they would not reimburse the psychiatrists
19. at all, so it...it threw us backward instead of going forward.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Just a comment then. I...I am persuaded that there ought to
24. be some reimbursement. I think that on balance, but I do feel that
25. there has got to be a limitation and I think an unlimited one just
26. cannot go because psychiatry and psychiatric visits are a little
27. too fluid anyway.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Philip.

30. SENATOR PHILIP:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. You know, just sitting here thinking about the debate
33. that's been going on, I'm kind of wondering about an employee that

1. has to go to a psychiatrist once a week. I'm going to tell you one
2. thing, I don't think I want anybody working for me that had to go
3. to a "shrink" once a week to get straightened out. Now, obviously
4. in most cases they would probably be taking time off of work. You
5. know, obviously their...their...they've got some kind of a
6. problem. I just...I hope that the State isn't employing anybody
7. who has to go to a psychiatrist once a week to get straightened
8. out. They ought to permanently retire that person, if you ask me.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Collins.

11. SENATOR COLLINS:

12. Well, Senator Philip, I think if we...that was a basis for
13. not supporting this bill, I think the State Government wouldn't
14. be operating 'cause I think it probably would operate a little
15. better if all of us went once a week. I think it's a good idea,
16. although, Senator D'Arco, I supported your bill before. I do
17. think that we should have some limitations on it and not let it
18. be open-ended because cost may be absolutely prohibited. I don't
19. know if that's what your...the...the amendment does now. It takes
20. off all limitations. It's open-ended. You can go a million times
21. a year. I mean every day in the week.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. You can go...you can go...you can go...you know. Everybody
26. can go and...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bruce.

29. SENATOR BRUCE:

30. Well, Mr. President, to...to answer the question. The bill
31. says regardless of the number of sessions. Now, I'm in a peculiar
32. situation because the Senate sponsor of this bill, Senator D'Arco,
33. agreed outside to put on a bill that we had drafted that says not

1. more than fifty. Now, as Presiding Officer, my problem is that
2. if we don't concur on this amendment, I have every suspicion that
3. when this bill goes back to the House, the House sponsor is going
4. to recede and this bill is going to go to the Governor's Office
5. even though the Senate sponsor indicated that this amendment would
6. be on the bill when it came back. Now, I don't want to move to
7. strike the enacting clause on this legislation, but this bill
8. ought to have been debated in this House and there was an agree-
9. ment with the Department of Personnel, the Senate sponsor and myself,
10. as Chairman of the Group Insurance, that this amendment would go on
11. and I am reluctant to nonconcur in this amendment and I am reluctant
12. to concur because it then goes to the Governor. Now, I don't know
13. how we extracted the agreements around here, but this amendment was
14. to be on the bill when it came back and it is not and if we can...
15. if we are going to concur, I will then file the motion or nonconcur.
16. Without an agreement this is going in...going to Conference Committee.
17. I will make the appropriate motion to strike the enacting clause
18. before this bill leaves the Body.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Well, I think a lot of us are wondering just how you want to
23. approach this. The House Amendment changes "whom" to "which" so
24. it obviously is not a substantial amendment. Is it better to
25. kill the bill outright or is there any procedure by which we can
26. exact that kind of agreement? Well, I'm...as I understand Senator
27. Bruce, the fear is that if we nonconcur to have a Conference
28. Committee then the House sponsor will just recede and it will go
29. to the Governor and that...How can we avoid that?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator D'Arco.

32. SENATOR D'ARCO:

33. Thank you, Mr. President. Let me just say this. I had the

1. votes to pass this thing out the way it passed out and I told
2. Senator Bruce that...you know...because we worked on it in the
3. past, I would try to get the people to agree to twice a week for
4. a limitation or fifty visits per quarter, whichever was agreeable
5. and they came back to me and they said they couldn't live with
6. that, that the psychiatrists wouldn't be able to live with that
7. type of...limitation, so I will...if...if we move to nonconcur
8. I will request a House sponsor...I mean, I don't have control
9. over the bill. If...if he decides to refuse to...not to refuse
10. to recede and then it will go to the Governor, but I will ask
11. that we nonconcur and a Conference Committee be appointed.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is that your motion at this time, Senator?

14. SENATOR D'ARCO:

15. Yes.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. All right. Senator (machine cutoff) to nonconcur and advise
18. the House and then they can recede or ask for a Conference Committee.
19. That's the procedure.

20. SENATOR D'ARCO:

21. Well, that's...that's my point. I don't have control over
22. what the House sponsor does in the House.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. You have control now.

25. SENATOR D'ARCO:

26. Well, that's why I'm making a motion to nonconcur. What do
27. you want me to say? I don't know what you want me to say.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. I'd...I'd advise you at this time to take it out of the record.

30. SENATOR D'ARCO:

31. All right.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Take it out of the record. Senate Bill 1247, Senator Maragos.

1. SECRETARY:
2. Senate Bill 1247 with House Amendment No. 1.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Maragos.
5. SENATOR MARAGOS:
6. Mr. President and members of the Senate. I ask that we
7. nonconcur to House Amendment No. 1 to Senate Bill 1247 because
8. of many technical deficiencies and other matters and at this
9. time I ask for your support to nonconcur.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Is there...Senator Rhoads.
12. SENATOR RHOADS:
13. Senator Maragos...never mind. We thought it was House Amendment
14. No. 4. You are correct. I'm sorry. We agree.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there further discussion? Senator Maragos moves to nonconcur
17. in House Amendment No. 1 to Senate Bill 1247. Those in favor say
18. Aye. Those opposed Nay. The Ayes have it. The motion carries and
19. the Secretary shall so inform the House. Senate Bill 1268, Senator
20. Coffey.
21. SECRETARY:
22. Senate Bill 1268 with House...House Amendment No. 2.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Coffey.
25. SENATOR COFFEY:
26. Mr. President and members of the Senate. On Amendment No. 2
27. I would ask this Body to concur with that amendment. It makes
28. the bill mandatory as it was originally before the first amendment
29. in the Senate was placed upon the bill. Its adds a provision that
30. if land is located within a municipality the notice be made...be
31. mailed at the option of the commissioner of that drainage
32. district.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The motion is to concur. Is there
2. discussion? Senator Buzbee.

3. SENATOR BUZBEE:

4. Never mind. I was looking at the wrong amendment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? The question is, shall...Senator Berning.

7. SENATOR BERNING:

8. A question of the sponsor. Now, with this amendment, we're
9. not only burdening the little drainage district with what is
10. rather a substantial cost for them, mailing, but in instances
11. such as the one I'm familiar with, these...these mailings are
12. going to go nowhere because the addresses are not up to date.
13. I'm curious as to whether this is really going to accomplish
14. what...what you think it's going to do. Get the word out. Wouldn't
15. just a publication accomplish the same thing at considerably less
16. expense?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Coffey.

19. SENATOR COFFEY:

20. Well, that was part of our discussion...originally that we
21. was hoping to do that by...by the news media and by advertising...
22. that method. It went over to the House and some of the different
23. ones...the attorneys that work in drainage districts seen that
24. to be a problem, so they came back and...and asked that...that
25. the mailouts still take place in the rural area, but that give
26. the option to the commissioners if within that drainage district
27. there's a municipality that they would not have to mailout and
28. they would use the...there has to be a...a notice made in the
29. paper in two consecutive weeks anyway, so it will continue to be
30. in there. It just says that the mailout will have to go out...they
31. shall make the mailout in the rural area if a municipality is within
32. the drainage district then they...it's...the option of the commissioner
33. so it will let them...if there's a municipality with three or four

1. thousand population in it, that their option...they can make that
2. mailout. They feel that possibly that the news media might not
3. cover the rural area adequate enough. This was a...an agreement
4. that was made there. I think it's...I think it's...it does some
5. good. It's no exactly what we wanted, but it's...it's a step in
6. the right direction.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? The question is, shall the Senate concur
9. in House Amendment No. 2 to Senate Bill 1268. Those in favor
10. vote Aye. Those opposed vote Nay. The voting is open. Have all
11. voted who wish? Have all voted who wish? Take the record. On
12. that question, the Ayes are 49, the Nays are none, none Voting
13. Present. The Senate does concur in House Amendment No. 2 to
14. Senate Bill 1268 and the bill having received the required
15. constitutional majority is declared passed. Senate Bill 1271,
16. Senator Regner.

17. SECRETARY:

18. Senate Bill 1271 with House Amendment No. 1.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Regner.

21. SENATOR REGNER:

22. Mr. President and members. This is a bill which made some
23. changes in the administration of the Division of Risk Management
24. within the Department of Administrative Services. The amendment
25. to this bill deletes from the public liability self-insurance
26. plan to have limits of two hundred and fifty thousand dollars per
27. person per occurrence and replaces these limits with the old
28. language that the limits are two million dollars for any single
29. occurrence in connection with a motor vehicle or one hundred thousand
30. for any single occurrence. Since the amendment puts the old language
31. back in this one particular place, there will be no additional cost
32. increase due to this amended bill and I'd move for the concurrence
33. in House Amendment No. 1.

DE 1277
6/28/79
Concurrence

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? The question is, shall the Senate concur
3. in House Amendment No. 1 to Senate Bill 1271. Those in favor vote
4. Aye. Those opposed vote Nay. The voting is open. Have all voted
5. who wish? Have all voted who wish? Take the record. On that
6. question, the Ayes are 49, the Nays are none, 1 Voting Present.
7. The Senate does concur in House Amendment No. 1 to Senate Bill
8. 1271 and the bill having received the required constitutional
9. majority is declared passed. Senate Bill 1277, Senator Nimrod.
10. Mr. Secretary.

11. SECRETARY:
12. ...Senate Bill 1277 with House Amendments 1, 2 and 3.

13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Nimrod.

15. SENATOR NIMROD:
16. Yeah, thank you, Mr. President. I move that the Senate
17. concur in House Amendments 1, 2 and 3. What the amendments did,
18. in fact, was to...instead of having the Pledge of Allegiance
19. through grades one and eight the...elementary school, it will be
20. through grades one and six and in addition to that for those
21. persons at sporting events the Pledge of Allegiance will also be
22. said and I would move for the concurrence in the three amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)
24. The motion is to concur in House Amendments No. 1, 2 and 3.
25. Is there discussion? Senator Buzbee.

26. SENATOR BUZBEE:
27. Now, Mr. President, it...we...we have tried to legislate
28. brotherly love from time to time and we've failed damned miserably
29. and...and now we're going to legislate patriotism and we're going
30. to fail damned miserably again. You know, whether we recite the
31. Pledge of Allegiance to the flag of the United States of America,
32. which we all dearly love and which we all would probably lay down
33. our lives for, but to try to legislate to say that at every sporting

1. event that happens in the public school that we got to all stand
2. up beforehand and say I pledge allegiance to the flag, that's
3. going just a little bit too far, in my opinion. I am one of
4. those who having worn a...a military uniform of our country for
5. several years, I don't believe that you necessarily have to have
6. worn a uniform to be a patriot, however, and it just seems to me
7. that...that to stand up now and to say, every time we have a
8. basketball game or a baseball game or a swimming meet or perhaps
9. even...I don't know if it includes other contests such as music
10. concerts or whatever, everybody's got to stand up and pledge
11. allegiance to the flag, that's going just a little bit too far.
12. Now, if I'm going to be labled as some sort of a red herring or
13. a "Commie" because I make such a speech as this, then I guess that's
14. the way it's going to be, but...this is...this goes way beyond...
15. just common good sense...this...this is ridiculous.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion?; Senator Rock.

18. SENATOR ROCK:

19. Yes, thank you, Mr. President and Ladies and Gentlemen of
20. the Senate. I would point out that Amendment No. 2, which said,
21. "In prior to all school sporting events by any person attending,
22. working in or visiting an educational institution or attending
23. a sporting event" has, in fact, it appears by virtue of Amendment
24. No. 3 been...also been stricken. Because Amendment No. 3 says
25. by "deleting everything after line 23 and inserting in lieu
26. thereof grades one through six, so I...the sporting event and
27. visitation part, at least, is out of this terrible bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Sommer.

30. SENATOR SOMMER:

31. As I read the other amendment, it...sporting events are still
32. in, I think Senator Rock failed to read the last couple of lines
33. and I...I agree with Senator Buzbee, this is not...this has just

1. gone too far and perhaps you'd want a nonconcur, Senator Nimrod,
2. and send it back.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Netsch. Further discussion? Senator Wooten.

5. SENATOR WOOTEN:

6. I...Senator Nimrod, are you going to move to nonconcur now?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. I...I think that what this says, this is elementary schools
11. and I talked with the sponsor of this bill and...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Well now, Senator...Senator...

14. SENATOR NIMROD:

15. ...Amendment...Amendment 2...he wanted to understand what I
16. want to do and I'm trying to...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. ...Well, the question is, do you plan to nonconcur? That
19. could be answered probably with a Yes or No. Senator Nimrod.

20. SENATOR NIMROD:

21. May I please have a moment to explain the situation?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, you can explain it in closing. Senator Wooten.

24. SENATOR WOOTEN:

25. No, I...I'm curious, if...if he nonconcur, that's fine, but
26. if not...you know, I...whenever...whenever a person comes up and
27. tells me how honest he is, I put my hand over my wallet and I am
28. a little bit disturbed by people who make a holy show of patriotism.
29. I...I wouldn't trust them in a battle and I...I just think that the
30. whole process is just a bit too extreme and to mandate it on persons
31. attending sporting events, we already have for most of these...we
32. play the National Anthem. Enough is enough.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Mitchler...Senator Mitchler.

2. SENATOR MITCHLER:

3. Mr. President and members of the Senate. I respect the
4. remarks of Senator Wooten and Senator Buzbee. I mean, if that's
5. their feelings. A lot of...a lot of...a lot of members of this
6. Body feel that the opening prayer that we have in this Chamber
7. is...you know...it takes up their time and so they always hide
8. outside the doors or stay down in their office till you get the
9. prayer out of the way and then they will come wandering in when
10. you're on the first order of business. That's their...that's their
11. opportunity. It's...it's their freedom, they can do what they want.
12. The House recites a prayer and also has the Pledge of Allegiance
13. prior to the opening of their Sessions. In the Senate, we are
14. fit to just have the opening prayer, we don't have the Pledge of
15. Allegiance. What this House Amendment does, it says in the
16. elementary schools, grades one through six, elementary educational
17. institutions, they'll recite the Pledge. I think this is a training
18. period in grades one through six and I'd even be having some sort
19. of a prayer in the schools and...and I don't think that that's
20. being overburdensome or anything because I think it's teaching
21. them patriotism and I don't see anything wrong with that and at
22. our public events and I've been at a lot of public events like
23. many of you and people are proud at the opening of meetings...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator, your time has expired.

26. SENATOR MITCHLER:

27. ...to be able to stand up and recite the Pledge and have a
28. prayer. I see nothing wrong with this. If you don't want to do
29. it, don't do it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Donnewald.

32. SENATOR SAVICKAS:

33. Well, no, that's...I'm Senator Savickas at Donnewald's desk.

1. I understand, Senator Nimrod, that this bill provides that you
2. must Pledge Allegiance at every event...sporting event and if
3. you don't, you're in violation of the law. What are the penalties
4. if you violate...if you don't stand up and Pledge Allegiance?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Nimrod. Senator Nimrod.
7. SENATOR NIMROD:
8. Thank you. There are no penalties, Senator Savickas. If you
9. don't want to do it, you don't have to.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Further discussion? Senator Savickas.
12. SENATOR SAVICKAS:
13. Well now, we're putting something into a law and if you don't
14. do it, you violate the law, but there's no penalties. Why do we
15. need this law then?
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Nimrod.
18. SENATOR NIMROD:
19. We need the law because the purpose was that when we found
20. out when students were graduating from high school, that they did
21. not even know the Pledge of Allegiance and the reason is to instill
22. into our young people and this went out with a pretty substantial
23. vote in the Senate, we agreed that it ought to be a good idea that
24. young people ought to have some patriotic concern and let them
25. know that our parents and our teachers are concerned and when the
26. amendment went on in...in the House over there to reduce it to
27. sixth grade instead of seventh and eighth, I said, sure, that's fine,
28. just so we do it with the young people. When they said something
29. about sporting events...you know, what's wrong with what's happening
30. in the class...
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator...
33. SENATOR NIMROD:

1. ...is the parent doesn't stand next to his child and...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. ...Senator, your time has expired.

4. SENATOR NIMROD:

5. ...so the...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Now...further discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. On a point of personal privilege, Mr. President. I believe
10. that Senator Mitchler indicated that I hid outside the door before
11. the prayer, well, Senator, I'll let you know that I'll come into
12. this Chamber anytime that I want to. I don't hide outside the
13. door. If I want to be here for the prayer, I'm here. If I don't
14. want to be, I'm not here. I'm elected of the people of the 58th
15. District and I, frankly, don't give a damn what you think.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator DeAngelis.

18. SENATOR DeANGELIS:

19. Thank you, Mr. President. I might point out to the Body that
20. there is a very large religious group numbering well over a million
21. in this country who have a difficulty with the Pledge of Allegiance
22. and I don't know what to say about this, except that if we want a
23. conflict between one freedom versus another, we might get into
24. difficulty with this.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Netsch.

27. SENATOR NETSCH:

28. Thank you. I think Senator DeAngelis made the very point
29. that I would have made. The...equally is important to compel
30. to patriotism is the...one of the basic premises of our Constitution,
31. which is a religious freedom. There are those who cannot take a
32. Pledge of Allegiance. Their right to refuse to do so has been
33. upheld by the United States Supreme Court in the past and I think

1. if we respect the important principles of this country, we will
2. respect their religious right to not to take the Pledge of Allegiance.
3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Bloom. Senator Nimrod may close.
5. SENATOR NIMROD:

6. Yeah, this...this bill does not infringe on anyone's rights.
7. It certainly has taken into consideration all of the things. There
8. are very few, if any, sporting events through grades one and six
9. in the elementary schools. This simply says that we are concerned
10. about our young people being instilled with the idea that our
11. country means something and if we don't have enough respect to
12. have them learn the...the Pledge of Allegiance and then do it with
13. them, in case we go to a...to a sporting event with them during the
14. elementary school, I think we don't deserve to be parents. We don't
15. deserve to be citizens. This is the chance for us to tell the
16. public and the world that we are concerned about the health of our
17. patriotic condition in this country and, at least, we will be telling
18. them that...that it is a concern and we do want and do respect our
19. flag and country and I would ask you to...for a favorable roll call.
20. PRESIDING OFFICER: (SENATOR BRUCE)

21. For what purpose does Senator Wooten arise?
22. SENATOR WOOTEN:

23. Senator Nimrod misstated it. It says persons attending sporting
24. contests. It is not limited to students grades one through six.
25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall the Senate concur in House Amendments
27. No. 1, 2 and 3 to Senate Bill 1277. Those in favor vote Aye.
28. Those opposed vote Nay. The voting is open. Have all voted who
29. wish? Have all voted who wish? Take the record. On that question,
30. the Ayes are 14, the Nays are 23, 2 Voting Present. The Senate does
31. not concur in House Amendments No. 1, 2 and 3 to Senate Bill 1277
32. and the...the Secretary shall so inform the House. For what purpose
33. does Senator Newhouse arise?

(END OF REEL #3)

1. SENATOR NEWHOUSE:

2. A point of personal privilege, Mr. President. There's
3. a lot of talk about patriotism in that last bill and I'd like
4. to read you briefly from Plunket of Tammany Hall who says the
5. following, "the Civil Service Law is the biggest fraud of the
6. age. It is the curse of a nation. There can be no real patriotism
7. while it lasts." Young men say, what's the use of working for
8. your country anyhow, there's nothing to gain. And what
9. can they do, I don't know. But I'll tell you what I do know
10. now. I know more than one young man, who in past years worked
11. for the ticket and was just overflowing with patriotism, but
12. when he was knocked out by the Civil Service humbug, he got
13. to hate his country and became anarchist.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 1320, Senator Rock. Senate Bill 1377, Senator Shapiro.
16. Senate Bill...1386, Senator Nimrod. Mr. Secretary, please.

17. SECRETARY:

18. With House Amendment, Senate Bill 1386, with House Amendments
19. 1 and 3.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. I...move we not concur in Amendments 1 and 3 and talked...
24. this over with Senator Washington. They have changed some of the
25. wording and he is going to talk to the sponsor and see if we
26. can get this problem resolved on that which affects, on that
27. part which affects the employers rights into being able to...
28. bring suit to...against the employee... It's the employer and
29. the employee bill under the FEPC which I think is...needs some
30. attention.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to nonconcur. All in favor say Aye. Opposed .
33. Nay. the Ayes have it. The motion to nonconcur prevails and

AB 1395
concurance
6-28-79

1. the Secretary shall so inform the House. 1395, Senator Maragos.
2. Mr. Secretary, please.
3. SECRETARY:
4. Senate Bill 1395 with House Amendments 1, 2, 3, and 4.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Maragos.
7. SENATOR MARAGOS:
8. Mr. President and members of the Senate. I move to concur
9. to Amendment...House Amendments 1, 2 and 3 and to nonconcur on
10. Amendment 4.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. The motion is to concur with House Amendments number 1, 2
13. and 3 and noncur with Amendment No. 4. Is there discussion?
14. Senator Rhoads.
15. SENATOR RHOADS:
16. Senator Maragos, maybe you could briefly explain House
17. Amendment No. 4 and why you're nonconcurring.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Maragos.
20. SENATOR MARAGOS:
21. Mr. President the...and members, the House Amendment No. 4
22. to House Bill 1395 is objectionable to the extent that it might
23. be violating home rule units and it also is technically incorrect
24. in that it covers more than it anticipates...by reference, it goes
25. to other units and it might be some ambiguity resulting as a
26. result of the language in that amendment and therefore I move
27. for its...for nonconcurrance on that one.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Is there discussion? Senator Rock.
30. SENATOR ROCK:
31. Yes, beside that, I requested him to do it because this
32. is the reincarnation of House Bill 928 by Representative Bowman
33. which failed, I might add, to get out of the Committee on Elections.

1. And I'm getting a little tired of picking up Bowman's packages
2. over here.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is...Senator Netsch.

5. SENATOR NETSCH:

6. Senator Rock, you're going to have to throw me in with
7. Bowman this time because I had a similar bill in the Senate,
8. which also I admit did not get out of the Senate Elections Committee.
9. But then as someone pointed out not too long ago, not much did. This
10. would take...address itself to a problem that I think is a real
11. problem that should be addressed, particularly in Chicago and
12. that has to do with vacancies in the office of aldermen What
13. we have...what it would end up doing would be allowing anyone
14. of the election dates, under the consolidated schedule to be
15. used to fill a vacancy. It would produce a maximum length of
16. vacancy of ten months. That's still a long time for a ward in
17. the City of Chicago to go unrepresented, but it's better than
18. it is under the existing structure. And it would also remove
19. the power of the Mayor of the City of Chicago to fill vacancies
20. during that interim period. They really ought to be some addressing
21. of this issue. Under the consolidated schedule, as I recall, we
22. can go for as long as, it's either nineteen or twenty-one months
23. with a vacancy in that office. And that, I think, is much too
24. long for the huge number of people that are part of a city ward
25. in Chicago to go unrepresented. So, I think the, what is in
26. here is a very good idea. I recognize the sponsor has a right
27. to request nonconcurrence, but I would respectfully disagree
28. with him.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. Mr. President and members of the Senate. Beside the
33. philosophical approach that may...we have with Senator Netsch, the

1. question is this amendment is technically defective because it
2. neglects to amend Subparagraph B, which lists the permitted exceptions.
3. And it does not allow for a runoff election...mayoral. And I
4. think these are defects which are... will not do anything no
5. matter which way we look at this amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? The question is shall the Senate concur
8. in House Amendments No. 1, 2 and 3 to Senate Bill 1395. 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 50, the Nays are 3, and
12. the Senate does concur in House Amendments number 1, 2 and 3 to
13. Senate Bill 1395. Senator Maragos now moves to nonconcur in
14. House Amendment No. 4 to 1395. Is there discussion? The
15. question is...all those in favor say Aye. Opposed Nay. For
16. what purpose does Senator Walsh arise?

17. SENATOR WALSH:

18. Well, I think Senator Rhoads was seeking recognition.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. (Machine cut-off)...your light was not lit and I apologize.
21. Senator Rhoads.

22. SENATOR RHOADS:

23. Would a substantive motion to concur be in order?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. We do not generally recognize substitute motions. The
26. main motion is before the Body which is...there has been a request
27. for a roll call on the motion to nonconcur.

28. SENATOR RHOADS:

29. And on that question I would urge a No vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Yeah...there...is there discussion of the motion to nonconcur?
32. Senator Maragos.

33. SENATOR MARAGOS:

SB 1412
4/28/77
concurrent

1. Mr. President, I again repeat. If you'll read the amendment,
2. it does not do the job in any case, it's defective to begin with.
3. And if you're going to...if you...you leave me no alternative that
4. if you're going to overcome the nonconcurring motion, then I'm
5. going to ask for...Table of the bill, because it's not in the
6. proper shape to...to go to the Governor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further discussion of the motion to nonconcur?
9. Senator Rhoads.

10. SENATOR RHOADS:

11. Well, why don't we just have a roll call on the motion to
12. nonconcur and everybody vote No and let's see what happens.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is on the motion to nonconcur. Those in favor
15. of nonconurrence...for what purpose does Senator Maragos arise?

16. SENATOR MARAGOS:

17. Can I take this aspect of this out of the record, so I
18. could discuss it with Mr. Rhoads because he doesn't understand
19. what I'm trying to tell him?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Proceed to other business, at the request of the sponsor.
22. And Amendment No. 4 is pending in this Body. We have taken action
23. on 1, 2 and 3 and there's...and he has withdrawn the motion on
24. nonconurrence of 4 and that it remains on the Secretary's Desk.
25. Senate Bill 1412, Senator Washington. Mr. Secretary, please.

26. SECRETARY:

27. Senate Bill 1412 with House Amendment No. 4.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Washington.

30. SENATOR WASHINGTON:

31. Mr. President and members of the Senate. This is the
32. Currency Exchange Rate Making Bill. The revised amendment in
33. the House did not change anything in substance, but it did clarify

1. the bill by striking the, whereas clauses, and making them legislative
2. findings, which was in comport with what we did. You might be interested
3. in knowing that for the first time the currency exchange industry
4. voluntarily participated in trying to redraft this amendment. And
5. although they do not agree with the concept of rate making, they
6. did participate in trying to make the best possible bill out of
7. it. In so doing, I think they removed any opposition here. Senator
8. Weaver, for example, was urging them to work with us and they finally
9. complied with that Senator Weaver. We've discussed this with
10. Senator Carroll and he understands that they have cooperated. I
11. know of no one who opposes it. I think what we've done over a
12. period of several years is to make the industry realize that
13. this is a serious business and cooperation was called for and
14. they did give that cooperation. And I move to concur in House
15. Amendment No. 1 to Senate Bill 1412.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator, the Amendment is No. 4.

18. SENATOR WASHINGTON:

19. Pardon me, No. 4 then.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Okay. The motion is to concur. Is there discussion of the
22. motion? The question is shall the Senate concur in House Amendment
23. No. 4 to Senate Bill 1412. Those in favor vote Aye. Those
24. opposed vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Take the record. On that question the
26. Ayes are 47, the Nays are none, 1 Voting Present. The Senate does
27. concur in House Amendment No. 4 to Senate Bill 1412 and the bill
28. having received the required constitutional majority is declared
29. passed. Senate Bill 1423, Senator Weaver. Mr. Secretary, please.

30. SECRETARY:

31. Senate Bill 1423 with House Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Weaver.

1. SENATOR WEAVER:

2. Thank you, Mr. President. I would move that the Senate
3. nonconcur in House Amendment No. 1 to Senate Bill 1423.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to nonconcur. Is there discussion of the motion?
6. All in favor say Aye. Opposed Nay. The Ayes have it. The Senate
7. nonconcur in House Amendment No. 1. The Secretary shall so inform
8. the House. Senate Joint Resolution 40 with House...Senator Merlo.
9. Mr. Secretary, please.

10. SECRETARY:

11. Senate Joint Resolution 30 with...rather 40, with House
12. Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senate...Senator Merlo.

15. SENATOR MERLO:

16. Thank you, Mr. President. Senate Joint Resolution 40
17. creates a Condominium Study Committee. The House Amendment merely
18. changed the reporting date from January 31, 1980 to April 1st, 1980
19. and I therefore move that...that we adopt, or...approve House
20. Amendment No. 1 to Senate Joint Resolution 40.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to concur with House Amendment No. 1 to
23. Senate Joint Resolution 40. Is there discussion? Those in favor
24. will vote Aye. Those opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question the Ayes are 48, the Nays are 1, none
27. Voting Present. The Senate does concur in House Amendment No. 1
28. to Senate Joint Resolution 40 and the resolution is passed.
29. Senator Rock. For what purpose does Senator Maragos arise?

30. SENATOR MARAGOS:

31. Mr. President, I just had discussion with the Minority
32. Spokesman of the Election Committee, Senator Rhoads and we'll
33. go back now to Senate Bill 13...Senate Bill 1395.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there leave? Leave is granted. On the Order of Concurrences.

3. 14...1395, Senator Maragos.

4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. I again move that
6. we nonconcur on Senate...on House Amendment No. 4 to...Senate Bill
7. 1395.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rhoads.

10. SENATOR RHOADS:

11. Senator Maragos was correct. There is a technical defect
12. in the House Amendment and in the interest of saving the original
13. bill, I support the nonconcurrency.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to nonconcur. Is there further discussion?
16. All in favor...the motion is to nonconcur in Amendment No. 4.
17. Is there discussion? All in favor say Aye. Opposed Nay. The
18. Ayes have it. The Senate nonconcur in House Amendment No. 4 and
19. the Secretary shall so inform the House. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. Before we begin the Order of Business on Nonconcurrency,
23. that is Nonconcurrency of the House with our proposed Senate Amend-
24. ments. Two things, one is, in my discussions with Senator Shapiro
25. it was tentatively decided, at least, that because of the lightness
26. of the Calendar, frankly, we probably can work straight through
27. and hopefully be able to adjourn about six o'clock. And we will
28. begin again tomorrow at ten as will the House. Now we have a
29. number of...of matters On the Order of Nonconcurrency and additionally
30. there is a Supplemental Calendar. That is those Messages from the
31. House that were read in either late last nite or early this morning
32. that weren't...weren't able to be placed yet on the Calendar. I
33. have asked the Secretary to prepare a Supplemental Calendar, which

1. he has done and we are...we have asked the LIS to get out...under
2. their print outs so that hopefully when we conclude nonconcurrence,
3. we will then have a Supplemental Calendar again for Concurrence
4. and Nonconcurrence, which contains about thirty additional matters
5. and we can attempt, at least to run that through. If I could have
6. leave of the Body, there has been some inquiry with respect to the
7. other bills pending on the Calendar and I'd like leave of the
8. Body to go to the Order of Motions in Writing. I have filed a
9. Motion in Writing after discussion with Senator Shapiro, and I would
10. like to do that now so that everyone will know where we stand.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there leave to go to the Order of Motions in Writing?
13. Leave is granted. Senator Rock.

14. SENATOR ROCK:

15. The motion has been filed, Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Motions in Writing, Mr. Secretary, please.

18. SECRETARY:

19. I move to recommit...to committees which last considered
20. them, all House Bills on the Senate Calendar on the Order of 3rd
21. reading, 2nd reading and Consideration Postponed and to commit
22. House Bill 1400 to the Order of 3rd...On the Order of 3rd reading
23. to the Committee on Reorganization of State Government. Signed,
24. Senator Rock.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President, Ladies and Gentlemen of the
29. Senate. This is a motion to recommit all the bills remaining on
30. those...those orders of business, that is 3rd reading, 2nd reading
31. and Postponed Consideration to their respective committees which
32. considered them and House Bill 1400, which was moved to the Calendar
33. without reference to the Committee on Government Reorganization.
34. Additionally, I...I will then preside and allow you to Table your
35. own bill, but I...I think for purposes of this motion, all you

1. got to do is discharge and Table.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. I was...Senator Rock, I would grant you leave to Table

4. that bill right now and...

5. SENATOR ROCK:

6. In lieu of...in lieu of...with leave of the Body...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. 853.

9. SENATOR ROCK:

10. ...on page 3 on the Calendar On the Order of House Bills

11. 2nd Reading, there was some concern expressed, I'm told, with

12. respect to House Bill 853. I would move at this time that that

13. bill be Tabled.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Heard the motion to Table. All in favor say Aye. Opposed

16. Nay. The Ayes have it, the bill is Tabled. Senator Grotberg.

17. SENATOR GROTBORG:

18. Parliamentary inquiry. I notice in the last couple of

19. days, Senator Rock, individual members have...have asked the

20. question as to those lying on 3rd, would they remain on 3rd...

21. till the fall Calendar and you suggested that they would. Now

22. I'm asking is the same true...do you have to make an individual

23. motion...once we tube them...all, they're all treated the same,

24. right?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rock.

27. SENATOR ROCK:

28. Well, I...my motion is that all the bills on the Calendar

29. and frankly the motion is more in...in the nature of cleaning

30. up the Calendar and avoiding necessary work by our people who

31. are overworked already. There's frankly not...little or no

32. sense in keeping a bill on 3rd reading. Once it's re-referred

33. to committee, if, in fact, it can be discharged or the committee

1. wishes to act upon it, it could technically come out on that
2. same order, so it really doesn't...it's just a question of
3. clearing the Calendar and I think I would recommend highly my
4. motion.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Netsch.

7. SENATOR NETSCH:

8. Before the motion is put, I would like if I might,
9. address a question to Senator Shapiro with respect to House
10. Bill 1400. If that bill is recommitted to the Committee on
11. State Reorganization, it will, for all effective purposes, be
12. null and void and of no use whatsoever because the reorganization
13. takes place on October 1 and I assume we will not likely be back
14. in Session before October 1. Could I ask you specifically, because
15. I have heard many different things in the last twenty-four hours.
16. Is it now your intention not to call House Bill 1400?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. It is my intention to call House Bill 1400 when we come
21. back in the fall.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Thank you. I would simply repeat that in the fall when
26. we come back, there is not very much point in calling House Bill
27. 1400 because the reorganization will already have become effective
28. and the changes that were agreed to in the House by the Governor
29. with the Chamber of Commerce and the union groups, all of whom
30. had an interest in it, that resulted in House Bill 1400 and in its
31. revival, after it was initially killed, will effectively not be
32. incorporated in the reorganization. I...I would like to say and
33. I do not direct this personally or specifically, at you, Senator

1. Shapiro, but at some other identified persons. I consider that
2. there has been a breach of faith on the part of those who had
3. made the commitment with respect to 1400 and I don't have that
4. much interest in it one way or the other, but I think there
5. are many people who feel that they have been left out hanging
6. and I think that is very unfortunate.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Shapiro.

9. SENATOR SHAPIRO:

10. Well, Mr. President and Ladies and Gentlemen of the Senate.
11. If there was any commitments made, they were made in the House.
12. I know nothing of them and I don't think anyone on this side of
13. the aisle knows anything of them. But House Bill 1400 is Statutory
14. language and even though the...Executive Order will have taken
15. effect by then, we can still put this on the law books and whatever
16. changes are entered in contrast to the Executive Order, will take
17. effect.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. A point of information. Number one, some of our Calendars
22. are printed with one page missing. I don't know if you're aware
23. of it or not, but page twelve on some of our Calendars is missing.
24. And number two, I...I had a bill on Postponed Consideration. Now
25. if Senator Rock's motion goes through, does the bill get recommitted
26. to committee, is that right?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. That is the motion. Senator, you may have had the only
29. Calendar that was not printed properly. Sometime the collator
30. misses a sheet. We'll see that you get a corrected Calendar.
31. Further discussion? Senator Walsh. Senator Graham.

32. SENATOR GRAHAM:

33. Mr. President, I have as much interest in Consideration

1. Postponed as many of you. I've had some experience around here
2. in the last couple of days of Session with Consideration Postponed
3. bills. I remember a couple of years ago, we had about...about forty
4. on Postponed Consideration and none of them passed. I think if
5. we're really interested in passing our bills on Postponed Consideration,
6. we'll do it in...in accordance with a motion made by Senator Rock
7. so that we can discuss that at some future time in a more sane
8. situation and probably pass them.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Further discussion? The motion is
11. to commit...Senator Buzbee.

12. SENATOR BUZBEE: :

13. What...what is the motion, Mr. President?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to generally commit bills on 2nd, 3rd and
16. postpone House Bills to the committee from whence they came,
17. except for 1400 which will...which will go back to the Committee
18. on Reorganization. Further discussion? The motion is to
19. commit the committees from...which last considered them, all
20. House Bills on the Calendar on the Order of 3rd Reading, 2nd
21. Reading and Consideration Postponed to commit House Bill 1400
22. on the Order of 3rd reading to the Committee on Reorganization
23. of State Government. Those in favor say Aye. Opposed Nay.
24. The Ayes have it, the motion prevails. Now, Senator Demuzio,
25. on the Calendar you...Senator Demuzio. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Thank you, Mr. President. Motions in Writing, House Bill
28. 605, I'd like to have that withdrawn.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Sponsor withdraws his Motion in Writing relative to
31. House Bill 605. Netsch, you sought recognition?

32. SENATOR NETSCH:

33. I had asked to be recorded No on that last vote.

34. PRESIDING OFFICER: (SENATOR BRUCE)

35. The record will so show. We are happy to have back with us, Senator

1. Keats. Senator Keats is recognized as Minority Spokesman of
2. Labor and Commerce.

3. SENATOR KEATS:

4. I wanted to thank you for the welcome, thank you for
5. the flowers, thank you for the cards and may you be as happy
6. to see me again next time I walk in the door. Thank you.

7. SENATOR ROCK:

8. Yes, thank you Mr. President, Ladies and Gentlemen
9. of the Senate. I just wanted to alert the membership. Earlier
10. this morning there were a couple of complaints that they couldn't
11. find the printouts. We now have the printout's that correspond
12. to the Supplemental Calendar. I will ask the Sergeant-at-Arms
13. and the Pages to distribute them and make sure everybody gets
14. one so that we can keep right on going. And I would urge that...
15. urge that we move right now to page 10 and begin on Nonconcurrency.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Right. Is there leave to go to the Order of Secretary's
18. Desk on page 10, the Order of Nonconcurrances. Leave is granted.
19. House Bill 14, Senator Rhoads. On the Order of Nonconcurrency,
20. water commission: Mr. Secretary. Senator Rhoads, House Bill 14.

21. SENATOR RHOADS:

22. I move that the Senate nonconcur with the House amendments
23. so that a conference...and request a Conference Committee.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to recede...

26. SENATOR RHOADS:

27. ...to...refuse to recede...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. ...that the Senate refuse to recede from Senate Amendment
30. No. 1 to House Bill 14 and that a Conference Committee be
31. appointed. Those in favor say Aye. Opposed Nay. The Ayes have
32. it. The motion carries and the Secretary shall inform the House.
33. House Bill 112, Senator Geo-Karis. Senator Geo-Karis.

34. SENATOR GEO-KARIS:

1. Mr. President, I move not to recede from Amendment...Senate
2. Amendment and I request a conference.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. ...Senator Geo-Karis moves that the Senate refuse to recede
5. from Senate Amendment No. 1 to House Bill 112 and that a Conference
6. Committee be appointed. Those in favor say Aye. Opposed Nay.
7. The Ayes have it. The...the motion carries, the Secretary shall
8. inform the House. House Bill 148, Senator Berning.

9. SENATOR BERNING:

10. Thank you, Mr. President. The...the...the Senate Amendment
11. to House Bill 148 was a replacement of the phrase, dissolution
12. of marriage, with the word, divorce. The House refused to
13. accept that amendment and I, therefore, Mr. President, move to
14. recede from Senate Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? This will be final passage, Gentlemen
17. and Ladies. The question is shall the Senate recede from Amendment
18. No. 1 to House Bill 148. Those in favor vote Aye. Those opposed
19. vote Nay. The voting is open. Have all voted who wish? Have
20. all voted who wish? Take the record. On that question the Ayes
21. are 55, the Nays are 1, none Voting Present. The Senate does
22. recede from...Senate Amendment No. 1 to House Bill 148 and the
23. bill having received the required constitutional majority is
24. declared passed. House Bill 1437, Senator Carroll. House Bill
25. 437, Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. The House is...with, the tape will be right, with our
29. amendments. I would move that we refuse to recede at the
30. suggestion of my mentor, Senator Lemke, and ask that a
31. Conference Committee be appointed.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll moves that the Senate refuse to recede

1. from adoption of Amendments No...Senate Amendments 1, 2 and 3 to
2. House Bill 437. Is there discussion? All in favor say Aye.
3. Opposed Nay. The Ayes have it. The motion carries and the
4. Secretary shall so inform the House. House Bill 440, Senator
5. Schaffer. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Mr. President, I've talked to the House sponsor and some
8. of the people that were involved in Senate Amendment No. 1.
9. The House did not like it. I wasn't overly enamored with it,
10. I don't think it's necessary. I would move that we recede
11. from Senate Bill...the first...Senate Amendment 1 to 440.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Egan.

14. SENATOR EGAN:

15. Yes, I have some interest in the...subject and I...I would
16. like an explanation as to what it did or does or will do.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Senate Amendment No. 1 was clarifying language. It said,
21. in effect, that the physician who is to perform the abortion may
22. consider a statement from another physician. This bill, by the
23. way, requires a twenty-four hour period between the time the
24. abortion was diagnosed and the time that the abortion is performed.
25. There was concern that the, someone say, from Centralia, I kind
26. of call this the Centralia Amendment, would have to come into
27. Chicago and then have another pregnancy test, wait twenty-four
28. hours and then if...she wished to continue, have the abortion.
29. The language in the bill, I think, does not force them into
30. that position. Evidently...some people, I think Harry Leinenweber
31. had some problems with the amendment in the House. I think it's
32. excess baggage and the people that asked me to put it on in
33. committee have said...agree with me that it is not necessary.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan, your...your time is expired, Senator. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President. Well, I think it would be
5. helpful and I...I don't mean to single out Senator
6. Schaffer although this is only the second request
7. to recede. But I think it would be helpful to point
8. out whether or not it was a Committee Amendment or not, and
9. if so, what the impact was. Now, as I read our notes in the file,
10. the first motion, Do Pass Unamended, was three, three and the bill
11. remained in committee. And then...after the amendment, which
12. was requested by the Department of Public Health, the bill went
13. out ten to nothing. Now to recede from this, it seems to me
14. is not in our best interest and I'm frankly, I'm not a member
15. of that committee. I was not present.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Nimrod.

18. SENATOR NIMROD:

19. You know, I have a note here on this that there seems to
20. be...that the provisions of this particular bill...and that a
21. force of I think it say's it's House Bill or Senate Bill 47,
22. are very similar and, in fact, there could be some conflict.
23. And it seems that those that are interested in this particular
24. issue, would rather see 47 than see this, so I would hope that
25. we could get this back into a Conference Committee to get this
26. straightened out without passing it out.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator...Washington.

29. SENATOR WASHINGTON:

30. Mr. President, yes, as Chairman of the Public Health and
31. Welfare Committee, we did discuss this bill very throughly on
32. several occasions and the only reason why there was not unanimity
33. and the bill did not go out on the first try was because there
34. was an attempt to try to work this thing out. Finally, when

1. it, the amendment was placed on, which was not really necessary
2. to the bill, as we understood it. And there was unanimity
3. around, we just voted it out ten to nothing. I think it's
4. a wise gesture by Senator Shapiro in...in attempting to...
5. Schaffer rather...in...in making the motion that he's making
6. because I think it will resolve the question once and for
7. all. And to Senator Rock, I don't think it cripples this
8. piece of legislation at all...rather to Senator Egan, I think it
9. ...I think it enhances it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator DeAngelis.

12. SENATOR DeANGELIS:

13. I have a question of Senator Schaffer.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates he'll yield, Senator DeAngelis.

16. SENATOR DeANGELIS:

17. This is my first shot at nonconcurrence, but does this
18. mean that you are willing to accept the bill without Senate
19. Amendment No. 1?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Yes, and the House evidently feels that way too.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator DeAngelis.

26. SENATOR DeANGELIS:

27. I might point out to the Body, not being a lawyer, however,
28. I think the question of whether you accept that or not might
29. be the question of the constitutionality of the bill or not.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berning.

32. SENATOR BERNING:

33. Thank you, Mr. President. That...that was part of what

1. I was going to raise in the way of a...an objection to the
2. concurrence or the receding. The very fact that there seems
3. to be a valid point made that the bill in its original state
4. may not be constitutional and for that reason,I would respectfully
5. suggest that we do not recede and go back to a Conference Committee
6. and attempt to reconcile that.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. I echo the remarks of Senator Berning that we should not
11. recede.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Yes, thank you, Mr. President. As I understand the
16. opposition to this bill, there is another bill in the...in
17. existence. And they...the...anti-abortion people wish this
18. bill not to pass and the other one to pass. And so consequently,
19. I'd like to get it in the Conference Committee. It's simply
20. that and nothing more.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Schaffer may close.

23. SENATOR SCHAFFER:

24. Well, there appear to be two issues here. One which anybody who
25. wants to go up front will agree on and that's the amendment is
26. not necessary. The other one really is kind of amazing and I...
27. if I interpret what some of my pro-Life friends are saying and
28. I consider my self pro-Life and I think my voting record backs
29. it up, is that they want 47 to go out exclusively, knowing full
30. well that the Governor will Veto it. And we'll come back in
31. the fall and override it and than it will go to court. What
32. I'm suggesting to you is fine, let's follow that scenario,let's
33. ...let's vote 47 out and override it. But in the meantime, this
34. bill, which is not as strong and does not have the same intents,

1. would put the screws down on the abortion clinics. I am amazed
2. that anyone here who would wear a red rose would say, let's
3. play politics and games for nine months and not go after these
4. people. This bill is the first line of defense. It doesn't
5. do everything all of us would like to do. If you want to put
6. the screws to the abortion...clinics, next month, this is the
7. bill. If you want to fool around for four or five years and
8. let those butchers cut and kill, just don't concur, don't
9. back me on this one.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall the Senate recede from Senate
12. Amendment No. 1 to House Bill...to House Bill 440. Those in
13. favor vote Aye. Those opposed vote Nay. The voting is open.
14. (Machine cut-off)...who wish? Have all voted who wish? Take
15. ...take the record. On that question the Ayes are 29, the Nays
16. are 24. The Motion to Recede, the Senate refuses to recede...
17. the Senate refuses to recede from Senate Amendment No. 1 and
18. the Secretary shall so inform the House. Okay. House Bill 4...
19. 524, Senator D'Arco. Senator Schaffer.

20. SENATOR SCHAFFER:

21. Did you give me postpone or is that not a...a request that
22. I can make at that point?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well...I...I'd already announced it Senator, with leave
25. of the Body, I'm sure that you can postpone it if you wish.
26. Is there leave? Leave is granted. Bill...the motion...for
27. what purpose does Senator Rock arise?

28. SENATOR ROCK:

29. Well, it seems to me we talked about this in years
30. past and I thought we had kind of finally decided that once
31. the motion is put and either passes or fails, we are obligated
32. to so inform the House. I'm, you know...I don't have any hang up
33. one way or the other on it, I just, you know, let's establish a

1. procedure...which we're going to have to live with. We've got
2. everybody postponing, either a request for a Conference Committee
3. or a...a refusal to accede or a motion to recede, we're going
4. to be here through the middle of next month.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Schaffer, I think the recommendation of the President
7. ought to be seriously considered. Senator Schaffer. Senator Walsh.

8. SENATOR WALSH:

9. Well, I think if the Gentleman wants to...to Postpone
10. Consideration, I've never heard of that request not being granted.
11. Now, we may never get to that order of business, but I would
12. assume that if he, if he requests leave, that I can't see why
13. we wouldn't give it to them.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. All right. The...the Motion to Recede will be placed on
16. the Order of Postponed Consideration. 524, House Bill, Senator
17. D'Arco. Senator D'Arco.

18. SENATOR D'ARCO:

19. I move...to refuse to recede from Senate Amendment No. 1,
20. is it? Mr. Secretary?

21. SECRETARY:

22. 2.

23. SENATOR D'ARCO:

24. From Senate Amendment No. 2 to House Bill 524 and ask that
25. a Conference Committee be appointed.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator D'Arco moves that the Senate refuse to recede
28. from Senate Amendment No. 2 to House Bill 524 and that a Conference
29. Committee be appointed. Is there discussion of the motion, all
30. in favor say Aye. Opposed Nay. The motion carries and the
31. Secretary shall so inform the House. House Bill 580, Senator
32. Davidson. Senator Davidson is recognized.

33. SENATOR DAVIDSON:

1. I move to refuse to recede from the Senate Amendment No. 1
2. to House Bill 580 and ask for a Conference Committee.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The motion is...Senator Davidson moves that the Senate
5. refuse to recede from the adoption of...Senate Amendment No. 1
6. to House Bill 580. On...on that question is there discussion?
7. All in favor say Aye. Opposed Nay. The Ayes have it, and
8. the clerk will, the Secretary shall so inform the House and
9. the Conference Committee will, request for a Conference Committee
10. will be made. House Bill 724, Senator Geo-Karis. Senator
11. Geo-Karis is recognized.

12. SENATOR GEO-KARIS:

13. Mr. President, Ladies and Gentlemen of the Senate. The
14. ...we put on a Senate Amendment by the request of Senator Berning
15. because frankly, he didn't get time to put on another bill.
16. I've talked with Senator Berning and he is willing for us to
17. recede from this amendment. And I move that we recede from this
18. amendment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Geo-Karis moves... The
21. question is shall the Senate recede from Senate Amendment No. 1
22. to House Bill 724. Those in favor vote Aye. Those opposed vote
23. Nay. What purpose does Senator Egan arise?

24. SENATOR EGAN:

25. I'm...not not have an explanation and I just was briefly...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator...Senator Geo-Karis.

28. SENATOR GEO-KARIS:

29. Senator Egan, if you recall and Senator Berning can verify
30. this, the bill had already passed out of committee and all that
31. and while it was on 2nd or 3rd reading, I think it was. Senator
32. Berning asked if I'd mind very much if we put this amendment on,
33. I didn't think it would harm the bill. But you Democrats on the

1. other side didn't want the amendment on, frankly, and I'd like
2. to see the bill passed 'cause it does affect the downstate
3. teachers retirement. Senate Amendment No. 1 is...it...it says
4. that...it added three paragraphs. One on duties of trustees,
5. one of prohibited transactions, one on ten percent limitation.
6. Of employers securities lists responsibilities of...trustees,
7. specifies prohibited transactions. Provides that a plan may
8. not acquire security issued by an employer of employees covered
9. by the...Retirement System or Pension Fund if immediately after
10. such acquisition. The aggregate...market value of such
11. employer securities held by the Retirement System or Pension
12. Fund exceed ten percent of the fair market value of the assets
13. of Retirement System or Pension Fund. This is a good bill...
14. it affects the retirement of the downstate teachers. All right
15. with you? Okay, thank you.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion...the question is shall the Senate recede from
18. Senate Amendment No. 1 to House Bill 724. Those in favor vote
19. Aye. Those opposed vote Nay. The voting is open. Have all
20. voted who wish? Have all voted who wish? Take the record.
21. On that question the Ayes are 51, the Nays are none, none Voting
22. Present. And the Senate recesses from Amendment No. 1 to House
23. Bill 724 and the bill having received the required constitutional
24. majority is declared passed. House Bill 751, Senator Vadalabene.
25. Senator Vadalabene is recognized on Senate Amendment No. 2.
26. Senate Amendment No. 2.

27. SENATOR VADALABENE:

28. Yes, Mr. President and members of the Senate. I suggest
29. we move to not to recede to Senate Amendment No. 2 and ask for
30. a Conference Committee.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Vadalabene moves that the Senate refuse to recede
33. from Senate Amendment No. 2 to House Bill 751 and that a Conference

1. Committee be appointed. Is there discussion of the motion? All
2. in favor say Aye. Opposed Nay. The Ayes have it. The motion
3. carries and the Secretary shall so inform the House. House Bill
4. 838, Senator Buzbee. All right, with Senate Amendment No. 1.
5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Yes, Mr. President, I move we nonconcur and ask for a
8. Conference Committee.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator...Buzbee...

11. SENATOR BUZBEE:

12. I'm sorry, refuse to recede, I'll get it right in a minute.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee moves...is there discussion of the motion?

15. Senator Buzbee moves that the Senate refuse to recede from the

16. adoption of Amendment No. 1 to House Bills 838 and that the

17. Conference Committee be appointed. Is there discussion? All

18. in favor say Aye. Opposed Nay. The Ayes have it and the...

19. the Secretary shall so inform the House. House Bill 909, Senator

20. McMillan. Senator McMillan with Senate Amendment No. 1.

21. SENATOR McMILLAN:

22. Mr. President and members of the Senate. I would move

23. that the Senate refuse to recede from Senate...Senate Amendment

24. No. 1 to House Bill 909 and that we request the appointment of

25. a Conference Committee.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You've heard the motion. Is there discussion? All in favor

28. say Aye. Opposed Nay. The Ayes have it. The motion prevails

29. and the Secretary shall so inform the House. House Bill 925,

30. Senator Schaffer. Limit access to certain highways with Senate

31. Amendment No. 1.

32. SENATOR SCHAFFER:

33. Yes, Senate Amendment No. 1 was put on at the request of

1. Chicago in the Senate. Chicago in the House didn't like it.
2. I'd like to move to nonconcur and ask for a Conference Committee
3. so that we can get Chicago House and Senate unified behind this
4. good bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Schaffer moves that the
7. Senate refuse to recede from Senate Amendment No. 1 to House
8. Bill 925 and that a Conference Committee be appointment. Those
9. in favor say Aye. Opposed Nay. The Ayes have it. And the
10. Secretary shall so inform the House. House Bill 987, Senator
11. Buzbee. Senate Amendment No. 1.

12. SENATOR BUZBEE:

13. ...I move we refuse to recede and ask for a Conference
14. Committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Heard the motion. Is there discussion? All in favor say
17. Aye. Opposed Nay. The Ayes have it. The Secretary shall so
18. inform the House. House Bill 1019. Senator Coffey...you...Senator
19. Coffey.

20. SENATOR COFFEY:

21. Yes, Mr. President and members of the Senate. I would like
22. to move to refuse to recede from Senate Amendment No. 1 and ask
23. for a Conference Committee.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The motion is to...that the Senate
26. refuse to recede from Senate Amendment No. 1 on House Bill 1019
27. and that a Conference Committee be appointed. All in favor say
28. Aye. Opposed Nay. The Ayes have it, the Secretary shall so inform
29. the House. House Bill 1048, Senator Maragos. Senator Maragos
30. on Senate Amendment No.1 to House Bill 1048.

31. SENATOR MARAGOS:

32. Mr. President and members of the Senate. I move to recede
33. from Senate Amendment No. 1 to House Bill 1048.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to recede. Is there discussion on that
3. motion? The question is shall the Senate recede from Senate
4. Amendment No. 1 to House Bill 1048. Those in favor vote Aye.
5. Those opposed vote Nay. The voting is open. Have all voted
6. who wish? Have all voted who wish? Take the record. On
7. that question the Ayes are 54, the Nays are 1, none Voting
8. Present. The Senate does recede from Senate Amendment No. 1
9. to House Bill 1048. And the bill having received the required
10. constitutional majority is declared passed. House Bill 1088,
11. Senator Graham. Senator Graham with Senate Amendment No. 1.

12. SENATOR GRAHAM:

13. I move, Mr. President, that the Senate does not recede
14. from Senate Amendment No. 1. It was technically incorrect.
15. The only way we can get it correct is go to conference. I
16. move that we do not recede.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Heard the motion. Discussion, all in favor say Aye.
19. Opposed Nay. The Ayes have it. The Secretary shall so inform
20. the House. 1072, House Bill. Senator Maragos.

21. SENATOR MARAGOS:

22. Mr. President and members of the Senate. I refuse to
23. recede on Senate Amendment, I mean...yes, Senate Amendment No. 1
24. to House Bill 1272 and ask for a conference.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Heard the motion. Is there discussion? All in favor
27. say Aye. Opposed Nay. The Ayes have it...the Conference
28. Committee. And the Secretary shall so inform the House. House
29. Bill 1357, Senator Maragos. Senator Maragos, on 1357. Manifest
30. weight of evidence rather than preponderance in FEPC. Senator
31. Maragos.

32. SENATOR MARAGOS:

33. Mr. President and members of the Senate. I...I recede from

1. Senate Amendment No. 1 to House Bill 1357. I move to recede.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. The motion is to recede. Is there discussion? Senator
4. Washington.
5. SENATOR WASHINGTON:
6. ...yield. Will sponsor yield?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Indicates he will yield.
9. SENATOR WASHINGTON:
10. Would explain the posture of the bill if this...with your
11. motion in effect.
12. SENATOR MARAGOS:
13. If you recall, Senator Washinton, when the bill came up
14. originally, you had objections to the way the law read with
15. the Senate Amendment. Because it had the same basis and standards
16. for...for the preliminary...for the original hearing as well as
17. for the appeals. And you wanted the original hearing to have
18. it with a...using the language instead of manifest ways of
19. the evidence, but preponderance of the evidence. And I said to
20. you that it would not...they would not concur and therefore I
21. would recede and you agreed that that would be all right and
22. that's why you voted for the bill at that time.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Washington.
25. SENATOR WASHINGTON:
26. Well, Art, you got a problem with it?
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Berman.
29. SENATOR BERMAN:
30. Well I looked at...thank you, Mr. President...I looked at
31. the bill and the amendment when...
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Well...Senator Maragos withdraws his motion. Take it out
34. of the record. When we were on House Bill 440, the Presiding

1. Officer inadvertently marked the Calendar in the wrong way
2. when we got into the question. of postponing and inadvertently
3. marked out House Bill 450. Is there leave to return to that
4. order of business? Leave is granted. Senator Schaffer on
5. House Bill 450 with Senate Amendment No. 1.

6. SENATOR SCHAFFER:

7. Senate Amendment No. 1 is purely technical and it changed
8. a...a section number, the House Enrolling and Engrossing says
9. it wasn't necessary and they didn't accept it. I don't think
10. it makes ten cents worth of difference. I just move to recede
11. from the amendment. Purely technical and I don't think it's
12. needed.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? The question is shall the Senate
15. recede from Amendment No. 1 to House Bill 450. Those in favor
16. vote Aye. Those opposed vote Nay. The voting is open. Have
17. all voted who wish? Have all voted who wish? Take the record.
18. On that question the Ayes are 55, the Nays are none, 1 Voting
19. Present. The Senate does recede from Senate Amendment No. 1
20. to House Bill 450 and the bill having received the required
21. constitutional majority is declared passed. House Bill 10...
22. House Bill 1541, Senator Weaver.

23. SENATOR WEAVER:

24. Thank you, Mr. President. I move that the Senate refuse
25. to recede from Senate Amendment No.1 and that a Conference Committee
26. be appointed.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Heard the motion. All in favor say Aye. Opposed Nay.
29. The Ayes have it. The Secretary shall so inform the House. House
30. Bill 1990, Senator Mitchler. On nursery stock labeling.

31. SENATOR MITCHLER:

32. Mr. President and members of the Senate. I move to recede
33. from Senate Amendment 1 to House Bill 1990. House Bill 1990

1. repealed Labeling of Nursery Products Act that was obsolete and
2. Senate Amendment No. 1 added repealer to three other obsolete
3. Acts dating back to 1951, 1883 and 1917. Evidently they didn't
4. want to take them off at this time so the Department of Ag says,
5. we'll come in later on, it's no big thing. So we'll just recede
6. and keep everybody happy. Move to recede from Senate Amendment
7. No. 1 to House Bill 1900.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You've heard the motion. Is there discussion? The question
10. is shall the Senate recede from Senate Amendment No. 1 to House
11. Bill 1990. Those in favor vote Aye. Those opposed vote Nay.
12. The voting is open. Have all voted who wish? Have all voted
13. who wish? Take the record. On that question the Ayes are 57,
14. the Nays are none, none Voting Present. The Senate does recede
15. from Senate Amendment No. 1 to House Bill 1990 and the bill having
16. received the required constitutional majority is declared passed.
17. House Bill 2328, Senator Knuppel. 2328, amends a section of
18. the Vehicle Code with Senate Amendment No. 2.

19. SENATOR KNUPPEL:

20. Oh, well, we don't want...you know, we won't recede, hell
21. with them.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Knuppel moves that the Senate refuse to recede from
24. Senate Amendment No. 2 and that a Conference Committee be appointed.
25. Those in favor say Aye. Opposed Nay. The Ayes have it and the
26. Secretary shall so inform the House. What purpose does Senator
27. Shapiro arise?

28. SENATOR SHAPIRO:

29. Mr. President and Ladies and Gentlemen of the Senate. I
30. would like to ask leave of the Body to go out of the regular
31. order of the business and have the Senate Resolution 239 removed
32. from the Resolutions Consent Calendar and to be considered immediately.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there leave? Leave is granted. Senator Shapiro, do
2. you wish to read the resolution?
3. SENATOR SHAPIRO:
4. I would like to have the Secretary read it.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Secretary...may we have the attention of the Body.
7. Senate Resolution...239. Read the resolution, Mr. Secretary,
8. please.
9. ACTING SECRETARY: (MR. FERNANDES)
10. Senate Resolution 239 by Senator Shapiro and all members
11. of the Senate.
12. (Acting Secretary reads SR 239)
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Shapiro.
15. SENATOR SHAPIRO:
16. Well, I'd like to move for the adoption of the resolution,
17. Mr. President.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Well, Senator, I have a parliamentary inquiry, since it
20. says that he won't be back for a week, if we adopt this, does
21. he have to leave? On the motion to adopt, all in favor say
22. Aye. Opposed Nay. The Ayes have it. Senator Maragos...Senator
23. Maragos.
24. SENATOR MARAGOS:
25. Mr. President, I refuse to go with that...with that
26. resolution until I find out if there was a commitment by
27. Mr. Keats that he will not ask for Workmen's Compensation
28. or Unemployment Insurance or any other benefits while...for
29. his absence. We got to get that commitment from him. I...since
30. I cannot get a commitment, we'll refer this to the Labor and
31. Commerce Committee of the Senate to study. Thank you.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. I was curious, where could he have possibly had his
3. appendix attack.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Graham.

6. SENATOR GRAHAM:

7. There's...there's only one Greek that hasn't responded
8. and Senator Nash, where are you?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Wooten.

11. SENATOR WOOTEN:

12. A, in response to Geo-Karis' question, in or about
13. McBirney's Point. It's a medical reference guys, sorry.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Shapiro.

16. SENATOR SHAPIRO:

17. In a more serious vein, Mr. President. There were
18. some days when Roger was gone that it was...that it was not
19. announced, that he was gone due to illness and I would like
20. the record to show that all of those days that he was gone,
21. he was ill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Okay, if...if Senator Keats, it might be advisable to
24. prepare a list of the days of your absence for the Journal
25. so that we might be able to Journalize the days of your
26. absence and perhaps Senator Shapiro might want to offer that
27. in your behalf. On the Motion to Adopt is there discussion?
28. All in favor say Aye. Opposed Nay. The Ayes have it. The
29. resolution is adopted.

30.

31.

32.

33.

End of Reel #4

1.
2. All right, the Supplemental Calendar has arrived, it
3. has been distributed. It is marked Supplemental No. 1. We
4. will have several as the day goes on Gentlemen. It is printed
5. on both sides, as the Secretary has indicated. Turn it over
6. so...we are saving paper because we are in a shortage of paper
7. and so we will be printing it on both sides. Is there leave
8. to go to the Order of Secretary's Desk for concurrence? Leave is
9. granted. Senate Bill 93, Senator Hall. Mr. Secretary, please.
10. SECRETARY:

11. Senate Bill 93, with House Amendments 4 and 5.
12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator...Senator Hall.
14. SENATOR HALL:

15. Thank you, Mr. President, and Ladies and Gentlemen of the
16. Senate. I move to consider...to concur with House Amendments
17. 4 and 5 on Senate Bill 93.

18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Hall.

20. SENATOR HALL:

21. Well, Senate Bill 93 started out as a very simple bill
22. that provided statutory authority for the county to charge
23. landlords who did not cut their weeds for the cost of the county
24. cutting those weeds. Amendment 4 takes care of a problem
25. that we have in St. Clair County, for some time, pardon me.
26. That problem was that one half of the people in our county
27. were prevented from running for County Board Chairman, be-
28. cause the County Board Chairman's term was a two year term, and
29. the boardmember's term was a four year term, and those people
30. who live in the county boardmember's district, which were not
31. up for election were prohibited from running for county
32. board chairman, and the same thing is true two years later
33. for the other half of the people who live in the county. This
amendment No. 3 provides that a county board chairman running

1. at large does not necessarily also have to be elected to the
2. board as a voting member. It does not preclude him
3. from being elected to vote, but in the event that he is
4. elected as county board chairman, but not as a board member
5. he will be a non-voting member of the county board. Amendment
6. 5, that was Amendment 4. Amendment 5 was put in the House
7. by Representative Dyer, and it provides veto power for the
8. county chairman with only a simple majority of the board
9. members...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. For what purpose does...

12. SENATOR HALL:

13. To override the chairman's veto.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. For what purpose does Senator Carroll arise?

16. SENATOR CARROLL:

17. Just a Point of Order, Mr. President. I thought that
18. we had been informed that there would be a Synopsis type
19. print out like we had had from LIS before on these bills,
20. we don't find it in our desk that deals with these bills.
21. All right the second one we didn't have. The one with Senate
22. Bills. No they haven't been distributed around here.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. ..Secretary. I think Senator Carroll, that it's been dis-
25. tributed to the Republicans but not to the Democrats.

26. SENATOR CARROLL:

27. I think that there might of been some wisdom in that.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator...Senator Hall to conclude the explanation on
30. Amendment No. 5.

31. SENATOR HALL:

32. Well, I've explained it, both of them, and I move that
33. the Senate concur with House Amendments 4 and 5.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? Senator Graham. The motion is
3. to concur. Senator Graham.
4. SENATOR GRAHAM:
5. I would like to have Amendments 4 and 5 that have an
6. division on the adoption of those amendments concurrence.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. ...there's been a request that the question be divided.
9. It will be divided. Senator Buzbee.
10. SENATOR BUZBEE:
11. Well, in keeping with Senator Carroll's request. As
12. of yet I still don't have one of those print outs and I'd
13. like to, before I'm asked to vote...I understand that they're
14. being passed out, but I haven't had a chance to read it yet,
15. and all I'm asking is the courtesy of just holding the vote
16. until we have a chance to look at it.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. The Senate will stand at ease for one moment, until the
19. pages get a chance to get these out. For what purpose does
20. Senator Grotberg arise?
21. SENATOR GROTERBERG:
22. Well, I'd like to talk to the sponsor for a minute why
23. you're all reading up on this. Senator Hall, is there anything
24. left of your weed bill, is it still in there?
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Hall.
27. SENATOR HALL:
28. The shaft is still there.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Grotberg.
31. SENATOR GROTERBERG:
32. No, the way I read, the House Amendment it, changes the title
33. of the bill and everything, and there's no weed control left
in it at all. Is that correct, Senator Hall? It's an election

1. bill, for counties and reapportionment
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Hall.
4. SENATOR HALL:
5. The original part is still left in there, they didn't
6. take everything out except the enacting clause. The other
7. parts is still in there.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Further discussion? Senator...Senator Weaver.
10. SENATOR WEAVER:
11. Question of the sponsor.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. He indicates he will yield. Senator Weaver.
14. SENATOR WEAVER:
15. Senator Hall on the veto power of the county...the
16. chairman of the county board who is elected, but not at
17. large, does he have veto power?
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Hall.
20. SENATOR HALL:
21. Senator, I think that what I'd better do, I just better
22. remove this from the record, until we can get an answer to your
23. question, because I really don't know on that part. If you...
24. is it that...unless...did you want an answer before you voted
25. on that, Senator? No. Well, okay, then I...I just can't answer
26. that part.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. All right, Senator Hall, we are proceeding with this one?
29. SENATOR HALL:
30. Yes.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Further discussion? Senator Buzbee.
33. SENATOR BUZBEE:
Well, yes, Mr. President. I...I am under..the thrust of

1. my question, is the same as Senator Weaver's. I personally
2. don't think the county board chairman ought to have veto
3. power. The President of this Senate, or the Speaker of
4. the House doesn't have veto power over legislation that
5. we pass, and I don't see much difference between them and
6. the chairman of...of a county board. I know there's some
7. county boards in my district, where I sure don't want the
8. county board chairman to have veto power, he's got too much
9. power as it is right now. He's acting like he's the...a
10. king or something, and I just would prefer that we not pass
11. this, until I understand if he does not have that veto
12. power.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Now, okay. Gentlemen so that we understand where we
15. are, the question has been divided, and we are only discussing
16. House Amendment No. 4 to Senate Bill 93, we will get to 5
17. which I believe is the point made by Senator Buzbee, but we
18. will...Senator Berning. On the motion to concur in House
19. Amendment No. 4 to Senate Bill 93, Senator Berning.

20. SENATOR BERNING:

21. Well, Mr. President, I respectfully suggest to the Body
22. that both of these amendments are rather comprehensive, they
23. affect all of our counties, as nearly as I can quickly look
24. at this. Not one of our county board members has had an
25. opportunity to be considered here. We haven't heard from
26. any of them. I've had no one imply that there's a demand
27. for this sort of change. Nor on the other hand, in presenting
28. this, has any of our counties had an opportunity to say they
29. don't want it, or do want it. I think Mr. President, this
30. is premature, this is the kind of a comprehensive amendment
31. that ought not to be considered at this final moment. It ought
32. to go back to conference committee, or be just summarily defeated.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Graham.

1. SENATOR GRAHAM:

2. Well, I want to tell you, these amendments that were
3. prepared are...come about as a result of someone fishing
4. in everybody's pond again. The county board that's most
5. involved in this is the county board of the County of DuPage.
6. Oh that's in No. 5, I'm sorry. Well, anyway I agree with
7. Karl Berning, what we still are...we're infringing our
8. judgement on the people in the county boards back home, who
9. better can make up their mind what their doing then we can,
10. I think.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Hall.

13. SENATOR HALL:

14. Well, in...in answer to Senator Berning, that I was
15. under the impression that this was just affecting in our county
16. Senator. Do you mean that this affects your county as well?

17. PRESIDING OFFICER: (SEANTOR BRUCE)

18. All right, Senator...Senator Hall.

19. SENATOR HALL:

20. Well, then...since that some of them wanted to have some
21. time to study these amendments, I'd just...we'll just take
22. it out of the record for a few minutes, and then we'll come
23. back to it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Sponsor has asked that further consideration be delayed
26. and take it out of the record. Senate Bill 101, Senator
27. Schaffer. Senate Bill 222, Senator Coffey. Senator Coffey,
28. with House Amendment No. 1, Senate Bill 222. Senator Coffey
29. is recognized.

30. SENATOR COFFEY:

31. Yes, Mr. President, and members of the Senate. I would
32. like to concur with Amendment...Amendment No. 1 on Senate
33. Bill 222. The amendment, actually what it does it..it
originally, it excluded Saturdays, Sundays, and holidays, and

1. what the House did in this amendment, they changed from
2. holidays to court designated holidays, and I'd ask for
3. a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Motion is to concur, is there discussion of that motion?
6. The question is, shall the Senate concur in House Amendment
7. No. 1 to...motion is to concur...that the Senate concur with
8. House Amendment No. 1 to Senate Bill 222. Those in favor
9. will vote Aye. Those opposed will vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question, the Ayes are 57, the
12. Nays are none. 1 Voting Present. The Senate does concur
13. with House Amendment No. 1 to Senate Bill 222, and the bill
14. having received the required constitutional majority is
15. declared passed. For what purpose does Senator Philip
16. arise?

17. SENATOR PHILIP:

18. I...I just...thank you, Mr. President, and Ladies...I've
19. got a suggestion, you know, I have the Synopsis of legislation
20. for the concurrences. On thing I think will be helpful to
21. all the members, if we could have the House sponsors of that
22. amendment. A lot of times we don't understand the amendment,
23. if we know who the House sponsor, and it would be possible
24. to call them or talk to time it would certainly provide a
25. service for the membership.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rock, is that information available?

28. SENATOR ROCK:

29. I think it is, but I will yield to Senator Regner. I think
30. we have that computer capability, and I was, frankly, I think
31. the suggestion is a good one and I made...and I made the same
32. suggestion this morning, with the respect to non-concurrences,
33. rather than having to page through the Digest, I'd like to know for
instance what Senate Amendment or Committee Amendment or

AB 495
Concurrence
6-28-79

1. who offered them, so that we can...if you have that computer
2. capacity, Senator Regner, I think it'd be a good idea.
3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Regner.

5. SENATOR REGNER:

6. It is available and whoever does request the various
7. Calendar, Senator Rock, just requests that information, it
8. will be printed along with it, and then they can pull it
9. all out.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further...Senate Bill 244, Senator Jeremiah Joyce.
12. House...Senator Bill 278, Senator Regner. Law enforcement
13. licensee share on horse racing, with...hold. House...
14. Senate Bill 495, Senator Bloom. Senator Bloom, on Senate
15. Bill 495, with House Amendment No. 1. Senator Bloom is
16. recognized.

17. SENATOR BLOOM:

18. Thank you, Mr. President. This was the bill that was
19. the subject of indirectly of some controversy, when it went
20. out of here, some members expressed some concern over various
21. provisions, the trigger provision of the...amendment went
22. on in the House that took care of this, and I would urge that
23. we concur, with House Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Is there discussion? Senator Bowers.
26. Is there discussion? The question is, shall the Senate concur
27. in House Amendment No. 1 to Senate Bill 495. Those in favor
28. vote Aye. Those opposed vote Nay. The voting is open. Have all
29. voted who wish? Have all voted who wish? Take the record.
30. On that question, the Ayes are 51, the Nays are none. None
31. Voting Present. The Senate does concur with House Amendment
32. No. 1 to Senate Bill 495, and the bill having received the
33. required constitutional majority is declared passed. Senate
Bill 622, Senator Daley, with House Amendments 1, 2, 3, and 4.
Senator Daley is recognized.

1. SENATOR DALEY:

2. I make a motion to accept Amendment...House Amendment
3. 1, 2, 3, and 4. Representative Getty put a Floor amendment
4. on a regards to...if a weapon is necessary for evidence
5. it constitutes evidence, if favorable to the defendant, or
6. the defendant was rightfully in possession, the weapon must
7. be returned to him. Amendment No. 2 and 3 deals with non-
8. firearms such as, knives, razors, and bombs, and broken
9. bottles, and things like that, must be preserved for
10. evidence. Amendment No. 4 was put on by Representative
11. Kosinski, Stearney, Johnson, Yourell, dealing with weapons
12. may not be returned to the defendant except upon acquittal
13. or dismissal of the charge, in only if unlawful use of
14. weapons, unlawful possession is charged with provisions
15. of this paragraph applied.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to concur. Is there discussion? ,Senator
18. Bowers.

19. SENATOR BOWERS:

20. Well, we were, Senator Daley, I'm sorry I didn't get
21. a chance to talk to you before you made the motion. We reviewed
22. that, and I call your attention to the fact that Amendment No.
23. 4 simply limits the conviction to a Weapons Act. Now, some-
24. body commits a murder, for instance, with a weapon you can't
25. confiscate it, and I think you ought to take a good hard look
26. at that Amendment No. 4, because it's very limited in its
27. application, and I would suggest you take it out of the record
28. and let me talk to you, or at least not...okay.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Take it out of the record. Senate Bill 971, Senator
31. Knuppel. Is there leave to return to it at a later time
32. today? Leave is granted. Senate Bill 1072, Senator Bloom.
33. Highway Code to make a clarifying change, with two House
Amendments.

DB1104
6-28-79
Concurrence

1. SENATOR BLOOM:

2. Yes, I would move...I've talked with DOT. I would
3. move we non-concur in both amendments, because the first
4. one is technically defective and that throws the second
5. one out of wack.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bloom moves that the Senate non-concur in
8. House Amendments No. 1 and 2 to Senate Bill 1072. On
9. that motion, all in favor say Aye. Opposed Nay. The
10. Ayes have it, and the Secretary...the motion carries
11. and the Secretary shall so inform the House. Senate Bill
12. 1104, Senator Keats. Economic feasibility studies, with
13. House Amendments 2 and 3. Senator Keats is recognized.

14. SENATOR KEATS:

15. Thank you, Mr. President, and Ladies and Gentlemen of
16. the Senate. I would move we do concur with House Amendments
17. 2 and 3. The House sponsor, Senator Giorgi put on
18. House Amendment 2 which was then corrected with House
19. Amendment 3, so I won't bother to explain House Amendment
20. 2, it was put in by Representative Totten, but before you
21. get worried about this...some kind of nation tax limitation
22. referendum. What Amendment 3 in actuality does is set the
23. specific starting date, somehow we got the bill through with
24. a questionable starting date, and his says July 1st, 1979. Those
25. are all the amendments do. I would move that the Senate do
26. concur.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to concur, with House Amendments 2 and 3.
29. Is there discussion? The question is, shall the Senate concur
30. in House Amendments No. 1...House Amendments 2 and 3 to
31. Senate Bill 1104. Those in favor vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question,
the Ayes are 50, the Nays are none. None Voting Present.

1. The Senate does concur in House Amendments No. 2 and 3 to
2. House...to Senate Bill 1104, and the bill having received the
3. required constitutional majority is declared passed. Is
4. there leave to return to Senate Bill 622? Leave is granted.
5. Senate Bill 622, with House Amendments 1, 2, 3, and 4. Senator
6. Daley is recognized.

7. SENATOR DALEY:

8. Mr. President, and fellow Senators, I would like a
9. motion to accede to the request of the House that a conference
10. committee be appointed to Senate Bill 622.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to non-concur with House Amendments 1,2,
13. 3, and 4 to Senate Bill 622. Those in favor say Aye. Those
14. opposed Nay. The Ayes have it, and the Secretary shall so
15. inform the House. Senate Bill 1331, Senator Wooten. Is
16. Senator Wooten on the Floor? On the back side, on non-
17. concurrence are the...are House Bills. House Bill 79, Senator
18. Lemke. House Bill 666, Senator Weaver. Senator Weaver on a
19. non-concurrence, with Senate Amendment No. 1.

20. SENATOR WEAVER:

21. Thank you, Mr. President. I would move that we recede
22. from Senate Amendment No. 1 to House Bill 666. Senate Amendment
23. No. 1 inadvertently gave the township commissioner some police
24. powers that was not intended, and so, I move that we recede from
25. Senate Amendment No. 1.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to recede Is there discussion, on the motion?
28. Senator Rock.

29. SENATOR ROCK:

30. Well, I would...I would yield, I hope to Senator Coffey,
31. who was the sponsor of this amendment in committee, cause the
32. amendment, as you will recall, and as the printout indicates,
33. the bill was reported out of committee Do Pass as Amended. It
was a committee amendment, which deleted everything after the enacting

1. clause, and rewrote the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. There...there seems to be some question, there's also
4. a report which has been distributed within the last hour, of
5. non-concurrences. It is the second non-concurrence list and
6. on that will be found House Bill 666. For what purpose
7. does Senator Grotberg arise?

8. SENATOR GROTEBERG:

9. To challenge the last speaker, who suggested that, and I
10. know he doesn't know it, but there is no printout of the amend-
11. ments to match the backside of this paper saving device, Mr.
12. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Well, Senator this time I believe the Democrats have
15. received them and the Republicans have not.

16. SENATOR GROTEBERG:

17. There's none back here.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Gentlemen, may I have your attention, you should at this
20. point in the day have received a large package of concurrences,
21. a smaller one on non-concurrence, a second concurrence package,
22. and a small non-concurrence. You should now have four reports
23. from LIS, up on your desk. Will the Sergeant-at-Arms...they
24. are to the Republican members, those reports are being
25. distributed, will the Sergeant-at-Arms, make sure that when
26. those reports are arrived they are distributed, immediately,
27. and I will alert the members that as the day goes by, don't...
28. don't bury these reports. We are on House Bill 666, and Senator
29. Grotberg, have you received a copy of the printout? Senator
30. Weaver.

31. SENATOR WEAVER:

32. May I state what the intent and what 666 unamended does?
33. I merely clears up the definition of the road district high-
way commissioner. Included in the meaning of the term local
authority, and any local authority has only that power granted by

1. law, which relates to posting weight limitations on township
2. roads, and road districts. In the amendment that was offered
3. by the staff the Republican staff, inadvertantly they gave the
4. road district highway commissioner, some police powers that
5. were not intended. Now, with the deletions of Senate
6. Amendment No. 1 the bill, merely clarifies those powers that
7. were thought to be the road district commissioner's all along.
8. Now, if there's any controversy about it, I'll be glad to
9. take it out of the record, but that's merely what the bill
10. does, unamended.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. For what purpose does Senator Grotberg arise?

13. SENATOR GROTBORG:

14. There is absolutely no controversy about your motion.
15. I...I'm just...my controversy is we've got some other non-
16. concurrences that I'd like to know what do. This one's a
17. good one...at the moment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Rock.

20. SENATOR ROCK:

21. We're...we're...I'm in the process of trying to sort out
22. paper. I...I will take Senator Weaver ad I alwasly do, at his
23. word. I think what happened was that in the hurry and bustle
24. around here with all these pages, we got two copies of these
25. and they didn't get any. So, can we just...will everybody look
26. on their desk on this side. There is a Synopsis of legislation,
27. non-concurrence that begins with House Bill 79. Most of us
28. on this...on this side should have two copies. Pick out a buddy
29. on the other side and let's shoare one with them, okay.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rock. If I might have your attention and the
32. attention of Senator O'Keefe. Wehen we had these LIS reports
33. printed last year, they printed the time of preparation...okay,
Senator Rock.

1. SENATOR ROCK:
2. Yes, that...that will be done. These...these frankly,
3. this was the second report today. We came on LIS a little
4. quickly. I suggested to them that from now on they're time
5. stamped, and I will personally make sure they are properly
6. distributed.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. All right. Senator Graham.
9. SENATOR GRAHAM:
10. I must not have any friends over there, no one's given
11. one of those yet. Come on, there...thank you Jerry.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Joyce is going to run one over to you Senator.
14. SENATOR GRAHAM:
15. He's a good man.
16. PRESIDING OFFICER: (SEANTOR BRUCE)
17. Senator Berning.
18. SENATOR BERNING:
19. Just to reemphasize what President Rock said, your side
20. got two of those, that started with 79, over here we got two
21. that started with 93, on the concurrence.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. All right, we are still on House Bill 66, on the Order
24. of non-concurrence, Senator Joyce.
25. SENATOR JEROME JOYCE:
26. Yes, Mr. President. Senator Weaver, if I understand...now
27. I've lost it, there it is. This says that the...like the county
28. superintendent of highways could not countermand the township
29. highway commissioner. Each would be the boss in his own territory,
30. is that it?
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Weaver.
33. SENATOR WEAVER:
I don't see where you're reading from. Excuse me Senator

1. Joyce. I don't have a copy of the bill, right in front of
2. me, but what...what came about is, recently a State's attorney
3. rendered a contrary view which has created considerable
4. confusion, throughout the State, as far as the power and
5. duties of the highway commissioner, the township road
6. commissioner, to establish weight limits on township roads.
7. This is just clarifying the fact that he has this ability,
8. under the Statutes, and, in fact, is what they refer to as
9. the local authority, for township roads. So, I still think
10. that the township road commissioner, has the power to establish
11. those, and I'm sure in conjunction with the...the engineer...the
12. county highway engineer, but it's just to clear up some
13. confusion that was brought about by a State's attorneys decision
14. that they didn't have that power.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? The question is, shall the Senate
17. recede from Senate Amendment No. 1 to House Bill 666. Those
18. in favor vote Aye. Those opposed vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish?
20. Take the record. On that question, the Ayes are 58, the
21. Nays are none. None Voting Present. The Senate does recede from
22. Senate Amendment No. 1 and the bill having received the required
23. constitutional majority is declared passed. House Bill 828,
24. Senator Lemke. House Bill 905, Senator Knuppel. Senator
25. Knuppel moves that the Senate refuse to recede from the
26. adoption of Senate Amendments No. 2 and 3, and that a Conference
27. Committee be appointed. On that motion, all in favor say Aye.
28. Opposed Nay. The Ayes have it, and the Secretary shall so
29. inform the House. House Bill 1325, Senator Coffey. Okay,
30. pass that by. House Bill 1686, Senator Schaffer. Senator
31. Schaffer on Senate Amendment No. 1 to House Bill 1686, is
32. recognized.

33. SENATOR SCHAFFER:

Mr. President, Senate Amendment to...No. 1 to Senate

1. Bill 1686, is put on by Senator Sommers. It is in effect
2. Senate Bill 1378, which simply provided that local units
3. of government not receiving State Funds for reimbursement
4. shall...shall reimburse hospitals at the same rate as the
5. Department of Public Aid. That's the...genesis of the bill.
6. I didn't have any problems with that amendment. I still don't.
7. the House sponsor, Bill Kempiners, who I think is very
8. fine guy, and one of the smartest guys in this area, requested
9. me to recede from this amendment, I know that Senator Sommers
10. would prefer to not have me recede. I also know that the
11. Hospital Association feels very strongly about receding.
12. I'm thoroughly muddled between two people I respect, I am
13. going to honor my commitment to the House sponsor to ask
14. to recede. I think that the amendment does, in fact, put
15. the bill in jeopardy. The bill was defeated in the House,
16. there's evidently some strong feelings over there, and I
17. would move to recede from this amendment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to recede. Is there discussion? Senator
20. Sommer.

21. SENATOR SOMMER:

22. Mr. President, Senator Schaffer has correctly stated
23. the problem. Under the bill that Senator Schaffer has
24. and if we would recede, we would be spending upwards of
25. an extra million dollars, two million we don't know what the
26. cost will be, for medical providers basically hospitals. The
27. effect of my amendment is to aid very small townships that
28. have no ability to negotiate with the hospitals, because
29. they're not organized, they don't have that kind of power.
30. All it would say, was that they would pay the same rates that
31. public aid and the big townships would pay. Currently the
32. hospitals won't even talk to the small townships, they just
33. run them over with the big retail bill, this would give them
the chance to have the wholesale bill. Now, naturally the township

1. ...or naturally the Hospital Associations oppose to this,
2. but the cost is minimal, and on the same hand if we...if we
3. recede from this amendment we will be giving the hospitals
4. over a million dollars, and if my amendment could somehow
5. stay on the cost of the hospitals would be so minimal ,and
6. yet very much help those very small townships, who get
7. whacked once in a while with a twenty thousand dollar
8. medical bill they can't pay, therefore I...that, you know
9. that we reject Senator Schaffers motion to recede and have
10. a conference committee, and try to straighten this out...
11. this issue out there.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Kenneth Hall.

14. SENATOR HALL:

15. Well, I rise in support of Senator Schaffer. This would
16. really do great damage to medical providers in my area. There's
17. no way that they can live with the same rate that they're being
18. paid to have problems getting their Public Aid payments now,
19. and if you're going to reduce these things, it's going to be
20. a great hardship on them. So, I would certainly concur and
21. vote with you Senator Schaffer, and I think this should go
22. back and be worked out.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Bloom.

25. SENATOR BLOOM:

26. Well, in response to the prior speaker, you've got it
27. absolutely wrong, because what...what the amendment did, was
28. to help out the smaller townships that would be...and they'd
29. be paid the same, the hospitals would be paid the same rate
30. as the Public Aid payments, and...and the point that Senator
31. Sommer was making, was that a lot of these small townships get
32. whacked were a twenty thousand dollars medical bill, is...twenty thousand
33. dollar medical bill is big ticket item, and wipes them out.
Here you have the medical providers paying the State rate, instead

1. of the retail rate, and this is helping your small units
2. of local government. You've got to understand that.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Kenneth Hall.

5. SENATOR HALL:

6. Well, I'm certainly interested in helping the small
7. areas. I have no qualms with that, but by the same token
8. that this puts a great burden, and I'll tell you what, I've
9. had calls from all the hospitals in my district, and they're
10. really opposed to this, and that's the reason that I'm happy
11. to hear Senator Schaffer say he's going to live up to his
12. commitment, and resist and take that amendment off.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, I rise in support of the position as stated by Senator
17. Sommer. Of course, the hospitals are opposed to this, or any
18. other medical provider, but all Senator Sommer is asking, is
19. equity between the payments made to Public Aid patients and..
20. by the Department of Public Aid, and payments...payments made
21. in behalf of Public Aid patients, I mean to medical providers,
22. as paid by the Department of Public Aid, and payments made by
23. townships in behalf of recipients to medical providers. All
24. he's asking is, that they be allowed the same rate. Now, in the
25. overall scheme of things, that cannot mean very major dollars
26. to medical providers, but it can have a major impact on a small
27. township that gets whacked with of the big bills that Senator
28. Sommer's was talking about. I think Senator Senator Sommer is
29. calling for a No vote, I think he's absolutely correct, and I
30. think that's what we ought to do.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? Senator...Senator Schaffer
33. may close.

SENATOR SCHAFFER:

1. Mr. President, I would point out that we have already
2. sent to the Governor House Bill 450, which would effectively
3. take this whole area of medical cost away from the townships
4. making the amendment moot. I would like to also point out
5. that I think Senator Sommer and Senator Buzbee are right,
6. this would cut the cost of some of the townships if 450
7. fails along the way, they would like that, the hospitals
8. would not like that. Senator Sommer does not like this
9. ...this motion, Representatives Kempiners likes this motion.
10. I'm keeping my word, and I urge everbody to vote with their
11. friends.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall the Senate recede from Senate
14. Amendment No. 1 to House Bill 1686. Those in favor vote
15. Aye. Those opposed vote Nay. The voting is open. Have
16. all voted who wish? Have all voted who wish? Take the
17. record. On that question, the Ayes are 31, the Nays are
18. 25. None Voting Present. The Senate does recede from
19. Senate Amendment No. 1 to House Bill 1686, and the bill having
20. received the required constitutional majority is declared passed.
21. For what purpose does Senator Buzbee arise?

22. SENATOR BUZBEE:

23. Request of verification of the affirmative votes.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. There's been a request for a verification. For what
26. purpose does Senator Hall arise?

27. SENATOR HALL:

28. I want to request of the negative vote, also, since he's
29. requested that. I see we're going to be here a long time
30. today.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nash for what purpose do you arise?

33. SEANTOR NASH:

For inquiry. Since we're having some Conference Committees
going on, some of the Senators are off the Floor in committee

1. meetings. Will they either...they're votes stand.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. If you are not present on the Floor during verification

4. your name will be stricken from the roll call. Is there..

5. Secretary will call those who voted in the affirmative.

6. SECRETARY:

7. The following voted in the affirmative: Berman, Bruce,

8. Chew, Collins, D'Arco, Daley, De Angelis, Demuzio, Donnewald,

9. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Maitland,

10. Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch, Newhouse,

11. Sangmeister, Savickas, Schaffer, Vadalabene, Washington, Wooten,

12. Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee do you question the presence of any member.

15. SENATOR BUZBEE:

16. I'll start at the top, Mr. President, to Senator Chew.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is Senator Chew on the Floor? Is Senator Chew on the

19. Floor? Strike his name.

20. SENATOR BUZBEE:

21. Senator D'Arco.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator D'Arco is in the main aisle.

24. SENATOR BUZBEE:

25. Senator Daley.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Daley is on the podium.

28. SENATOR BUZBEE:

29. Senator Nedza.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Nedza is in his seat.

32. SENATOR BUZBEE:

33. Senator Savickas.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Savickas is on the Floor...
3. SENATOR BUZBEE:
4. Senator Vadalabene.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Vadalabene is in the main hall.
7. SENATOR BUZBEE:
8. Senator Rock.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. On the podium.
11. SENATOR BUZBEE:
12. Senator Sommer.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. On a verified roll call, the Ayes are 30, the Nays are
15. 25. None Voting Present. The bill having received the
16. required constitutional majority is declared passed. For
17. what purpose does Senator Philip arise?
18. SENATOR PHILIP:
19. Thank you, Mr. President. I just went down to the
20. conference room 122A for a Conference Committee, it was locked.
21. All the Conference Committee rooms on the first floor were
22. locked. I would humbly suggest that somebody would contact
23. the Secretary of State or who's in charge of unlocking those
24. Conference Committee rooms.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. House Bill 1790, Senator Gitz, with Senate Amendment No. 1.
27. Senator Gitz do you wish to... Senator Gitz is recognized on
28. House Bill 1790, with Senate Amendment No. 1.
29. SENATOR GITZ:
30. Mr. President, I would like to request a Conference Committee
31. in this bill.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Gitz has moved that the Senate refuse to recede from
theadoption of Amendment No. 1 to House Bill 1790, and that a

1. Conference Committee be appointed. Those in favor say Aye.
2. Opposed Nay. The Ayes have it. The motion carries, and
3. the Secretary shall inform the House. House Bill 1939, Senator
4. McLendon. Senator McLendon is recognized on House Bill 1939,
5. with Senate Amendment No. 1.

6. SENATOR MCLENDON:

7. Yes, Mr. President. We wish to not recede from the
8. Senate Amendment No. 1 and request a conference.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. You've heard the motion, that the Senator refuse
11. to recede from the adoption of Amendment No. 1 to House
12. Bill 1939, and that a Conference Committee be appointed.
13. Those in favor say Aye. Opposed Nay. The Ayes have it.
14. The motion prevails and the Secretary shall so inform the
15. House. House Bill 2184, Senator Graham, with Senate
16. Amendment No. 2. Senator Graham is recognized. Senator Graham.

17. SENATOR GRAHAM:

18. That's our Willaim-Raney-Harper College.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Yes.

21. SENATOR GRAHAM:

22. I refuse to recede from the...from the Senate Amendment
23. as we'll go to conference.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Graham has moved that the Senate refuse to recede
26. from the adoption of Senate Amendment No. 2 to House Bill 2184,
27. and that a Conference Committee be appointed. Those in favor
28. say Aye. Those opposed Nay. The Ayes have it. The Secretary
29. shall so inform the House. House Bill 2305, Senator Nash.
30. House Bill 2308, Senator Jeremiah Joyce. Senator Nash is
31. on the Floor now. Senator Nash on House Bill 2305, with
32. Senate Amendment No. 1. Senator Nash is recognized.

33. SENATOR NASH:

I move to recede from Amendment No. 1 from House Bill 2305.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nash moves that the Senate...the motion is to
3. recede. Is there discussion? The question is, shall the
4. Senate recede from Senate Amendment No. 1 to House Bill 2305.
5. Those in favor vote Aye. Those opposed vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question the Ayes are 42, the Nays
8. are 5. 7 Voting Present. House...the Senate does recede
9. from Senate Amendment No. 1 to House Bill 2305, and the bill
10. having received the required constitutional majority is declared
11. passed. For what purpose...purpose does Senator Berning arise?

12. SENATOR BERNING:

13. Just an inquiry Mr. President. When we are voting on
14. these amendments, and the vote is to recede, that in my opinion
15. is an action only on receding. Why do we not have to have
16. another vote then to actually pass the bill?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Well, Senator in effect the recession from the amendment
19. is final passage in the form that the bill will go to the
20. Governor.

21. SENATOR BERNING:

22. But how do you interpret that when we are not voting on the
23. passage of the bill, we're voting on to accept or...recede

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Well, the only way...the only way the bill could be before
26. us, is that we had passed it one other time.

27. SENATOR BERNING:

28. But that was in a different form.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. No, if we recede from the Senate amendment we have, in fact,
31. already passed the bill.

32. SENATOR BERNING:

33. What you're saying is that by receding we are validating
the earlier action?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. No, by receding we are removing the Senate Amendment.
3. SENATOR BERNING:
4. And that constitutes validation of the bill?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. It is final passage, on a motion to...
7. SENATOR BERNING:
8. I realize that's what you've been announcing, but it
9. just occurred to me that we ought to have had final action
10. on the bill.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. For what purpose does Senator De Angelis arise?
13. SENATOR DE ANGELIS:
14. Mr. President, I would like to have request to go to
15. to Motions in Writing.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there leave to go to the Order of Motions in Writing?
18. Leave is granted. Senator De Angelis is recognized on a
19. Motion in Writing. Read...read the motion, Mr. Secretary.
20. SECRETARY:
21. Motion in Writing, pursuant to Rule 4. I move that the
22. Senate proceed out of its daily order of business to the
23. Order of Postponed Consideration to consider House Bill
24. 440, signed Senator De Angelis.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. For what purpose does Senator Walsh arise?
27. SENATOR WALSH:
28. Mr. President, I don't see Senator Shapiro on the board..
29. on the Floor, and I'm just afraid that if we do this now, we're
30. going to be doing it maybe every ten or fifteen minutes, as
31. a member wants to have his bill heard out of the normal order,
32. and I'm not even sure which one this is or what we want to do,
33. but I think maybe we should continue on a prescribed order of
business for some period of time, and then maybe at the end of the

1. procedure or at the beginning of the next day or something.
2. I...we had a motion like this put last night as we were about
3. to adjourn, and it just seems to me that, you know, it's in
4. order, I know, and I...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. For what purpose does Senator Rock arise?

7. SENATOR ROCK:

8. Well, this is what I pointed out earlier, this bill is
9. on the order, was on the order of the Secretary's Desk of
10. non-concurrence, and Senator Schaffer's motion, I don't
11. even remember which way he went, but rather than so inform
12. the House that we had non-concurred, he moved to concur. We
13. in fact, non-concurred, and rather than so inform the House,
14. he moved that with Senator Walsh's request to place it on
15. Postponed Consideration, and now apparently somebody wants
16. to go back to that.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator De Angelis. Senator De Angelis, do you wish to
19. proceed with your motion?

20. SENATOR DE ANGELIS:

21. Yes. Mr. President, having voted on the prevailing side,
22. I move to reconsider the vote by which the motion to recede
23. from Senate Amendment No. 1 on House Bill 440 was lost.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Are there...right, Senator your Motion in Writing is to
26. suspend the rules to go out of the ordinary order of business
27. to the order of Postponed Consideration for the consideration
28. of House Bill 440. Is there further discussion? The motion
29. will required thirty affirmative votes. Those in favor will vote
30. Aye. Those...Senator Egan.

31. SENATOR EGAN:

32. Thank you, Mr. President, and members of the Senate. .
33. I...it occurs to me that if we are going to proceed in an
orderly fashion that we should hear postponed consideration
motions at the end of the orderly business. We have four Calendars

1. before us. There is a Concurrence Calendar, there's a Non-
2. concurrence Calendar, and there are Supplemental Calendars
3. to each of those. We do not have an orderly list of
4. motions that have been defeated that ask to be put on
5. Postponed Consideration, if we are going to...proceed in
6. an haphazardly manner, as I think we are doing, then I think
7. that we are going to do a great disservice to the orderly
8. process of the Body, and I thoroughly object to going out
9. the ordinar orderly process, with which we are proceeding
10. to consider this bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion on the motion to suspend the rules?
13. Senator Walsh.

14. SENATOR WALSH:

15. Mr. President, and members of the Senate. You know,without
16. question the Gentleman has a right to make the motion, and
17. he should be given a vote on it. This is a bill that I voted
18. against when it was heard, and I urge the Body to give the
19. Gentleman leave to have the motion put on Postponed Consideration,
20. which I think was his right. I didn't realize that we were
21. going to be considering it so soon after that was done. I would
22. hope that at this time this motion would fail, and that in the
23. event we don't get a chance to...to put it either some time
24. tommorow, or Saturday, that it be done then. It's something
25. that I'd like to...to get a little bit more information on,
26. there seems to be dispute between people who feel the same way,
27. on the same issue. I don't think it's the right time to
28. take final action on this matter. I do believe that we should,
29. while it's on Postponed Consideration, sit down and those well
30. meaning people of good faith, get together and try to work it
31. out, so at this time I would urge a No vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion on the motion to suspend the rules?
Senator Schaffer.

1. SENATOR SCHAFFER:

2. Well, my only point was that immediately after the
3. roll call, about eight people ran over here and said my
4. God, I got confused and voted wrong, and I think that's why
5. we're attempting to do this. I apologize for evidently
6. not clearly stating the case, but I would kind of like
7. to get this issue behind us if we could.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion on the motion to suspend? Senator
10. Rock.

11. SENATOR ROCK:

12. I move we adjourn until 10:00 o'clock tomorrow morning.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is in order. The motion is to adjourn until
15. 10:00 o'clock tomorrow morning. Those in favor vote Aye.
16. Those opposed vote Nay. The voting is open. Have all voted
17. who wish? Have all voted who wish? Take the record. On that
18. question, the Ayes are 36, the Nays are 14. 1 Voting Present.
19. The Senate does stand adjourned until 10:00 o'clock tomorrow
20. morning.

21.

22.

23.

24.

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26.

(END OF REEL)

27.

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32.

33.