

80th GENERAL ASSEMBLY

REGULAR SESSION

MAY 17, 1978

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The hour of ten o'clock having arrived, the Senate
3. will please come to order. The prayer this morning will be by
4. the Rudolph S. Shoultz, Union Baptist Church, Springfield,
5. Illinois. Will our guests in the gallery please rise.

6. REVEREND SHOULTZ:

7. (Prayer by Reverend Shoultz)

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. I move that reading
12. and approval of the Journal of Tuesday, May the 16th,
13. be postponed pending arrival of the printed Journal.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. You've heard the motion. All those in favor signify
16. by saying Aye. All those opposed. The Ayes have it.
17. So ordered. While we are waiting for the members to
18. arrive on the Floor from the various meetings that are going
19. on, perhaps, with leave of the Body, we can go to House
20. Bills, 1st reading. If any...if you'll take a look,
21. it's page fifteen. If any member wishes to assume the
22. Senate sponsorship, please let the Secretary know.

23. SECRETARY:

24. House Bill 1380, sponsored by Senator Vadalabene.

25. House Bill 2535, sponsored by Senator Shapiro.

26. House Bill 2549, sponsored by Senator Mitchler.

27. House Bill 2928, sponsored by Senator Vadalabene.

28. House Bill 2958, sponsored by Senator Carroll.

29. House Bill 23...3372, sponsored by Senator Washington.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Rules Committee.

32. SECRETARY:

33. House Bill 2607, sponsored by Senator Rupp.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Rules Committee. As long as Charlie is here, we've
3. got enough. Senator Vadalabene, for what purpose do you
4. arise? Do you have a report for us on Senator Sam this
5. morning?
6. SENATOR VADALABENE:
7. Not yet. I don't have the report. The lines to the
8. tracks are...are busy. Maybe it's good news, I don't
9. know, but Senator Sam ran last night and they may be getting
10. a lot of calls and I can't get through. What I am calling
11. about now, though, is...you're so kind. House Bill...I'd
12. like to have leave to show that the sponsor of House Bill
13. 1967 would be Vadalabene and Chew.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. You've heard the request. Is leave granted? Leave
16. is granted.
17. SENATOR VADALABENE:
18. And on House Bill 3130, Vadalabene and Coffey.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. You've heard the request. Is leave granted? So ordered.
21. SENATOR VADALABENE:
22. And on House Bill 2778, Vadalabene and Leonard.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. You've heard the request. Is leave granted? So ordered.
25. SENATOR VADALABENE:
26. Thank you, Mr. Chairman. Thank you, Mr. President.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Is that...is that whole program for this...
29. SENATOR VADALABENE:
30. No, there's more to follow.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Oh, I see. Senator Chew, for what purpose do you arise?
33. SENATOR CHEW:

1. Yes, I'd ask leave of the Body to show as principal
2. sponsor on 3133, House Bill, please.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. You've heard the request. Senator Chew
5. seeks leave of the Body to be shown as the principle sponsor
6. of House Bill 3133. Is leave granted? So ordered.

7. SENATOR CHEW:

8. Thank you.

9. PRESIDING OFFICER: (SENATOR ROCK)

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

11. SENATOR VADALABENE:

12. Yes, I would like to have leave to show sponsorship
13. of House Bill 1380 to read Vadalabene and Joyce.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. You've heard the request. Is leave granted? So ordered.
16. Resolutions.

17. SECRETARY:

18. Senate Resolution 381, offered by Senator Ziomek
19. and all Senators. It's congratulatory.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Consent Calendar. Senator Vadalabene, for what purpose
22. do you arise?

23. SENATOR VADALABENE:

24. Yes, first of all, I would like to have the attention of the
25. Senate on an important announcement. Senator Sam lost
26. his seventeenth straight race. However, it was a
27. finish. It came in second. It paid two sixty to place and
28. three dollars to show. That's my announcement on Senator Sam.
29. He's sleeping well again this morning.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Committee Reports.

32. SECRETARY:

33. Senator Buzbee, Chairman of Appropriations II Committee,

1. reports out the following bills: Senate Bills 1427, 1456,
2. 1688, 1770 and 1866 with the recommendation Do Pass.
3. Senate Bills 1523, 1530, 1572, 1574, and 1585 with the
4. recommendation Do Pass as Amended. Senate...Senate Bills
5. 1778 and 1779 with the recommendation Do Not Pass.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Message from the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the
11. Senate that the House of Representatives has passed bills
12. with the following titles in the passage of which I am
13. instructed to ask the concurrence of the Senate, to-wit:

14. House Bills 2666, 2702, 2714, 2722, 2766, 2767,
15. 2793, 2818, 2839, 2842, 2893, 2894, 2899, 2927, 2945,
16. 2947, 2984, 2985, 2987, 2988, 3004, 3009, 3014, 3015,
17. 2778, 3016, 3019, 3023, 3042, 3050, 3053, 3054, 3059, 3108,
18. 3111, 3118, 3153, 3203, 3204, 3209, 3218, 3257, 3260,
19. 3269, 3277, 3281, 3349 and 3351.

20. PRESIDING OFFICER: (SENATOR ROCK)

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

22. SENATOR DEMUZIO:

23. To be the first one to violate the rules this morning.
24. Seated in the...the gallery in the...in the south is a
25. group of students from the Illinois School for the Visually
26. Impaired from Jacksonville, Illinois, that are here today
27. visiting the Illinois General Assembly and I'd like to have
28. them stand and be recognized by the Senate.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Will our guests in the gallery please stand and be
31. recognized. Gene.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. The Chair recognizes Senator Hynes.

SENATOR HYNES:

1. Mr. President and members of the Senate. A very brief
2. announcement regarding our schedule for today. It is
3. our intention to modify somewhat what we announced earlier
4. yesterday because of the fact that we moved as many bills
5. as we did yesterday. We will not have to meet this evening,
6. that is clear. We will work on 2nd reading this morning,
7. then we will break for lunch at an appropriate point and then
8. we will return to consider bills on 3rd reading. If the
9. 2nd reading ends up earlier than anticipated, we will start
10. on 3rd reading and then break for lunch. But that will be
11. the Order of Business for today. And there...there will be
12. no Session on Friday.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. The Chair recognizes Senator Leonard.

15. SENATOR LEONARD:

16. Yes, Mr. Speaker. I would like leave to be listed as
17. cosponsor on five bills, two of them are Senate Bills
18. 1783 and 1784 and as cosponsor on House Bills 1967,
19. 3131, and 3133.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Mr...Senator Leonard, confer with the Secretary there
22. about the first three bills, please, that you mentioned.
23. I think they've been taken care of by Senator Vadalabene
24. a few moments ago. Am I correct? ...on three bills. Is there
25. leave granted to Senator Leonard's request? Leave is
26. granted. All right, Gentlemen. Ladies and Gentlemen of the
27. Senate, we're about ready to start this morning. Senate
28. Bills on the Order of 2nd reading. Senate Bill 309, Senator
29. Sangmeister. Do you wish to call the bill? The bill...now...
30. all right. We're going to take it easy. We'll give you
31. plenty of chances. This is Order of 2nd reading. Do you
32. wish to call the bill? Senator Sangmeister. On the Order of
33. Senate Bills, 2nd reading, Senate Bill 309. Read the bill,

1. Mr. Secretary.

2. SECRETARY:

3. Senate Bill 309.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The Committee on Pensions, Personnel

6. and Veterans Affairs offers one amendment.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. We ask the committee amendment be adopted.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. You've heard the motion by Senator Sangmeister. Any

13. discussion? Senator Sangmeister moves that we adopt

14. the Amendment No. 1 to Senate Bill 309. All those in favor

15. say Aye. All those opposed say Nay. The amendment is

16. adopted. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Any amendments from the Floor? Senator Berning is

21. recognized.

22. SENATOR BERNING:

23. Question of the sponsor before this bill is moved

24. or in the alternative, if we do the...to 3rd, will you agree to

25. bring it back to 2nd in the event that it is determined that

26. an amendment is needed? And by way of explanation, Senator,

27. if you have not talked to Senator Egan since the amendment

28. has been adopted, let me just say that in our opinion,

29. the amendment did not do what was intended. In other words, we have

30. two bills in one here now, and I think it is in conflict.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Sangmeister.

33. SENATOR SANGMEISTER:

SB 386
5-17-78
2nd Reading

1. Well, thank you for that. I was not aware of that.
2. If that is the case, we certainly want it right, so I would
3. suggest that we do move it to 3rd, but I certainly give
4. your assurances that if it's needed to be brought back to
5. 2nd, all you do is have to ask for that to be done
6. and it will be done.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Berning, you...you satisfied? Very good.
9. Any further...any further...amendments from the Floor?
10. 3rd reading. Senate Bill 386, Senator Berman. Do you wish to
11. call the bill? He does. On the Order of Senate Bills
12. on 2nd reading, Senate Bill 386. Read the bill, Mr.
13. Secretary.

14. SECRETARY:

15. Senate Bill 386 was read a second time on May the
16. 25th, 1977. Two amendments were adopted. No committee
17. amendments.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Berman.

20. SENATOR BERMAN:

21. Question of the...

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Any amendments from the Floor?

24. SECRETARY:

25. Amendment No. 3 offered by Senator Berman.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Berman.

28. SENATOR BERMAN:

29. A point of clarification. We adopted amendments in
30. 1978 in committee. Is that Amendment No. 3? That's 1 and...

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. The Secretary says it's 1 and 2.

33. SECRETARY:

1. 1 and 2 were adopted in '77. This will be Amendment
2. No. 3.

3. SENATOR BERMAN:

4. No, that's not my question. If there were two amendments
5. adopted in '77, we also adopted a committee amendment in
6. '78. What number is that amendment?

7. SECRETARY:

8. That amendment is not attached to the bill, Senator.
9. I have no committee amendments on the bill since it's been
10. return from committee a second time.

11. SENATOR BERMAN:

12. Would you check the date on the second amendment? I thought
13. that was the '78 amendment.

14. SECRETARY:

15. I wouldn't have that opportunity because it's engrossed
16. in the bill right now. I could check it in the office, if you
17. want to hold up for a minute.

18. SENATOR BERMAN:

19. We had an amendment that was adopted in committee
20. in 1978.

21. SECRETARY:

22. Understand Amendment No. 1...

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Pardon...

25. SECRETARY:

26. ...was Tabled. Amendment No. 2 was adopted on April the
27. 28th.

28. SENATOR BERMAN:

29. Of '78.

30. SECRETARY:

31. Right. '78.

32. SENATOR BERMAN:

33. Okay. That's...

1. SECRETARY:
2. Okay.
3. SENATOR BERMAN:
4. ...so amendment...
5. SECRETARY:
6. This will be Amendment No. 3.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Senator Berman on Amendment No. 3.
9. SENATOR BERMAN:
10. I believe, Mr. Clerk, the Amendment No. 2 is the committee
11. amendment that was adopted on April 28th, '78 and
12. I think that has to be moved on the Floor for acceptance.
13. That's according to the Digest.
14. SECRETARY:
15. I don't have the amendment here, Senator, with the bill.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. Senator Berman, do you mind if we take this out of the
18. record and proceed and then if you get everything in order,
19. then I think we can come back to it with...with ease.
20. Fair enough? Leave granted? Leave is granted. Okay. Let's
21. move onto Senate Bill 388, Senator Berman. Same...same
22. situation? All right. 393, Senator Berman. All right.
23. 395, Senator Berman. Same deal. Okay. Senate Bill 430,
24. Senator Guidice. Do you wish that bill called? No, he does
25. not. Senate Bill 430, Senator Guidice. 460, Senator Clewis.
26. Mr. Secretary, read the bill. A request for a fiscal note.
27. Until we have the fiscal note, we cannot proceed. Okay.
28. Senate Bill 1055, Senator...yes, Sir, Mr. Secretary.
29. ...460, then. Everything is in order. On the...on the Order
30. of Senate Bills, 2nd reading, Senate Bill 460. Read the bill,
31. Mr. Secretary.
32. SECRETARY:
33. Senate Bill 460.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Revenue offers
3. one amendment.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Senator Clewis.
6. SENATOR CLEWIS:
7. Mr. President and members of the Senate. Senate Bill 460
8. as amended, would provide that the operators of bingo
9. would now pay a reduced rate of five percent from the present
10. ten percent when such operators are religious organizations
11. or charitable organizations.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. Any discussion? Wait just a moment. Senator Netsch,
14. then Senator Soper. All right? Okay. Senator Netsch is
15. recognized.
16. SENATOR NETSCH:
17. Thank you. For the record, Senator Clewis, what does the
18. fiscal note now show the cost to the State to be?
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. Senator Clewis.
21. SENATOR CLEWIS:
22. From the information that I have from the Department
23. of Revenue is that it would cost the State approximately
24. 1.1 million dollars.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. Senator Netsch.
27. SENATOR NETSCH:
28. Thank you. And as I understand it, the amendment is
29. now limited to religious organizations and charitable organizations
30. defined to be those exclusively devoted to charitable purposes.
31. That is, it cannot be just a peripheral aspect of the...the
32. charitable organization, is that correct?
33. PRESIDING OFFICER: (SENATOR JOHNS)
Senator Clewis.

1. SENATOR CLEWIS:
2. That is correct.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. Senator Netsch, you concluded?
5. SENATOR NETSCH:
6. Thank you.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Thank you. Senator Soper.
9. SENATOR SOPER:
10. Thank you Mr. President. I want to remind the
11. ...the Senators that this will take some money out of the
12. Common School Fund. Now, I can't...I can't understand where
13. Senator...
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. Pardon me, Senator Soper. Let's have it a little
16. quieter, please. Now, this is important to Senator
17. Soper and he's having to practically yell to be heard.
18. Senator Soper, continue, please.
19. SENATOR SOPER:
20. Well, this...this ten percent of the gross that the...
21. that the State receives, as I said, part of this money goes in
22. the Common School Fund. Now, if you want to take that
23. away from the Common School Fund...I think there's plenty
24. of room for the...religious and nonreligious organizations
25. are the only organization that can run this thing, or...or
26. charitable organization they do for certain charities. So,
27. you're taking everybody in...in this thing, and ten...
28. ten percent of the gross isn't...isn't out of line. They've
29. got ninety percent which is cut up...I think it's forty-
30. five percent for...or fifty percent for the...for the...for
31. the bank or whatever you call it...the...the prizes and
32. the rest goes to the institutions. And I know that
33. in my district that the...that the Catholic churches and some

1. of the churches run this, say this bingo really saved their
2. schools and they...they get plenty of money. Now, I don't
3. understand why...why the State should come up and...and lose
4. this. We've got to regulate this thing and we've got to handle
5. it. It includes more than one million some thousand dollars.
6. I think the total fund, as far as the State is concerned,
7. concerns itself with about twenty million dollars.
8. Because it would be impossible to say that we would get
9. ten percent and five percent...would be one million dollars to the
10. State. I think you better think this over before you take
11. money away from the schools.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Senator Lemke. D'Arco. Senator D'Arco. All right.
14. Well, theFe went the microphone then. You all right, Senator?

15. SENATOR D'ARCO:

16. Thank you, Mr. President. I have a school in my district
17. and they have a bingo function two nights a week and
18. the problem is that the small schools with the small gross
19. income are the schools that are affected most by this
20. problem. The large churches really don't have to worry because
21. the net income as a result of the bingo, far exceeds what
22. these small little parishes have to endure. This gentleman
23. in my parish had a total income from bingo of forty-three
24. thousand dollars. The payouts to the bingo players amounted
25. to thirty-six thousand, the deposit, seven thousand,
26. the Illinois State tax, four thousand, expenses for supplies,
27. twenty-five hundred, the net income was seven thousand, the
28. total expenses, six thousand nine hundred and eighty-two
29. dollars so he made from two nights of bingo, he made a net
30. profit of one hundred and eighty-one dollars and fifty-six
31. cents. By reducing the gross from ten to five percent, this
32. little parish that is going to be able to get a net profit
33. that is going to be reasonable for the amount of time and effort

1. and energy that these parishes put in toward this effort.
2. So, I really don't think the...the burden put upon by the
3. State is going to be that great and I really think we should
4. adopt this amendment.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Any further discussion? Senator Clewis...close...wait
7. a minute. Senator Glass and then Senator Mitchler.

8. SENATOR GLASS:

9. Well, thank you, Mr. President and Ladies and Gentlemen.
10. I'd urge a No vote on this amendment. It does, in fact,
11. take money from the schools of Illinois. We have an estimate
12. of somewhere between two and four million. It may exceed
13. that. We can ill-afford to do that. There...there is a
14. tight financial situation in our schools. We've been hearing
15. that all along. And there are...there are more burdens placed
16. on them with the requirements of ninety-four one forty-two
17. and special education. So, I...I can see the...the reason
18. for this amendment, but I...I would urge that it be defeated
19. because it will take money from our schools.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. For what reason do you wish to speak, Senator Clewis?
22. Senator Clewis.

23. SENATOR CLEWIS:

24. Two Senators have chose to make comments on this
25. amendment and I haven't had a chance to respond to either
26. one. In regard to Senator Soper's remarks or comments,
27. this will take approximately five hundred and fifty thousand
28. dollars out of the Common School Fund. I don't know if the
29. proper terminology would be to call that peanuts, but it
30. surely would be peanuts if we don't help the religious
31. organizations and keep these children that are in the
32. parochial schools right now in the parochial school system, and
33. if these students are cast into the public school system, a cost

1. to the State of Illinois of five hundred thousand dollars,
2. would be peanuts compared to the cost to absorb those children.
3. Now, we're only talking about twenty-four percent of the
4. bingo licensees in this amendment and we're talking about
5. 1.1 million dollars, not two million dollars, not four
6. million dollars, 1.1 million dollars.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Thank you, Senator. Senator Soper is recognized for the
9. second time.

10. SENATOR SOPER:

11. Thank you, Mr. President. Now, that's...that sounds
12. very good, but you've got one parish here you're talking
13. about and I can't imagine anybody that runs a bingo game
14. that generates forty...forty-three thousand dollars.
15. in...in...in gross, handing out prizes to the amount of
16. thirty-six thousand. They're not running it properly and
17. if you take that extra five percent that they want for this
18. little parish, maybe it will generate another five or six
19. hundred dollars or maybe eight hundred dollars...what
20. they're talking about. But, the loss to the State is going
21. to be much more than a million something. So, they've
22. got...they've got to revise their act and...and get it into...
23. in...in proper perspective. This bingo wasn't meant to give
24. out all the money in prizes. It was meant to make some money
25. for the...for the parishes. Now, if we don't keep this ten
26. percent, we might as well forget about it and put it in...it
27. was made so that gamblers couldn't get in this thing. Now, the
28. parish should revise its...its system on payouts. They
29. can't pay out thirty-six thousand dollars if they take in
30. forty-three. That's impossible. Now, if you want to come
31. around and say that you want to generate some more taxes to
32. take care of the Common School Fund, that's what you can do.
33. But we can't...we can't allow all the big parishes and everybody
34. else to take this money to save a parish that isn't doing...

1. handling the game properly.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Lemke is recognized. Senator Clewis, he's been...
4. his button has been on quite some time. Senator Lemke.

5. SENATOR LEMKE:

6. Mr. President and members of the Senate. This is an
7. amendment that is much needed and the reason for it is a very
8. simple reason. We heard questions why a parish has to pay out
9. thirty-six thousand dollars in prizes. That apparently means
10. that nobody looked at the Bingo Act. What prizes they pay
11. out are regulated by the State. They have to pay out a
12. specific amount of money taken in. There's no...there's...
13. the problem there is pure and simple. It's the regulation.
14. That's how the Act was set up. The problem we have here is
15. facing us. You talk about a loss of revenue. Well, you're
16. going to have a loss of revenue because these small
17. parishes are not going to apply for bingo licenses and therefore,
18. the State of Illinois is going to lose four thousand
19. three hundred and sixty-five dollars in this parish
20. because why should someone work for the State of Illinois
21. for a...for a quarter and only make a hundred and eighty-
22. one dollars in the quarter. It's kind of...and these are all
23. volunteers. So, all these little parishes and little
24. veterans groups and charitable groups are going to go out of
25. business and the State is going to keep losing those
26. bingo licensing fees. I think this is an equitable way of
27. ...of saying to these people that we're trying to be fair
28. and we're trying to give you at least the same amount the
29. State of Illinois makes. But, you know, it's...it's always
30. great to hear about the defense of once we pass a bingo
31. bill, it's a great defense to hear some people that are always
32. against licensing charitable groups to...to conduct some
33. kind of activities, such as raffle and chances. It's always

1. the same people that don't want to vote for the bills, but after
2. we pass them and the revenue comes in, they're glad to keep
3. it. It's just like on a pay raise. When they...when they...
4. they don't vote for the pay raise but they are first at the
5. window. And I'm telling you right now, this...this is
6. something we need to keep these small parishes going and
7. the small veterans groups and the small Knights of Columbus
8. and what have you that have bingos. This is the only way they
9. can do it. Now, if we...if we insist of not trying to offer
10. them some aid and some assistance, these churches are going to
11. close down their bingo activities and we're going to lose
12. money. We're not just going to lose five percent, we're
13. going to start losing, like in this church, if four people...
14. if say, a hundred people close down and don't buy bingo
15. licenses and they all turn into the State forty-three hundred
16. dollars, we lost four hundred...we're going to lose
17. some money. Just times it and you'll find out what you're
18. going to lose.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Thank you, Mr. President and members of the Senate.
23. I think this is a time that we should go back and review
24. just what the Illinois Bingo Act is and has been all about.
25. I believe it was in 1972, Senator Howard Mohr was the chief
26. sponsor in the Senate and Senator John Fary was the chief
27. sponsor in the House and it took several years before we could
28. construct a Bingo Act that was acceptable in the State of
29. Illinois and it took a lot of hard work and a lot of
30. persuasion and working with the local organizations to
31. construct the Illinois Bingo Act. We can be proud of the
32. Illinois Bingo Act. Why do I say that? Because the Department
33. of Revenue and their agents have very closely scrutinized

1. the operation of bingo in the State of Illinois. It has not
2. fallen into the hands of unscrupulous people that...that
3. have taken bingo and used it for other than the purposes
4. for which it was intended. Now, this is one of the first times
5. that we've come back to this Body and we will come back to the
6. House and ask that it be reviewed. And the part that we're
7. asking to be reviewed is the original ten percent that the
8. State would collect off the top, the gross. Now, the
9. State regulates the sale of the cards, the amount of money
10. that can be provided out in the way of prizes. It's a
11. very closely tightly regulated operation. Now, as Senator
12. Lemke pointed out and as Senator Clewis brought out for the
13. reason to put this in, there are churches, there are
14. fraternal organizations, there are veterans organizations.
15. All of those that qualify under the enabling legislation
16. that are raising and producing revenue for the State of
17. Illinois and most important, they're producing revenue
18. for their organizations. These are organizations that
19. spend the money within their organization for the people
20. throughout the entire State. Now, I want you to take a good
21. look at what you're voting on before you oppose it because in
22. each and every one of your districts, you have the game of
23. bingo being operated by these good organizations. These
24. are not hoods that are on the street, off track betting,
25. lottery and all this other stuff that gets involved. These
26. are good people operating bingo, they're operating it in
27. churches and charitable organizations, veterans, fraternal
28. organizations to which you belong. And that they support
29. you and you go to them for support. Now, originally, we
30. said we would take ten percent off the gross. This was
31. to start up...put out the agents and get the Department of
32. Revenue organized for the operation of bingo. All of that
33. administration work has been completed. Now is the time that

1. we're looking and we've talked over with the organization,
2. Senator Clewis, Senator Lemke, many of us that are interested
3. in this and we have found that in many cases, the ten
4. percent off the gross because of the regulated amounts
5. that they have to pay out at the end of three or four months
6. operation. For example, St. Michael's School Mothers
7. Club operating there in the City of Chicago, 4821 South
8. Damon Avenue. Over a period of nineteen weeks from July
9. 5 to November 1, 1977, the State received four thousand
10. four hundred thirty-five dollars and four cents in taxes.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator, pardon me, Senator.

13. SENATOR MITCHLER:

14. ...while...organization realize two thousand...

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Wind it up, please.

17. SENATOR MITCHLER:

18. ...one hundred...nineteen twenty-six. Now, after they
19. pay for the heat and the light and the operation of the
20. building, they wind up with nothing. Now, before you vote
21. against...

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Mitchler, your time...

24. SENATOR MITCHLER:

25. ...reducing...

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. ...has expired, Sir.

28. SENATOR MITCHLER:

29. All right. Reducing this amount...I'll close quickly...

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Quickly.

32. SENATOR MITCHLER:

33. Reducing this amount from ten to five, you stop and think,

1. you're voting against the very organizations that you go to
2. for support and that are producing revenue and the State can
3. afford to lose this...hide behind the...the...
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Okay, Senator. That's it.
6. SENATOR MITCHLER:
7. ...children of the State.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Senator, that's it. Time. Any further discussion?
10. Senator Clewis, you may close the debate.
11. SENATOR CLEWIS:
12. Mr. President and members of the Senate. I think that
13. Senator Lemke...
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. Wait a minute. You...Senator...Senator Clewis.
16. SENATOR CLEWIS:
17. Yes.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. Senator Collins wishes to be recognized.
20. SENATOR COLLINS:
21. Yes, I have a question on the amendment.
22. Could you all move right there? Senator Clewis, does this
23. amendment...is this amendment now saying that it's only
24. those organizations that's under some type of religious
25. order? Are you restricting it to religious...nonprofit
26. organization under some type of religious order.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. Senator Clewis.
29. SENATOR CLEWIS:
30. Senator Collins, we're restricting it to religious and
31. charitable organizations. Charitable organizations being
32. defined as those organizations whose purpose are exclusively
33. charitable.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senator Collins.
3. SENATOR COLLINS:
4. It only deletes the veterans organizations...this...
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. Senator Clewis.
7. SENATOR CLEWIS:
8. It only includes religious and charitable organizations
9. who are exclusively charitable organizations and I guess the
10. answer to that would be that veterans organizations are not
11. exclusively charitable, so they would not be included under
12. my amendment.
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. Senator Collins. Any further dicussion? Senator Clewis,
15. close the debate, please. Clewis.
16. SENATOR CLEWIS:
17. As I started to say before, Mr. President, Senator Lemke,
18. Senator Mitchler and other Senators have expressed their
19. concern for our parochial school system. That's who this
20. bill is designed to help, to keep these parochial schools
21. going, St. Mel's, St. Bartholomew's, many that I can name
22. in the districts.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. Let's quiet it down, please.
25. SENATOR CLEWIS:
26. It's the primary intent of the bill to keep these kids out
27. of the public school system where it would cost the
28. State of Illinois a fortune and I would ask for a favorable
29. roll call.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. He asked for a roll call. Senator...Senator Clewis
32. has moved the adoption of Amendment No. 1 to Senate Bill 460.
33. On that, he has asked for a roll call. Mr. Secretary.

1. Those in favor vote Aye. Those opposed vote Nay. The
2. voting is open. Have all voted who wish? Have all voted
3. who wish? Take the record. On that motion, 36 Ayes,
4. 14 Nays, 0 Present...9 absent...okay, Mr. Secretary.
5. The...the amendment is adopted. 3rd reading. No.
6. Any further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Any amendments from the Floor?

11. SECRETARY:

12. Amendment No. 2 offered by Senator Mitchler.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Mr. President and members of the Senate. Amendment No. 2
17. is a...actually we probably should have had this incorporated
18. in the Amendment No. 1, but the Amendment No. 1 was prepared
19. as a committee amendment and it was agreed that this would be
20. an amendment from the Floor and what it does, it clarifies
21. the charitable organizations by taking that part where it just
22. says churches and charitable organizations out of that and
23. gives the reduction ten percent to five percent. The Department
24. of Revenue would have a very difficult time in determining
25. that thin line on the charitable organizations.

26. I move for adoption of the Amendment No. 2.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Any discussion? You've heard the motion. Senator Mitchler
29. moves the adoption of Amendment No. 2. Senator Soper.

30. SENATOR SOPER:

31. Thank you, Mr. President. Can we have a little peace
32. and quiet around here?

33. PRESIDING OFFICER: (SENATOR JOHNS)

I agree. Ladies and Gentlemen, now we're not going to

1. move on until we quiet down.

2. SENATOR SOPER:

3. No, I may be...

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Members please be in their seats and all those

6. not authorized for the Floor, please leave the Floor.

7. SENATOR SOPER:

8. I may be beating a dead duck around here, but

9. I could see that this whole thing is going to not be for

10. the little churches and so forth that aren't making any

11. money. It's going to be the whole ball of wax and this is

12. going to take a lot of money out of the School Fund.

13. Now, Senator Mitchler comes up with this...with this

14. proposition, oh, that's the dead...dead chicken that our

15. friend Graham's got over there. So, I...I'd caution

16. you, if you want to spend a little more money to put in the

17. School Fund, you're going to have to have some appropriations

18. for the Common School Fund. And I think you're going to need

19. about five or ten million dollars. Go ahead. Do what you see

20. fit. I think you ought to defeat this.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Any further discussion? Senator Mitchler.

23. SENATOR MITCHLER:

24. Just in response in closing remarks, the remarks made

25. by Senator Soper, if it wasn't for this bingo allowing

26. nonpublic schools to remain open by the...some of the profits

27. that they make, you would have many of these students in the

28. public schools by...they being forced to close. It does not

29. take all this money from the schools. And if you don't

30. give them some financial help...operators of bingo, you'll

31. find that they'll shut down and the State will get no revenue.

32. Now, we've...we've researched this out very carefully. We'd

33. appreciate another affirmative vote on Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Mitchler has moved the adoption of Amendment No. 1...
2. Amendment No. 2 to Senate Bill No. 460 and he's asked for a
3. roll call. All those in favor vote Aye. All those opposed
4. vote Nay. The voting is open, Mr. Secretary.
5. Have all voted who wish? Have all voted who wish?
6. Have all voted who wish? Take the record, Mr. Secretary.
7. On that proposition, the Yeas are 14, the Nays are 18, the
8. amendment is defeated. Any further amendments?
9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Any amendments from the Floor? 3rd reading.

13. Now, with leave of the Body...now listen to me. With leave of
14. the Body, we're going to go back to those bills Senator
15. Berman had initially, which started with...Senator Rhoads...
16. I'm sorry, Senator Rhoads. I meant to recognize you and
17. I'd forgotten.

18. SENATOR RHOADS:

19. Thank you, Mr. President. On a point of personal
20. privilege.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. State your point.

23. SENATOR RHOADS:

24. Mr. President, seated in the gallery to my right are
25. Mr. and Mrs. John Lindquist of Oak Brook. Mr. Lindquist is
26. the President of the Oak Brook Park District Board and he is
27. also the nephew of Senator Soper and with him today are his
28. daughter Linda and his son David and I'd like them to be
29. recognized by the Senate.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Would you stand, please, and be recognized by the Senate.

32. The Chair also recognizes Senator John Grotberg. For what
33. purpose do you arise, Senator?

SB 386
2nd Reading
5-17-78

- 1. SENATOR GROTEBERG:
- 2. On a point of personal privilege, Mr. President.
- 3. PRESIDING OFFICER: (SENATOR JOHNS)
- 4. What's your point of personal privilege?
- 5. SENATOR GROTEBERG:
- 6. We're at that moment in the proceedings when
- 7. our day is lightened and graced by three lovely ladies from
- 8. Geneva and Batavia representing the Fox Valley Realtors
- 9. in the President's gallery to our right, Mrs. Dee St. Clair,
- 10. Mrs. Phyllis Jesky and Mrs. Laura White who were down last
- 11. night and are working hard on the Legislative Council
- 12. of the Board of Realtors and we're glad to have them here today.
- 13. Thank you.
- 14. PRESIDING OFFICER: (SENATOR JOHNS)
- 15. Would those ladies please rise and be honored by the
- 16. Senate, please. Senator Harber Hall, for what purpose do you
- 17. arise, Sir?
- 18. SENATOR HARBER HALL:
- 19. A point of personal privilege, Mr. President.
- 20. PRESIDING OFFICER: (SENATOR JOHNS)
- 21. State your point, Senator.
- 22. SENATOR HARBER HALL:
- 23. Seated in the gallery to my left, we have students from
- 24. Brigham School which is School District Number 5 in
- 25. Rural Bloomington Township and their driver of the bus and my
- 26. good friend, Andy Washburn, is with them. I'd like to have
- 27. them stand and be recognized by the Senate.
- 28. PRESIDING OFFICER: (SENATOR JOHNS)
- 29. Would you stand young folks and be recognized by the
- 30. Senate. Thank you, Senator. Now, we will return to the
- 31. Order of Senate Bills on 2nd reading and starting with Senate
- 32. Bill 386 by Senator Berman. Senator Berman, please.
- 33. On the Order of Senate Bills on 2nd reading, Senate Bill 386.

1. Mr. Secretary, would you read the bill, please.

2. SECRETARY:

3. Senate Bill 386 was read on May the 5th, 1977.

4. Two amendments have been adopted to the bill. And
5. we have one Floor amendment offered by Senator Berman, which
6. is Amendment No. 3.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Berman is recognized.

9. SENATOR BERMAN:

10. Thank you, Mr. President, Ladies and Gentlemen.
11. Senate Floor Amendment No. 3 is an amendment that
12. spells out a few of the questions that have arisen since
13. the committee amendment was adopted two weeks ago.
14. The amendment that is being offered at this moment, provides
15. that the...we add the word related services which is
16. attached to special education services. We provide that the
17. nondiscrimination clause shall relate only to the
18. handicap of the child and that the timing for the
19. placement of the child in the special education services
20. is changed from...at the next school term, which was the old
21. language, to provide by or no later than the next school
22. term. We've also provided that in the hearings regarding the
23. placement that in addition to a written transcript that
24. may be also an electronic transcript and we've added the
25. Division of Services for Crippled Children to those agencies that
26. are covered by the bill. I...be glad to respond to any
27. questions. I move the adoption of Amendment No. 3 to
28. Senate Bill 386.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Any discussion? If...if not, you've heard the motion
31. Senator Berman has made to adopt Amendment No. 3 to
32. Senate Bill 386. All those in favor say Aye. All those
33. opposed say Nay. All right. The Ayes have it. The amendment

1. is adopted. Any further amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. 3rd reading. Now, Senator Berman, we will go to Senate
6. Bill 388. On the Order of Senate Bills, 2nd reading,
7. Senate Bill 388. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 388 was read on May the 25th, 1977,
10. two committee amendments were adopted. No committee
11. amendments.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. Any amendments from the Floor? Senator Glass is
14. recognized.
15. SECRETARY:
16. Amendment No. 3 offered by Senator Glass.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Senator Glass is recognized.
19. SENATOR GLASS:
20. Thank you very much, Mr. President, Ladies and Gentlemen.
21. Amendment No. 3 that I am offering is an amendment which would
22. provide that the...the student who attends the private...well,
23. first of all let me...let me make...make this introductory
24. statement. What the bill does in its unamended form, is require
25. that public school districts accept handicapped students from
26. nonpublic schools on a part-time basis. Now, the concern
27. that I have is that there will be students who are handicapped
28. and attending nonpublic schools a long way from the public
29. schools. You could have conceivably a student in
30. Waukegan who is a handicapped child attending a nonpublic
31. school in Zion and the Waukegan district would have to
32. transport that child from the public...nonpublic school
33. to the public school and back on a part-time basis. We don't

1. think that's what this legislation requires. In fact,
2. there...there is even a question whether the entire bill
3. is required under 94142. So, what the amendment says is
4. this, that the services provided in the bill shall not
5. include transportation to and from the public school unless
6. the nonpublic school the child attends is located in the
7. district. However, nothing in the section shall prohibit
8. an agreement between the district where the child resides
9. and another public school district to provide special
10. education services if such an agreement is deemed more
11. convenient and economical. In other words, where you have
12. a special education district with a school close by...
13. the parochial school, they can certainly accept the
14. nonpublic school student for services there. I'd be
15. happy to answer any questions. I think it's an amendment
16. that will relieve some possibly excessive costs on school
17. districts and still meet the intent of the Act.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Berman.

20. SENATOR BERMAN:

21. A question of the sponsor.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Will he yield? He will. Senator Glass.

24. SENATOR BERMAN:

25. Senator Glass, you and I discussed deleting the...that
26. second paragraph. Does this amendment that you are offering,
27. Amendment 3, have that second paragraph in it?

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Senator Glass.

30. SENATOR GLASS:

31. Yes, Senator Berman. The amendment is being distributed
32. now. The one I'm offering does have that second paragraph
33. in it because it's...it's my hope that the amendment would be

1. adopted in this form.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Berman.

4. SENATOR BERMAN:

5. All right. Mr. President, I thought we had an understanding,
6. but let me proceed without the understanding. I
7. stand in opposition to Amendment No. 3 because this amendment
8. is contrary to the requirements of Public Law 94142.
9. Under that law, the public school is required to provide
10. services to handicapped children that are enrolled in
11. private or nonpublic schools. That would be on a shared time
12. basis. Part of the services includes the requirement
13. of transporting that child from the nonpublic school to the
14. public school even if it's for one class or one hour a day.
15. This amendment, I believe, is in violation of the requirements
16. of the Federal law and in violation and would bring
17. Illinois into nonconformity with the Federal law because
18. if a child could not get the services from any school
19. district other than his resident's school district, then
20. this bill could, in fact, deny that child that transportation
21. and we would be in violation and nonconformity. Amendment
22. No. 4, which has been filed by Senator Glass, is the amendment
23. which I will support and that is an amendment which does not
24. deal with the question of transportation but does recognize that
25. a more economic and practical approach could be providing
26. services in the school district...the public school
27. district where the parochial school is located. I think that
28. this amendment is in violation of the mandates of the Federal
29. law. It will, I believe, undermine everything that we've
30. been working for in which I believe everyone is in general
31. support of and that is to bring Illinois into conformity
32. with the Federal mandates and a...and as chief...and as...

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Please conclude, Senator.

2. SENATOR BERMAN:

3. ...economic way as possible.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Please conclude.

6. SENATOR BERMAN:

7. So, I stand in opposition to this...to this amendment.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Senator Glass wishes...any further discussion?

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Question of the sponsor, Mr. President. I'm sorry

13. I missed out on the early part of this conversation.

14. Are we talking about the amendment that is twelve lines

15. long? That is...that is the Amendment No. 3 that

16. you are offering Senator Glass? Thank you.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Glass.

19. SENATOR GLASS:

20. Yes, that's correct. It's the twelve line amendment.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Senator Berning wishes to be recognized and then

23. Senator Nimrod.

24. SENATOR BERNING:

25. Well, thank you, Mr. President. I think really my

26. question has to be directed to the sponsor of the bill,

27. Senator Berman, rather than the sponsor of the amendment.

28. I'm...I'm intrigued by your comment that amendment...

29. adoption of Amendment 3 would put us in violation of the

30. Federal Act. My understanding was that transportation could

31. be excluded and if I understood your term...your comment

32. correctly, you implied that we must provide transportation.

33. Is that accurate?

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senator Berning. Senator Berman, I'm sorry.
3. Berning to Berman.
4. SENATOR BERMAN:
5. Yes, the question...the question was directed to me. And
6. my answer is yes, transportation must be provided.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Senator Berning.
9. SENATOR BERNING:
10. Well, just as a for instance, what would be the impact,
11. what would happen if we just said we aren't going to do it?
12. Would the Federal Government's action be that deleterious
13. to our total objective?
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. ...Senator Berman...Berman.
16. SENATOR BERMAN:
17. Well, I...I think that that question very well
18. may be directed and answered on 3rd reading, but let me
19. merely expand. I've got a copy of Public Law 94142.
20. I refer you to subsection 17, under Section 4-A and
21. it says quote, "the term 'related services' means
22. transportation." I'm reading from the Act. Now, if
23. in answer to the question as to whether we want to comply
24. or not, if we don't comply, Illinois may be one of perhaps
25. two states in the nation that doesn't comply from being
26. one of the leading states dealing with...with handicapped
27. children. We will, overnight, become one of the worst
28. states, at least in the minds of everyone who is dedicated
29. to servicing handicapped children and it could also mean
30. a substantial impact as far as the flow of Federal funds to the
31. State of Illinois. Many of us, including all of the school
32. districts in your district, Senator Berning, want us to
33. comply.
PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Berning, have you concluded? Now, Senator
2. Nimrod.

3. SENATOR NIMROD:

4. Mr. President, a question of the sponsor.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. He indicates he'll yield.

7. SENATOR NIMROD:

8. Senator Glass, under 94142 says that a child
9. is entitled to be mainstreamed and receive that assistance
10. and education, I assume, within his district. Do I gather
11. right, you're saying that if, in fact, a child leaves the
12. district, that is no longer the responsibility of that
13. district to get them back into the district in order to
14. give them this education. Is this what your amendment is
15. about?

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Senator Glass.

18.

19.

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21.

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23.

End of reel.

24.

25.

26.

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32.

33.

5-17-78

1. SENATOR GLASS:

2. Well that...that...that is right, Senator Nimrod. The
3. ...there's a difference of opinion that I have with...with
4. Senator Berman on whether this bill is required at all under
5. 94-142. What this bill does, it says to the public schools,
6. you're going to have to accept part time private school
7. students in the public schools. You're going to also have
8. to go and pick them up where ever they may be. Maybe it's
9. thirty or forty or fifty miles away, bus them in to your
10. school and back. I don't think 94-142 requires that. What
11. we're saying by the amendment is simply that if the student
12. is attending a nonpublic school in the same district where
13. the public school is located, then there will be that
14. transportation provided. And furthermore, it's up to the
15. school districts beyond that to arrange for convenient
16. transportation in...in schools and other districts. But that
17. there...there should not be a mandate to send a public school
18. way outside the boundaries of its own district to pick up
19. the nonpublic school students.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Buzbee. What...Senator Nimrod, forgive me sir.
22. You'll be next.

23. SENATOR NIMROD:

24. Then as I understand it, what we're saying is that a
25. school district has the responsibility to provide education,
26. even on a part time for handicapped children, provided they're
27. in the district. If they're not in the district, 94-142 or
28. any other statute, certainly does not provide for that school
29. to go out and pick up that individual outside of his district.
30. Now I...I don't know what basis there would be to be able to
31. have a school district go out of his jurisdiction to pick up
32. children to bring them back in their district. Is there any
33. particular statue that would provide that?

34. PRESIDING OFFICER: (SENATOR JOHNS)

1. Pardon me, Senator Glass. I have a question here.
2. Well, go ahead and answer the question.
3. SENATOR GLASS:
4. Yeah I, in answer the question, I would say I know
5. of no such statute.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Senator Nimrod.
8. SENATOR NIMROD:
9. Well in that case then I would feel that your amendment
10. is very proper and certainly is one that address's the bill
11. that says that they're entitled to it, but certainly not
12. the responsibility to school district to go outside of its
13. district area. And I think your amendment is very proper.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. Just a minute, Senator Buzbee, I'm going to recognize
16. you, but the local TV tation, WICS, has asked leave to film
17. proceedings here. Is leave granted? Leave is granted.
18. Okay. Senator Buzbee, you're recognized.
19. SENATOR BUZBEE:
20. Well, I rise, Mr. President, in support of the amendment.
21. And I also rise in violent disagreement with what Senator
22. Berman said earlier, when he said if we do not comply
23. with 94-142 we will go from one of the best states in the
24. union as far as services to handicapped children to one
25. of the worst. That is simply not true, Senator. We will
26. still continue on, whether we comply or whether we don't,
27. we will still continue on with our State support and our
28. local support for special education and if some bureaucrat
29. sitting in Washington says that we're not...we're not...doing
30. a good job, then the bureaucrat simply doesn't know what he's
31. talking about. This is a case where the Feds have come down
32. on top of our heads once again and told us we know what is
33. best for you. We know how to spend...how to tell you how

1. to spend your tax dollars and they have...they have held the
2. carrot out in front of us of the threat, I guess I should
3. say, of the withdrawal of the carrot of the Federal dollars.
4. And quite frankly, I'm not so sure that perhaps we oughten
5. to just take the stance of telling them to take all their
6. Federal dollars. Obviously, what happens is, we go much,
7. much further than just the...than just the impact of the
8. particular Public Law 94-142. We also get into the whole
9. civil rights area and...and Section 504 of the Civil Rights
10. Act. Perhaps, eventually, I will end up supporting implemen-
11. ting legislation for the 94-142, but I think Senator Glass'
12. approach with this amendment is a good one, is a logical one,
13. and we simply cannot, should not, and must not, stand by
14. and let the Feds tell us how we're going to spend our tax
15. dollars. They're putting an infinitesimal amount of money
16. into this and they're going to tell us how we're going to
17. spend our tax dollars, when, as Senator Berman himself said,
18. we are already rated as one as the best states in the union
19. as to services for special educational children.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator, you must conclude. You must conclude.

22. SENATOR BUZBEE:

23. But I think that here we have put a limited amount of
24. restriction on how the funds would be spent and I concur.
25. I think Senator Glass' amendment is a good one.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Further discussion? Senator Glass.

28. SENATOR GLASS:

29. Thank you, Mr. President. I would say to Senator Berman
30. for clarification, I did indicate it was my intention to
31. offer this amendment first and...and then if it succeeds,
32. of course, I will not offer the second one. But I...I
33. think the debate has been accurate. I don't believe that

1. the bill as stands is required by 94-142. I certainly
2. don't think our public schools should be required to
3. transport students far outside their boundaries into
4. facilities within a district and I would urge a favorable
5. vote on the amendment.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. The question is...Senator, on the Amendment No. 3
8. to Senate Bill 388. Senator Glass has moved the adoption
9. of that amendment. All those in favor signify by saying
10. Aye. All those opposed say Nay. Roll call is requested.
11. On that question, Mr. Secretary, Senate Bill 388, Amend-
12. ment No. 3. All those in favor vote Aye. All those
13. opposed vote Nay. The voting is open. Have all voted
14. who wish? Have all voted who wish? Take the record, Mr.
15. Secretary. The Amendment No. 3 to Senate Bill 388, having
16. received a majority is declared passed. Is declared adopted.
17. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Any amendments from the Floor? That was a Floor Amend-
22. ment. 3rd reading. Senator Berman, do you wish to call
23. 393? On that last amendment, there were 30 Ayes, 4, and
24. 25 against. The amendment was adopted. Thank you, Mr.
25. Secretary. Senate Bill 393. Would you read the bill,
26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 393 was read a 2nd time, May the 25th,
29. 1977. Amendment No. 1 has been adopted. No committee
30. amendments.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Any amendments from the Floor?

33. SECRETARY:

1. Amendment...Floor Amendment No. 2 offered by Senator Berning.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Berning.

4. SENATOR BERNING:

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

6. This amendment is a clarifying amendment.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Pardon me. Pardon me, Senator Berning. For what

9. reason do you rise, Senator Davidson?

10. SENATOR DAVIDSON:

11. Are we correct on the number of the amendment? Was

12. this a bill that we had had an amendment on back in '77

13. and Tabled or the 1st Amendment, the one we put on this

14. Spring.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Mr. Secretary. There's no way that he would know

17. that the bill has been engrossed. We're checking on

18. it right now here, hold on just a second. Hold on,

19. Senator, we'll be right with you. Senator Davidson.

20. SENATOR DAVIDSON:

21. My inquiry has been answered...what we put was an

22. immediate effective date on that amendment and that's

23. fine, go right ahead.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Thank you, Senator. Now, Senator Berning, please.

26. SENATOR BERNING:

27. This amendment has the approval of the chief sponsor

28. of the bill. All it does is simply clarify that there

29. will be provision for sign language...interpreters

30. and transportation provided with this amendment.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Any further discussion? Senator Berman.

33. SENATOR BERMAN:

DB 395
3rd Reading
5/17/78

1. I...I support the amendment, the only suggestion, the
2. word, transportation, in the amendment is underlined and
3. I'd asked that it be changed on its face to take out the
4. underlining. That's...that word already is in the bill.
5. Just a technical correction. I think it can be changed...

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Is leave granted? Leave is granted. Thank you, Senator
8. Berman. Senator Berning. Have you concluded?

9. SENATOR BERNING:

10. Request a favorable vote.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Okay. Senator Berning has moved the adoption of
13. Amendment No. 2 to Senate Bill 393. All those in favor
14. say Aye. All those opposed say Nay. The amendment is
15. adopted. Any further amendments from the Floor?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. 3rd reading. On the Order of Senate Bills on 2nd
20. reading, Senate Bill 395. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 395 was read a 2nd time on April the 28th,
23. 1978. Amendments Nos. 1 and 2 were adopted. Amendment
24. No...no committee amendments. Floor Amendment No. 3 offered
25. by Senator Berman.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Berman is recognized.

28. SENATOR BERMAN:

29. Thank you, Mr. President. Amendment No. 3 is an amend-
30. ment that has been worked out after conferring with the
31. Illinois Office of Education. It clarifies some of the
32. payment programs that were essentially in Amendment No. 2.
33. It spells out that the...if the child needs summer school
34. that is included in the educational needs of the child that

1. will be provided. It also spells out the dates of when the
2. payments will be made. That was missing from the Amendment
3. No. 2 and is necessary in order to allow IOE to carry out
4. the payment plan. And it provides a hold harmless regarding
5. reimbursement payments and...provides for, or deletes the
6. provision for making tuition reimbursement payments from
7. Appropriation for Special Education Personnel and Transportation
8. if it's not sufficient to cover the costs. I would move the
9. adoption of Amendment No. 3 to Senate Bill 395.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President, I rise in support of this amendment, but
14. I think to correct the record, I believe the Secretary said
15. Amendment No. 1 and 2 had been adopted. And Amendment No. 1
16. was removed from this bill prior. The numbering is correct,
17. but I think for the record we should add that Amendment No...1
18. was the vote was reconsidered and it was Tabled earlier this
19. Session and I...I thought the Secretary said Amendment No. 1
20. had been adopted.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Your point is well taken, but I think the record will
23. show for itself. Thank you. Senator Berman. Any further
24. discussion? If not, all those in favor of Senator Berman's
25. Amendment No. 3 to...I mean Senator...Amendment No. 3 to
26. Senate Bill 395, vote Aye. All those opposed vote Nay.
27. The amendment is adopted. Any further amendments?

28. SECRETARY:

29. Amendment No. 4 offered by Senators Collins and Hickey.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Senator Collins.

32. SENATOR COLLINS:

33. Mr. President and members of the Senate. Senate

1. Bill 395 included in that bill, it sets up a Rate Review
2. Board and what Amendment No. 3 does is simply add to that
3. board, two consumer representatives and one person from
4. a private agency. So I move the adoption of Amendment No. 3.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. Any discussion? Senator Bloom.
7. SENATOR BLOOM:
8. Is this the amendment that adds that the Rate Review
9. Board shall consist of designees of DCFS, Mental Health,
10. Public Aid, IOE, two consumer representatives and one
11. representative of private providers. Is that...is that
12. the amendment, Senator?
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. Senator Collins.
15. SENATOR COLLINS:
16. Yes, it is and...and I'm sorry, that's Amendment No. 4.
17. It's Amendment No. 4.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. Senator Bloom, you satisfied?
20. SENATOR BLOOM:
21. No. This...does this add something or does it change
22. the composition of a board. I understood the composition
23. of a board involved eleven people. Are we discussing the
24. same board?
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. Senator Collins.
27. SENATOR COLLINS:
28. I'm sorry, I was detracted. Would you repeat your
29. question.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. Repeat the question, Senator Bloom, please.
32. SENATOR BLOOM:
33. All right. I...this question may have been answered,

1. but is this adding a board or is this changing the composition
2. of a different advisory board in this area.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator Collins.

5. SENATOR COLLINS:

6. It does in the sense that it...it specified that two
7. consumer representatives shall be a part of...among those
8. list of persons appointed by the Governor. And one from
9. private agency.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Bloom.

12. SENATOR BLOOM:

13. No, I don't have any quarrel with that concept. I'm
14. trying...trying to ascertain is if it creates a board or
15. it changes the composition of a board that has eleven
16. people on it.

17. PRESIDING OFFICER: (SENATOR BLOOM)

18. Senator Collins.

19. SENATOR COLLINS:

20. It changes the composition in a sense, but the board
21. does not have eleven people on it. If you notice it is
22. open ended. We didn't change that.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Senator Bloom.

25. SENATOR BLOOM:

26. Well, maybe...all right...I've heard from various
27. consumer groups, Illinois Alliance of Parents of Exceptional
28. Children and they were concerned about their representation
29. on it and as I see this they stand basically outvoted five
30. to two with a kind of crumb thrown at them, saying and
31. such other persons as the Governor may designate. That
32. makes it...it extremely, you know, open ended. I think
33. we're all practical people and we realize the Governor

1. would probably not keep adding people to the board.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Collins.

4. SENATOR COLLINS:

5. You are correct, however, on...on...in the bill, it

6. did not provide for any consumer representation or from

7. a private agency. And we kind of worked out a compromise,

8. you're right, they don't have adequate representation, but

9. before they had nothing.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Bloom.

12. SENATOR BLOOM:

13. Well, I don't think that answers the question, but

14. I surrender.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Berman.

17. SENATOR BERMAN:

18. I might be able to shed some light on this, Mr. President.

19. Senator Bloom, I believe that your inquires relate to the

20. Advisory Board, that's the...that's the board which is in

21. Senate Bill 1055. Okay. That...this...this amendment doesn't

22. affect that board. All right, just as a footnote. I support

23. Senator Collins amendment.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Okay, Senator Berning. Further discussion?

26. SENATOR BERNING:

27. Thank you, Mr. President. I have another question of

28. ✓ the sponsor which was raised by the discussion that preceded

29. My interpretation of the two consumer representatives would

30. have been parents or guardians of recipients of this special

31. education help. Did I understand that your intention with

32. this amendment is two representatives of consumer advocacy

33. groups?

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senator Collins.
3. SENATOR COLLINS:
4. No. They can either choose a representative or they
5. can be represented. He would select a representative from
6. the consumers themselves. The actual recipient of services.
7. By the parent. And...and...
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Senator Berning. Pardon me, Senator Collins.
10. SENATOR COLLINS:
11. ...why we said consumer representatives because in...in
12. some cases this means children. And in that case, then a
13. parent or someone else can, you know.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. Senator Berning.
16. SENATOR BERNING:
17. Well, without being presumptuous, it...it would seem that
18. it would be more appropriate, Senator, if this did say, two
19. parents of handicapped children and then the next representa-
20. tive of private providers, providers of what. This could be
21. providers of...of messenger service or anything else. It
22. would seem to me that that ought to be clarified to say,
23. one representative of private providers of education or
24. service to the handicapped. Then you would know, we would
25. all know that it is someone that is intimately involved
26. in the process, rather than provider, provider. I don't
27. know, it doesn't limit that at all. It could be a provider
28. of janitorial supplies.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. Senator Collins.
31. SENATOR COLLINS:
32. Senator Berning, I think this is acceptable language in
33. the context of the bill, however, if you have, you know, if

1. you'd like to clarify the language, it's fine with me.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Berning, have you concluded? Any further discussion?

4. The motion by Senator Collins is to adopt Amendment No. 4 to

5. Senate Bill 395. All those in favor vote Aye. All those

6. opposed vote Nay. The amendment is adopted. Any further

7. amendments, Mr. Secretary.

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Any amendments from the Floor? 3rd reading. Senate

12. Bill 1055, Senator Berman. You wish that bill called?

13. Mr. Secretary, read the bill.

14. SECRETARY:

15. Senate Bill 1055 is out of 2nd reading. Two actions

16. have been taken on two amendments. No committee amendments.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Any amendments from the Floor? 3rd reading. Senator

19. ...Senate Bill 1416, Senator Leonard. Senate Bill 1428,

20. Senator Demuzio. He wishes the bill called. Read the

21. bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1428.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Appropriations I

26. offers one amendment.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. I...I'll yield to Senator Carroll on the amendment.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Well, I thank you, Mr. President and Ladies and Gentlemen
2. of the Senate. The Appropriations I Committee Amendment
3. would reduce the appropriation by a hundred and...almost a
4. hundred and twenty-five thousand by providing only three-
5. fourths of the funding of this project. Consistent with
6. how we have funded similar type projects and I would
7. move adoption of Amendment No. 1.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Senator Carroll moves the adoption of Amendment No. 1
10. to Senate Bill 1428. All those in favor vote Aye. All
11. those opposed...Nays. The Ayes have it, the amendment is
12. adopted. Any further amendments?

13. SECRETARY:

14. No further committee amendments.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Any amendments from the Floor? 3rd reading. Senate
17. Bill 1434, Senator Demuzio. No. Senate Bill 1442, Senator
18. Leonard. Mr. Secretary, on the Order of Senate Bills on
19. 2nd reading, Senate Bill 1442. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1442.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. The Committee on Appropriations I
24. offers one amendment.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Leonard. Senator...Carroll.

27. SENATOR CARROLL:

28. Why, thank you, Mr. President.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. You're welcome.

31. SENATOR CARROLL:

32. Committee Amendment No. 1...from Appropriations I
33. Committee, redirects the appropriation to the CDB instead

1. of to the Department of Transportation. I would move
2. adoption of Committee Amendment No. 1.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. Any discussion? All those in favor...if not, all
5. those in favor of Senate Amendment No. 1 to Senate Bill
6. 1442 say Aye. All those opposed say Nay. The amendment
7. is adopted. Any further amendments?
8. SECRETARY:
9. No further committee amendments.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. Any amendments from the Floor? 3rd reading. Senate
12. Bill 1465, Senator...Vadalabene. Senate Bill 1483, Senator
13. Kenneth Hall. He's here. Mr. Secretary, on the Order of
14. Senate Bills on 2nd reading, Senate Bill 1483. Read the
15. bill, Mr. Secretary.
16. SECRETARY:
17. Senate Bill 1483.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. Senator Hall. No committee amendments. Any amendments
22. from the Floor? 3rd reading. Now, with the leave of the
23. Body, Senator Leonard was off the Floor on Senate Bill 1416.
24. Is there leave to return to that order? Leave is granted.
25. Senator Leonard. All right. On the Order of Senate Bills
26. on 2nd reading, ...Senate Bill 1416. Read the bill, Mr.
27. Secretary.
28. SECRETARY:
29. Senate Bill 1416.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Appropriations
32. I offers one amendment.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Buzbee...Senator Carroll. Whichever one has that
2. committee.
3. SENATOR CARROLL:
4. Thank you, Mr. President. This was in Appropriations
5. I. It's to change the effective date from July 1, '77 to
6. July 1, '78. I would move adoption of Committee Amendment
7. No. 1.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Senator Carroll has moved the adoption of...Amendment
10. No. 1 to Senate Bill 1416. Those in favor signify by
11. ...saying Aye. All those opposed say Nay. The Ayes have
12. it. The amendment is adopted. Any further amendments?
13. SECRETARY:
14. No further committee amendments.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. Any amendments from the Floor? 3rd reading. Senate Bill
17. 1506, Senator Vadalabene. Move it. On the Order of Senate
18. Bills on 2nd reading, Senate Bill 1506. Read the bill, Mr.
19. Secretary..
20. SECRETARY:
21. Senate Bill 1506.
22. (Secretary reads title of bill)
23. 2nd reading of the bill. The Committee on Appropriations II
24. offers one amendment.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. Senator Vadalabene. I'm...I'm sorry, Senator Buzbee.
27. SENATOR BUZBEE:
28. Yes, Mr. President, this amendment changes the funding
29. for this project to Capital Development Funds from General
30. Revenue Funds and I would move its adoption.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. Senator Buzbee has moved the adoption of Amendment No. 1
33. to Senate Bill 1506. Those in favor signify by saying Aye.

1. All those opposed, Nay. The amendment is adopted. Any
2. further amendments?
3. SECRETARY:
4. No further committee amendments.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. Any amendments from the Floor? 3rd reading. Senator
7. Vadalabene on Senate Bill 1465. You have to ask leave of
8. the Body for that purpose. Is leave granted? Leave is
9. granted. On the Order of Senate Bills on 2nd reading,
10. Senate Bill 1465. Read the bill, Mr. Secretary.
11. SECRETARY:
12. Senate Bill 1465.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. The Committee on Appropriations I
15. offers one amendment.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. Senator Carroll.
18. SENATOR CARROLL:
19. Thank you, Mr. President, Ladies and Gentlemen of the
20. Senate. The amendment specifies the fiscal year as FY '78
21. for which this supplemental appropriation is made. I would
22. move adoption of Committee Amendment No. 1 to Senate Bill
23. 1465.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. Any discussion? If not, Senator Carroll has moved the
26. adoption of Amendment No. 1 to Senate Bill 1465. All those
27. in favor signify by saying Aye. All those opposed? The
28. amendment is adopted. Any further amendments?
29. SECRETARY:
30. No further committee amendments.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. Any amendments from the Floor? 3rd reading. Senate
33. Bill 1522, Senator Hynes. Senator Hynes, Senate Bill 1522.

1. You wish the bill read? Yes, he does. On the Order of
2. Senate Bills on 2nd reading, Senate Bill 1522. Read the
3. bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1522.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Appropriations II
8. offers four amendments.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. Senator Buzbee.
11. SENATOR BUZBEE:
12. Thank you, Mr. President. Amendment No. 1 reduces the
13. appropriation requested by the Board of Higher Education
14. by three million, one-hundred nine thousand, four hundred
15. dollars. This reduction reflects the BHE allocation of
16. the Governor's Budget as offered by the Republican side
17. of the aisle and I would move its adoption.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. Any discussion? If not, Senator Buzbee has moved the
20. adoption of Amendment No. 1 to Senate Bill 1522. All
21. those signify by voting Aye. All those opposed by Nay.
22. The amendment is adopted. Any further amendments, Mr.
23. Secretary?
24. SECRETARY:
25. Committee Amendment No. 2.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Senator Buzbee.
28. SENATOR BUZBEE:
29. Thank you, Mr. President. Amendment No. 2 deletes the
30. appropriation for retirement funds, forty-four thousand,
31. two hundred dollars for retirement contribution to the
32. University's Retirement System from the Board of Higher
33. Education and this fund...this money is included in Senate

1. Bill 1535 as amended and I would move the adoption of
2. Senate Amendment No. 2.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. Any discussion? Senator Buzbee has moved the adoption
5. of Amendment No. 2 to Senate Bill 1522. All those signify
6. by voting Aye. All those opposed by voting Nay. The...the
7. amendment is adopted. Any further amendments?
8. SECRETARY:
9. Committee Amendment No. 3.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. Senator Buzbee.
12. SENATOR BUZBEE:
13. Thank you, Mr. President. Amendment No. 3 appropriates
14. Federal funds, the BH...pardon me, Mr. President...at this
15. point I want to Table Amendment No. 3. We'll pick it up
16. later. Pick up the content later. So I would move now
17. to Table Amendment No. 3.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. Senator Buzbee has moved to Table Amendment No. 3 to
20. Senate Bill 1522. All those in favor signify by voting
21. Aye. All those opposed by Nay. The amendment is Tabled.
22. Now, Senator Buzbee. Any further amendments?
23. SECRETARY:
24. Committee Amendment No. 4.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. Senator Buzbee.
27. SENATOR BUZBEE:
28. Thank you, Mr. President. Amendment No. 4 allocates
29. the thirteen million, eight hundred seventy-five thousand,
30. five hundred dollars appropriated for Health Services
31. Education Grants to the specific Health Professions Education

1. Programs funded by the BHE through this program. The
2. appropriation to specific Health Professions Education
3. Programs reflects the BHE allocation of these funds under
4. the Governor's budget recommendation and I would move
5. the adoption of Senate...of Committee Amendment No. 4.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Any further discussion? Senator Buzbee has moved the
8. adoption of Amendment No. 4 to Senate Bill 1522. All
9. those in favor signify by voting Aye. All those opposed
10. by Nay. The amendment is adopted. Any further amendments?
11. SECRETARY:
12. No further committee amendments.
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. Any amendments from the Floor?
15. SECRETARY:
16. Amendment No. 5 offered by Senator Buzbee.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Senator Buzbee.
19. SENATOR BUZBEE:
20. Thank you, Mr. President. This amendment is a substitute
21. for Amendment No. 3 which was adopted in committee to Senate
22. Bill 1522. The amendment is identical to No. 3 except that
23. it provides for the appropriation of fifteen thousand,
24. eight hundred eighty-four dollars in Federal funds under
25. Titles 6-A and 7-A of the Higher Education Act of 1975 as
26. amended. The appropriations in this amendment reflect
27. the BHE allocations of these Federal funds. This substitute
28. ...amendment has been introduced at the request of the
29. BHE and of course the rest of Amendment No. 5 breaks out
30. by and it actually appropriates all the Federal funds by
31. line item. And I would move the adoption of Amendment No. 5.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. Any discussion? Senator Buzbee, if not, Senator Buzbee

1. has moved the adoption of Amendment No. 5 to Senate Bill
2. 1522. All those signify by voting Aye. All those opposed
3. by Nay. The amendment is adopted. Any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Any amendments from the Floor? 3rd reading. Senate
8. Bill 1524, Senator Weaver. On the Order...Senator Weaver,
9. we'd like to pass over this just a moment. I have an
10. amendment to offer later when I leave the Chair. Senator
11. Buzbee. On...on the Order of Senate Bills 1525, Senator
12. Buzbee.

13. SENATOR BUZBEE:

14. 1525, Mr. President? Yes, please read the bill.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. On the Order of Senate Bills on 2nd reading, Senate
17. Bill 1525. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill...Senate Bill 1525.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. The Committee on Appropriations
22. II offers two amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Mr...Mr. President, I defer to Senator Weaver.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Weaver.

29. SENATOR WEAVER:

30. This is Senator Buzbee's bill. I guess, do you want
31. me to put on these two reduction amendments? First amend-
32. ment reduces appropriation by a million, a hundred and
33. ninety-three thousand. I'd move its adoption.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there further discussion? The question is shall
3. Amendment No. 1 to Senate Bill 1525 be adopted. Those in
4. favor indicate by saying Aye. Those opposed? The Ayes
5. have it. The amendment is adopted. Are there further
6. amendments?
7. SECRETARY:
8. Committee Amendment No. 2.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Weaver.
11. SENATOR WEAVER:
12. Committee Amendment No. 2, Mr. President, takes out
13. the retirement money in the amount of six million, six
14. hundred and forty-six thousand, one hundred dollars. It'll
15. be picked up in a separate bill and I'd move its adoption.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? The question is shall
18. Amendment No. 2 to Senate Bill 1525 be adopted. Those
19. in favor indicate by saying Aye. Those opposed? The
20. Ayes have it.. Amendment No. 2 is adopted. Are there
21. further amendments?
22. SECRETARY:
23. No further committee amendment.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Are there amendments from the Floor? 3rd reading. Do
26. we have leave to go back to Senate Bill 1524? Leave is
27. granted. Senator Weaver. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1524.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Appropriations II
32. offers two amendments.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Thank you, Mr. President. Mr. Secretary, that's the

4. University of Illinois, not Southern.

5. SECRETARY:

6. Sure is...Mr...Senator Weaver.

7. SENATOR WEAVER:

8. Committee Amendment No. 1 reduces the appropriation

9. by two million, five hundred and sixteen thousand, two

10. hundred dollars and I'd move its adoption.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall

13. Amendment No. 1 to 1524 be adopted. Those in favor indicate

14. by saying Aye. Those opposed Nay. The Ayes have it. Amend-

15. ment No. 1 is adopted. Are there further amendments?

16. Senator Weaver.

17. SECRETARY:

18. Committee Amendment No. 2.

19. SENATOR WEAVER:

20. Mr. President, Committee Amendment No. 2 deletes twenty-

21. five million, eight hundred and ninety-one thousand, eight

22. hundred dollars, which is the retirement money will be

23. picked up in another bill and I'd move its adoption.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? The question is shall

26. Amendment No. 2 to Senate Bill 1524 be adopted. Those in

27. favor indicate by saying Aye. Those opposed Nay. The

28. Ayes have it. Amendment No. 2 is adopted. Are there

29. further amendments?

30. SECRETARY:

31. No further committee amendments.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Are there amendments from the Floor? 3rd reading.

34. SECRETARY:

Amendment 703
S.B. 1524

1. Oh, I'm sorry, Mr. President. Amendment No. 3 offered
2. by Senator Johns.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Johns.

5. SENATOR JOHNS:

6. Thank you, Mr. President.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The bill is still on the Order of 2nd reading for the
9. purposes of the record.

10. SENATOR JOHNS:

11. Yes, thank you, Mr. President. This Amendment No. 3
12. would add forty-four thousand dollars, so much thereof as may
13. be necessary from the General Revenue Fund to the Board
14. of Trustees of the University of Illinois to provide supplemen-
15. tal compensation adjustments for nonacademic employees
16. at the Dixon Springs Agricultural Center. I move its
17. adoption, Mr. President.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Weaver.

20. SENATOR WEAVER:

21. Thank you, Mr. President. Well I do not support this
22. amendment. The University of Illinois has the step plan
23. for all employees. Merit plan we provided in the bill,
24. approximately ten percent increase for low paid employees
25. and eight percent for other employees, the faculty staff,
26. et cetera. I see no necessity of taking one class of
27. employees and...and specifying an additional sum of money.
28. There's many areas where I think employees should make
29. more money, but to single out one class of employees for
30. additional pay increases, I think is wrong and I hope we
31. can defeat this amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Regner.

1. SENATOR REGNER:

2. Mr. President and members of the Senate. I too rise
3. in opposition to this amendment. Salary increases are
4. provided for these people and this is an additional salary
5. increase of unbudgeted General Revenue Funds and I urge a
6. no vote of this amendment.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President. The sanctity of the budget
11. is something to behold. Again, we have to keep reminding
12. our friends on the other side of the aisle that the budget
13. is merely an instrument that the government uses, the Governor
14. uses, rather. And it is up to us to decide whether we're
15. going to play with his instrument or not and in this case
16. we have decided...in this case we have decided that we
17. do not like the allocation of the Governor's Budget. As
18. a matter of fact, what has happened is, that these employees
19. at Dixon Springs are doing exactly, are doing identical
20. work to employees in Champaign, but they are paid substan-
21. tially less. Now there really isn't any justification for
22. that because the cost of living differential is simply not
23. that great. And these employees feel that they are being
24. discriminated against and I join Senator Johns in asking
25. for support for this amendment because we need to equalize
26. the salaries between these employees and those employees
27. at Champaign.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Weaver.

30. SENATOR WEAVER:

31. Thank you, Mr. President. I'm sorry to get up a
32. second time, but I suppose, Senator Buzbee, you have hard
33. data on this information. You know, you request everybody

1. come in with facts and figures and so I suppose you have
2. these facts and figures and if we supply...if you can supply
3. us with those facts and figures, why I'm sure that we on
4. this side of the aisle be happy to support this amendment.
5. Do you have those facts and figures that are being mistreated,
6. Senator Buzbee?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Yes, Doctor Wellman, I think, will provide them upon
11. our request to him. As a matter of fact, I did not say
12. they were being mistreated, as you said. I said that
13. they were not receiving the same salary rates that those
14. employees in Champaign-Urbana were. I do not have those
15. at my disposal at this moment, however, I will be glad
16. to get them and provide them to you, Senator Weaver.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Weaver.

19. SENATOR WEAVER:

20. Well, you know, Senator Buzbee, some of the professors
21. in the Medical School in Chicago don't make the salaries
22. that some of the professors in the Medical School in
23. Carbondale make. So...we'd like a little adjustment there and
24. so we'll look at that maybe a little later then. Maybe
25. we can pick up another ten thousand dollars for professors
26. in Chicago to justify their being deprived of what the
27. professors at Carbondale get.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. We'll Senator Weaver, I don't think you have hard data to
32. support that statement by any means. You were trying to
33. compare the cost of operating two different schools, but

1. I don't think you have the salary data to indicate that.
2. And I would like to indicate to you, by the way, that
3. those...those doctors that you're talking about, most of
4. them are not in Carbondale, most of them are in Springfield
5. by far and away.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further...Senator Weaver.

8. SENATOR WEAVER:

9. Must apologize, Mr. President, I'm talking about
10. Southern Medical School in Springfield receiving...you've
11. got the facts and figures on salaries, Senator Buzbee, so
12. lets just be fair about it, you know.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? The question is shall
15. Amendment No. 3 to Senate Bill 1524 be adopted? Those
16. in favor indicate by saying Aye. Roll call is requested.
17. Roll call will be had. Those voting for the adoption
18. of Amendment No. 3 will vote Aye. Those opposed will
19. vote Nay. The voting is open. Have all voted who wish?
20. Take the record. On that question the Ayes are 28, the
21. Nays are 26. Amendment No. 3 to Senate Bill 1524...Senator
22. Soper, for what purpose do you arise?

23. SENATOR SOPER:

24. Request a verification...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. There is a request for a verification of the roll call.
27. Will the Senators please be in their seats. I'm...I'm sure
28. that you want the affirmative vote. Secretary will call the
29. affirmative vote. Will the members please be in their seats.

30. SECRETARY:

31. The...the following voted in the affirmative: Berman,
32. Bruce, Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
33. Demuzio, Donnewald, Guidice, Kenneth Hall, Hickey, Johns,

1. Joyce, Ziomek, Lane, Lenke, Leonard, Maragos, Merlo, Netsch,
2. Newhouse, Rock, Sangmeister, Vadalabene and Wooten.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Is Senator Daley on the Floor? He is...on the podium.
5. Senator Newhouse on the Floor? Senator Newhouse is not in
6. his seat, but he's on the Floor. Are there further...the
7. roll...Senator Joyce on the Floor? You are not Senator
8. Joyce. Is Senator Joyce on the Floor? Remove him from
9. the roll. Are there further objections? Senator D'Arco
10. on the Floor? Remove him from the roll. Are there further
11. objections? Senator Johns.
12. SENATOR JOHNS:
13. Negatives, please.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. There is a request for a verification of the negative.
16. The Secretary will call the negative vote.
17. SECRETARY:
18. The following voted in the negative: Berning, Bloom,
19. Bowers, Coffey, Davidson, Glass, Graham, Grotberg, Harber
20. Hall, Knuppel, McMillan, Mitchler, Moore, Nimrod, Ozinga,
21. Philip, Regner, Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer,
22. Soper, Walsh and Weaver.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Johns.
25. SENATOR JOHNS:
26. Senator Mitchler.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Mitchler is on the Floor. He's talking to the
29. Pages.
30. SENATOR JOHNS:
31. Senator Hall, Harber Hall.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Harber Hall. Senator Harber Hall is not on the

1. Floor. He is now.

2. SENATOR JOHNS:

3. Senator Berning's there, I see him. Senator Davidson?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Davidson is in his seat where he belongs.

6. SENATOR JOHNS:

7. Okay, let's see, who else. Weaver, Walsh, Schaffer.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Schaffer. He's standing up.

10. SENATOR JOHNS:

11. Yeah, I see him. I couldn't because you know, right

12. through the...I'm sorry.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. How could you miss him.

15. SENATOR JOHNS:

16. Ozinga here?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Ozinga on the Floor?

19. SENATOR JOHNS:

20. There he is. D'Arco's here.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator D'Arco is on the Floor. Amendment No. 3 to

23. Senate Bill 1524 is adopted by 27 to 26. Are there further

24. amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Soper. Senator Soper. For what purpose do you arise?

29. SENATOR SOPER:

30. I...I wish to pose objection to this for the

31. record. That amendment was not adopted. You...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. You have that right to do so.

1. SENATOR SOPER:
2. ...you verified the roll call and for the record this
3. amendment can't go on. It's taped and if you want to
4. take a chance with this one we'll you can take a chance
5. with it.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Glass.
8. SENATOR GLASS:
9. Well, Mr. President, I'd make the same objection.
10. You did, in fact, verify the Aye votes and concluded that
11. there were only 26 and that...that part of the verification
12. was then over.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. I did not verify any roll call and I haven't to this
15. time. I have verified the roll call as to 27 to 26 and
16. the amendment was adopted.
17. SENATOR GLASS:
18. Well, but, Mr. President, you...you concluded the
19. challenges on the Aye votes and...and closed that matter.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. I didn't verify it, Senator.
22. SENATOR GLASS:
23. Well, he was...he was stricken from the roll call. And
24. I don't know on what basis he can be unstricken.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. The Chair ruled that he could be. Are there further
27. amendments?
28. SECRETARY:
29. No further amendments.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Are there amendments from the Floor? 3rd reading.
32. Senate Bill 1526. Senator Carroll. Read the bill, Mr.
33. Secretary.

1. SECRETARY:
2. Senate Bill 1526.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. Committee on Appropriations II
5. offers two amendments.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Buzbee.
8. SENATOR BUZBEE:
9. Senator Weaver.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Weaver.
12. SENATOR WEAVER:
13. Thank you, Mr. President. First, Committee Amendment No.1
14. reduces the bill down to the Governor's allocation. I'd
15. move its adoption.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? The question is shall
18. Amendment No. 1 to Senate Bill 1526 be adopted. Those in
19. favor indicate by saying Aye. Those opposed? The Ayes
20. have it. Amendment No. 1 is adopted. Senator Weaver,
21. Amendment No. 2.
22. SENATOR WEAVER:
23. Amendment No. 2, Mr. President, takes out the retirement
24. contribution of five million, six hundred and fifty-eight
25. thousand dollars and I'd move its adoption.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there further discussion? The question is shall
28. Amendment No. 2 be adopted. Those in favor indicate by
29. saying Aye. Those opposed? The Ayes have it. Amendment
30. No. 2 is adopted. Are there further amendments?
31. SECRETARY:
32. No further committee amendments.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Are there amendments from the Floor? 3rd reading.
2. Senate Bill 1527, Senator Shapiro. Read the bill, Mr.
3. Secretary.
4. SECRETARY:
5. Senate Bill 1527.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Appropriations II
8. offers three amendments.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Weaver.
11. SENATOR WEAVER:
12. Amendment No. 1, Mr. President, reduces the bill to
13. the Governor's level or a reduction of a million three
14. hundred and ninety-four thousand, two hundred dollars and
15. I'd move its adoption.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? The question is shall
18. Amendment No. 1 be adopted. Those in favor indicate by
19. saying Aye. Those opposed? The Ayes have it, Amendment
20. No. 1 is adopted. Amendment No. 2, Senator Weaver.
21. SENATOR WEAVER:
22. Thank you, Mr. President. Amendment No. 2 takes six
23. million, eight hundred and forty-one thousand, nine hundred
24. dollars from the bill. It will be put in retirement. It
25. will be put in a separate bill and I'd move its adoption.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there further discussion? The question is shall
28. Amendment No. 2 be adopted. Those in favor indicate by
29. saying Aye. Those opposed? The Ayes have it, Amendment
30. No. 2 is adopted. Are there further amendments?
31. SECRETARY:
32. Committee Amendment No. 3.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Committee...Amendment No. 3 reappropriates money for
4. a parking lot, amount of six hundred and eighty-four thousand
5. dollars and I'd move its adoption.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further...Senator Buzbee.

8. SENATOR BUZBEE:

9. Yes, Mr. President, I would just point out that we also
10. have a separate...bill dealing with this same item, but I
11. concur that this amendment ought to go on and let the
12. Governor decide that if he wants to strike it from this bill
13. or...or the other...the other item.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Weaver.

16. SENATOR WEAVER:

17. Well, I think we need this reappropriation. This money
18. would lapse the 30th of June if it were not put into this
19. bill, Senator Buzbee, so it is necessary.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall
22. Amendment No. 3 be adopted. Those in favor indicate
23. by saying Aye. Those opposed? The Ayes have it. Amendment
24. No. 3 is adopted. Are there further amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Are there amendments from the Floor? 3rd reading.
29. Senate Bill 1532, Senator Davidson. Read the bill, Mr.
30. Secretary.

31. SECRETARY:

32. Senate Bill 1532.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations I
2. offers one amendment.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Carroll.
5. SENATOR CARROLL:
6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. Committee Amendment No. 1 is to restrict the
8. expenditures for what we would consider operations to...
9. no more than fifty percent during the first half of the
10. fiscal year, realizing that there's an election year
11. in progress and that a new office holder will fill the
12. office of State Treasurer at the beginning of the year.
13. We want to make sure that the incoming constitutional
14. officer will have appropriate funds for the operation of
15. that constitutional office in the second half of the fiscal
16. year and I would move adoption of Committee Amendment No. 1.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there further discussion? The question is shall
19. Amendment No. 1 be adopted. Those in favor indicate by
20. saying Aye. Those opposed? The Ayes have it. Amendment
21. No. 1 is adopted. Are there further amendments?
22. SECRETARY:
23. No further committee amendments.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Are there amendments from the Floor? 3rd reading.
26. Senate Bill 1533, Senator Kenneth Hall. Read the bill, Mr.
27. Secretary.
28. SECRETARY:
29. Senate Bill 1533.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Appropriations II
32. offers one amendment.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Carroll.

2. SENATOR CARROLL:

3. I'll...Buzbee.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Buzbee, I'm sorry. Senator Buzbee.

6. SENATOR BUZBEE:

7. This is a technical change, Mr. President. Inserts

8. immediately before, "department" in the...in the bill, the

9. word, "United States", so that we, in fact, know that

10. we're talking about the United States Department of Health,

11. Education and Welfare.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is shall

14. Amendment No. 1 to Senate Bill 1533 be adopted? Those

15. in favor indicate by saying Aye. Those opposed? The

16. Ayes have it. Amendment No. 1 is adopted. Are there

17. further amendments?

18. SECRETARY:

19. No further committee amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Are there amendments from the Floor? 3rd reading.

22. Senate...Senate Bill 1570, Senator Grotberg. Read the bill,

23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1570.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Appropriations I

28. offers three amendments.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of

33. the Senate. Committee Amendment No. 1 is that fifty percent

1. amendment to say that no more than fifty percent shall be
2. used during the first half of the fiscal year. I would move
3. adoption of Committee Amendment No. 1.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is shall
6. Amendment No. 1 to Senate Bill 1570 be adopted. Those
7. in favor indicate by saying Aye. Those opposed? The
8. Ayes have it. Amendment No. 1 is adopted. Are there
9. further amendments?

10. SECRETARY:

11. Committee Amendment No. 2.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President, Ladies and Gentlemen of the
16. Senate. Committee Amendment No. 2 changes the source of
17. funding of awards from General Revenue and Road Fund to
18. the Court of Claims Fund. There is no dollar change by
19. this amendment. I would move adoption of Committee
20. Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? The question is shall
23. Amendment No. 2 to Senate Bill 1570 be adopted. Those
24. in favor indicate by saying Aye. Those opposed? Amendment
25. No. 2 is adopted. Are there further amendments?

26. SECRETARY:

27. Committee Amendment No. 3.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President, Ladies and Gentlemen of the
32. Senate. This amendment reduces General Revenue by seventy-
33. three thousand, one hundred dollars. Taking out the part
34. time secretaries, their Social Security and retirement, the

1. pay plan down to the 5.5 President Carter level, et cetera,
2. et cetera. I would move adoption of Committee Amendment
3. No. 3.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Grotberg.

6. SENATOR GROTBORG:

7. Mr. President, I stand in objection to parts of that
8. amendment. There's nothing much I can do about it, but
9. I would like the Body to know that we did, by doing this
10. amendment...excepting this amendment, we eliminate the
11. electronic...data processing line completely. We did
12. find a way to reduce their claim and I have staff with
13. an amendment to restore a little bit of it so that they
14. can work out their accommodation with the Secretary of
15. State to put on data processing all the Court of Claims.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further...Senator Carroll.

18. SENATOR CARROLL:

19. Just by way of explanation, Mr. President, Senator
20. Grotberg is right, we are taking it out. It was new, they
21. came in and said there were millions of things they wanted
22. to put on EDP and nobody volunteered to let them on to
23. their system. When we took the money out, I've been
24. advised by them that all of a sudden very graciously
25. others have allowed them on to their system. They don't
26. need to build a new system.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is shall
29. Amendment No. 3 be adopted. Those in favor indicate by
30. saying Aye. Those opposed? The Ayes have it. Amendment
31. No. 3 is adopted. Are there further amendments?

32. SECRETARY:

33. No further committee amendments.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Are there amendments from the Floor? 3rd reading.
3. Senate Bill 1593, Senator Nimrod. Read the bill, Mr.
4. Secretary.
5. SECRETARY:
6. Senate Bill 1593.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Are there amendments from the Floor? 3rd reading.
11. Senate Bill 1594, Senator Weaver. Read the bill, Mr.
12. Secretary.
13. SECRETARY:
14. Senate Bill 1594.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Are there amendments from the Floor? 3rd reading.
19. Senate Bill 1618, Senator Joyce. Read the bill, Mr.
20. Secretary.
21. SECRETARY:
22. Senate Bill 1618.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Are there amendments from the Floor? 3rd reading.
27. Senate Bill 1641, Senator Ozinga. Is Senator Ozinga on
28. the Floor? Senate Bill 1833, Senator Bruce. Senator
29. Bruce, 1833. Read the bill Mr...hold it. Take it out of
30. the record. Senate Bill 1710, Senator Sangmeister.
31. Just a moment. Senator Ozinga. Read...do we have leave
32. to return to the Senate Bill 1641? Leave is granted.
33. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1641.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations I
5. offers one amendment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President, Ladies and Gentlemen of the
10. Senate. This is the fifty percent amendment and I would
11. move adoption of Committee Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is shall
14. Amendment No. 1 to Senate Bill 1641 be adopted. Those
15. in favor indicate by saying Aye. Those opposed. The
16. Ayes have it. Amendment No. 1 is adopted. Are there
17. further amendments?

18. SECRETARY:

19. No further committee amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Are there amendments from the Floor? 3rd reading.
22. Senate Bill 1595, Senator Weaver. Read the bill, Mr.
23. Secretary.

24.
25.
26. End of Reel #2
27.
28.
29.
30.
31.
32.
33.

1. SECRETARY:
2. Senate Bill 1595.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Appropriations
5. II offers one amendment.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Rock.
8. SENATOR ROCK:
9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. Amendment No. 1 was offered by me in committee
11. and was adopted. It deleted some sixty-seven hundred dollars
12. which represented the amount necessary to fund a clerk
13. typist position. Senator Weaver has prevailed and has assured
14. me that the position will, in fact, be filled, although it's
15. been vacant for some ten months and I would therefore, move
16. to Table Amendment No. 1.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. The motion is to Table Amendment No. 1 to Senate...
19. Committee Amendment No. 1 to Senate Bill 1595. Those in
20. favor indicate by saying Aye. Those opposed. The Ayes have
21. it. Amendment No. 1 is Tabled. Are there further amendments?
22. SECRETARY:
23. No further committee amendments.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Are there amendments from the Floor? 3rd reading.
26. Senate Bill 1710, Senator Sangmeister. Read the bill,
27. Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1710.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Appropriations I
32. offers one amendment.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
- Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. Amendment No. 1 is a technical amendment taking
4. out the words "debt service." I would move adoption of
5. Committee Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall
8. Amendment No. 1 to Senate Bill 1710 be adopted. Those in
9. favor indicate by saying Aye. Those opposed. The Ayes have
10. it. Amendment No. 1 is adopted. Are there further amendments?

11. SECRETARY:

12. No further committee amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Are there amendments from the Floor? 3rd Reading.
15. Senator Rock moves that the Senate stand in recess until
16. 2:00 p.m. this afternoon. Those in favor indicate by
17. saying Aye. The Ayes have it. The Senate is in recess.

18. Recess

19. After Recess

20. PRESIDENT:

21. The hour of two o'clock having arrived, the Senate
22. will please come to order. Resolutions.

23. SECRETARY:

24. Senate Resolution 382, offered by Senator Grotberg
25. and all Senators. It's congratulatory.

26. Senate Resolution 383, offered by Senators Netsch,
27. Daley, D'Arco, and others. It's congratulatory.

28. Senate Resolution 384, offered by Senator Knuppel
29. and it's congratulatory.

30. PRESIDENT:

31. Consent Calendar. House Bills, 1st reading.

32. SECRETARY:

33. House Bill 2486, Senator Davidson is the sponsor.

1. House Bill 2570, Senator Hynes is the sponsor.

2. PRESIDENT:

3. Rules Committee. For what purpose does Senator Vadalabene

4. arise?

5. SENATOR VADALABENE:

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

7. On Senate Bill 460, when Amendment No. 2 was called up for a vote,

8. I was away from my desk. And someone voted me No.

9. I would want to be recorded as voting Aye on Senate Amendment

10. No. 2...on Amendment No. 2 to Senate Bill 460. If you recall,

11. I was in deep conversation with the President of the Senate

12. and I would like the record to so show.

13. PRESIDENT:

14. The...the record will reflect your wishes, Senator.

15. On the Order of House Bills, 2nd...2nd reading, there's

16. an emergency appropriation. We have leave to go to

17. House Bill 2696 for the purpose of 2nd reading? Leave is

18. granted. Mr. Secretary, read House Bill 2696 a second

19. time.

20. SECRETARY:

21. House Bill 2696.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDENT:

25. Any amendments from the Floor? 3rd reading.

26. For what purpose does Senator Newhouse arise?

27. SENATOR NEWHOUSE:

28. Mr. President, while...while there's a lull in the

29. proceedings, I wonder if I might rise on a point of

30. personal privilege.

31. PRESIDENT:

32. State your point, Senator.

33. SENATOR NEWHOUSE:

SB 825
5/17/78
Subcommittee

1. Thank you, Mr. President. In the gallery to my
2. left is a group of students from Hersch High School
3. in Chicago and I wonder if they could stand and be recognized
4. by this Assembly.

5. PRESIDENT:

6. Will our guests please rise. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Thank you, Mr. President. I think I convey the census
9. of this Senate when we ask that they enjoy themselves during
10. this trip and take advantage of the State Capitol.

11. PRESIDENT:

12. On the Order of Senate Bills, 3rd reading. Senate
13. Bill 311, Senator Joyce. Senate Bill 554, Senator D'Arco.
14. Senate Bill...571, Senator D'Arco. Senate Bill 736,
15. Senator Egan. Senate Bill 825, Senator Hickey.

16. Read the bill.

17. SECRETARY:

18. Senate Bill 825.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Hickey.

23. SENATOR HICKEY:

24. Thank you, Mr. President. As I said the other day,
25. the authority for granting charters, reviewing programs
26. and so forth in the college...public colleges and
27. universities...and the private colleges and universities,
28. rested originally with the Superintendent of Public
29. Instruction. Since that time, we have established a Board
30. of Higher Education and it was felt appropriate that
31. that responsibility should be shifted to them. A year
32. ago, a model bill was suggested...it was introduced. It
33. met with some disfavor and now all of the privates

1. are in accord with this substitute which principally just
2. changes Superintendent of a Public Instruction to the
3. Board of Higher Education and also eliminates a totally
4. inactive advisory council which was on the Statutes.
5. I know I have...I've talked to Senator Rock about this.
6. He is now for the bill. I know of no opposition. I'd
7. be glad to answer questions and I would appreciate a
8. favorable roll call.

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall
11. Senate Bill 825 pass. Those in favor will vote Aye.
12. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question the Ayes are
15. 47, the Nays are 1, 1 Voting Present. Senate Bill
16. 825 having received the required constitutional
17. majority is declared passed. Senate Bill 1083, Senator
18. Berning. Senator Berning.

19. SENATOR BERNING:

20. I'd like to bring this bill back to 2nd reading for
21. the purpose of an amendment. Is this the appropriate time?

22. PRESIDENT:

23. I would ask, Senator, that you wait until we've gone
24. through the Calendar, then we will have an opportunity
25. to do that. And may I ask any member having a bill
26. on the Order of 3rd reading that wishes to bring it back to
27. 2nd reading for amendment, please give the number to the
28. Secretary so that we can have the bills ready. If you have
29. a bill on 3rd reading and wish to bring it back to
30. 2nd, please give the number of that bill to the Secretary.
31. Senate Bill 1510, Senator Weaver. Senate...Senate Bill 1515,
32. Senator Guidice. Senate Bill 1534, Senator Kenneth Hall.
33. It was amended yesterday, Senator, so that you can call it if

1. you wish. Senate Bill 1534. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1534.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Hall.

8. SENATOR KENNETH HALL:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. This bill is designed to improve the review and
11. monitoring of these funds by the General Assembly and other
12. State agencies. Separate funds will provide a more
13. detailed breakdown of the total resources and programs
14. of the State Community College of East St. Louis.
15. And it would be possible if they were all comingled.
16. So, in accordance with this analysis, the State Board shall,
17. on a monthly basis, receive a statement of revenues and
18. expenditures for all funds prepared by the... (machine cut-off)
19. You cut me off. The State Board shall also review and approve
20. any changes subject to the experimental project. I'd ask
21. a most favorable support of this bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? The question is shall Senate
24. Bill 1534 pass. Those in favor vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish?
26. Have all voted who wish? Take the record. On that question
27. the Ayes are 46, the Nays are 1, none Voting Present.
28. Senate Bill 1534 having received a constitutional majority
29. is declared passed. Senate Bill 1608, Senator Grotberg.
30. Read the bill, Mr. Secretary, please.

31. SECRETARY:

32. Senate Bill 1608.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. Yes, thank you, Mr. President and Ladies and Gentlemen
6. of the Senate. This is the bill that will authorize the
7. Department of Administrative Services to take the property
8. of the Geneva Girls School, as it commonly is known, it's
9. the Illinois Youth Center Geneva property, which has been
10. abandoned, to be sold by the Department. If we do not pass
11. such a bill, it will take years...about three years
12. in the ordinary process. This should speed it up.
13. It is something that just a year ago now that our
14. Governor in the...in the interest of corrections, decided
15. to build some new prisons downstate to relieve some of the
16. old operating costs, close Geneva and would like very
17. much if we would put it on the marketplace to return the
18. money to the treasury involved and then get out from
19. under the monthly operating costs of keeping it empty
20. but keeping it there under State control. There are, for
21. everybody's information, 241.5 acres involved in this,
22. eighty acres of which are within the village limits of the
23. City of Geneva, a hundred and sixty...yes, and a hundred
24. and sixty-one in the unincorporated area of Geneva Township.
25. There are a hundred acres of agricultural land, five acres
26. of cemetery, a hundred and twenty-six acres undeveloped,
27. a total of thirty-eight buildings, twenty-seven major
28. structures, fourteen residences, thirteen barns, kitchens,
29. et cetera and eleven...eleven minor buildings. I have
30. detailed information on it. I would be glad to respond
31. to any questions. Otherwise, I would like to have a favorable
32. roll call to allow us to place this on the market.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Buzbee.
2. SENATOR BUZBEE:
3. Thank you, Mr. President. A question of the sponsor.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Indicates he will yield. Senator...Senator Buzbee
6. SENATOR BUZBEE:
7. Senator Grotberg, have we, in fact, offered this land
8. to other State agencies, such as the Department of Conservation,
9. for the use...possible usage of some kind of a facility
10. as far as a State park or something like that is concerned?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Grotberg.
13. SENATOR GROTEBERG:
14. Senator Buzbee, the last amendment that we placed
15. upon the bill, amends in paragraphs (c) and (d) from the
16. Surplus Property Act, to-wit: that the administrator
17. shall notify all the agencies by August 30th of each
18. year, this is the standard Surplus Property Act on real estate.
19. Any State agency may submit a written request to the
20. administrator within sixty days of the date of such
21. notification to have control of surplus property transferred
22. to that agency. So, in the due process, that happens first.
23. Should none of them want the property, it is then next
24. offered but for sale, not transferred, to local units
25. of government. The last offer is public auction for what would
26. be left if...if others take a piece. In this case, the City
27. of Geneva needs a few acres because some of their sewage
28. treatment plant is already on State property. They would like
29. to buy it out. They would like the well and the utilities...
30. in the incorporated area, for instance. So, we had to fix
31. this Act up to allow the municipalities involved to make a
32. quotation on specific items.
33. PRESIDING OFFICER: (SENATOR BRUCE)
- Senator Buzbee.

1. SENATOR BUZBEE:

2. Two or three questions and let me ask them all at once.
3. First of all, is there a price for..price setting procedure
4. established for those other units of local government
5. in the event that no other State unit wants it, number one?
6. Number two, in the event that any or all of this property
7. is put up for the public's consumption, do we establish that
8. there has to be a bidding process and if so, it goes to the
9. highest bidder and if...what if there is only one bidder,
10. is there an established minimum price that...that is set?
11. And the last question is, isn't it about time, after lo,
12. these many years and Senator Knuppel has talked about this
13. many, many times and I have and various other members of this
14. Body have, isn't it about time that we establish some standard
15. procedure for the sale of unused and unwanted and unneeded
16. State property to other units of local government or to the
17. public?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg.

20. SENATOR GROTEBERG:

21. Thank you, Senator Buzbee and I will try to answer all of
22. them, because they are all in paragraph b. Let me reflect with
23. you just a moment, to-wit: any surplus real property
24. which is not transferred to the control of another State
25. agency, under the previous paragraph that I mentioned, shall
26. be disposed of by the administrator. No appraisal is required,
27. if during his initial survey, it's...the fair market is under
28. five thousand dollars. We put that in a couple years ago,
29. under five thousand dollars. But, if the value of such
30. property is determined by the administrator to be more than
31. five thousand, then the administrator shall obtain three
32. appraisals of such real property, one of which shall be
33. performed by an appraiser residing in the county of which the

1. property is located. The average of the three appraisals plus
2. the cost of obtaining the appraisals shall represent the fair
3. market value of the property. No surplus real property may
4. be conveyed by the administrator for less than fair market
5. value. Prior to offering the surplus real property for sale
6. to the public, the administrator shall give notice in
7. writing of the existence and fair market value of the
8. real surplus property to the governing bodies of the county,
9. and of all cities, villages and incorporated towns in the
10. county in which such real property is located. So, we do have
11. such an Act. Any such governing body may exercise
12. its option to acquire the surplus property for the fair market
13. value within sixty days of the notice. After the sixty
14. day period is past, the administrator may sell the surplus
15. real property by public auction following notice of such
16. a sale on three separate occasions, et cetera. So, that...
17. I think the answers to your questions are within that
18. paragraph of this Act.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further...Senator Buzbee.

21. SENATOR BUZBEE:

22. So, for a unit of local government to be able to buy,
23. they would also have to buy at fair market value
24. as determined by three appraisals, the average of those
25. three appraisals plus the cost of the appraisal being added
26. in there, and for any unit of local government, they would have
27. to abide by the same procedures as...as anybody in the
28. public sector would have to, is that correct?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Grotberg.

31. SENATOR GROTEBERG:

32. Local units may get it for the appraised value. The
33. public sector has to bid at auction. And there will be multiple

1. bidders in this case. The developers are going out of their
2. gourd waiting for it and there are many of them.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Buzbee.

5. SENATOR GROTBORG:

6. We're talking of property values. I'm sure the question
7. will come up. We're talking of property values, probably
8. not less than twenty thousand dollars per acre.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Buzbee, and your time is nearly expired,
11. Senator.

12. SENATOR BUZBEE:

13. Well, as you very well know, the Department of
14. Corrections, the Department of Mental Health and the
15. Department of Conservation, in particular, those three
16. departments have title to a tremendous amount of land in this
17. State, some of which they don't need, some of which they
18. need to dispose of periodically. They need to buy
19. additional property from time to time. I've had
20. extended conversations with Director Kenney of the
21. Department of Conservation, about establishing a standard
22. procedure for the buying and the disposal of such
23. properties. I have had similar legislation to the
24. type that you're sponsoring today in the past, particularly
25. property at the Anna State Hospital in Anna, and they have,
26. as a matter of fact, some more property now that they would
27. like to dispose to a unit of local government. But it seems
28. to me that we need to establish one set standard procedure
29. for a method of handling that. Director Kenney is, I believe,
30. in compliance, or rather not in compliance, but in agreement
31. with that concept and ultimately, it's going to have to come
32. from the Administrative Services Department as to how we set
33. up that procedure and I think the time is...continues to roll

1. on that we need to get there.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Buzbee, was that a question?

4. SENATOR BUZBEE:

5. Yes. Yes, it was, Mr. President.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right...I'm sorry.

8. SENATOR BUZBEE:

9. In a convoluted sort of way, it was a question.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Grotberg to reply briefly.

12. SENATOR GROTEBERG:

13. I feel committed to respond to Senator Buzbee, that you

14. were literally talking about Chapter 127, paragraph 133 (b)

15. 10.1. It is the law. But building it into this

16. specific Act mandates that they get at that due process

17. immediately. So, it's in the law, Senator.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Graham. May we have some order, please?

20. SENATOR GRAHAM:

21. Mr. President and members of the Senate. I...I

22. perhaps have visited this institution more than any other

23. legislator here over a period of twenty years. In the

24. general area Geneva and St. Charles, I'm familiar with

25. their contribution to the State of Illinois with regard

26. to suffering through, if that is a proper word, having

27. correctional institutions within their boundaries or

28. adjacent thereto. A year ago when it was decided that we

29. should do something with regard to transferring prisoners,

30. we found out at that time the public finally became aware

31. of the fact that the City of Geneva, which has part of this

32. property within its city limits, has adjacent to the city,

33. the Kane County Detention Home and right next to it, the Valley

1. View Correctional Center and just to the south and to the
2. west, they have St. Charles Correctional School for Boys.
3. I think the time has come, perhaps, when we lighten that
4. concentration of prison industries and prison buildings,
5. correctional institutions in the City of Geneva and closely
6. thereto. I commend this to you as an adequate piece of
7. legislation and ask for your support of Senator Grotberg's
8. bill and I ask a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Thank you, Mr. President, members of the Senate.
13. Senator Grotberg has developed Senate Bill 1608 into
14. what I consider a very proper form. I certainly don't rise to
15. object to the form or the legislation as introduced by Senator
16. Grotberg. The thing that I do question is, what direction
17. are we going as the State of Illinois in disposing of
18. property that belongs to the State of Illinois to the people
19. of the State of Illinois? Now, as Senator Grotberg pointed
20. out, we have some 241.5 acres located in Geneva Township
21. in Kane County. This is very prime land and when you
22. estimate the cost per acre, if it were appraised today,
23. would be in excess of twenty thousand dollars per acre and
24. probably could reach some of these sections of that
25. property up to as high as thirty to forty thousand dollars
26. per acre. Now, I think it's about time that the administration
27. develops a program, or perhaps this Legislative Body should
28. develop a program of what we are going to do with properties
29. of the State of Illinois that belong to the people and how
30. we are going to dispose of them. Because as Will Rogers
31. said once, buy land, they quit making it. And land is a very
32. ...very marketable item, particularly so in the fast
33. growing northeastern section of the State of Illinois. And

1. as Senator Grotberg pointed out, that it wouldn't take
2. long for speculators...people to come in. Now, you're
3. talking perhaps about a transaction in the neighborhoods of
4. anywhere from eight million to nine million dollars.
5. For what purpose is the State going to use this eight to
6. nine million dollars? I suppose you could give a lot of
7. answers. It's to buy the property in central Illinois
8. for the construction of the new prison sites.
9. It's to be used for education, it's to be used for this or that.
10. Is it earmarked or is it specifically designated
11. by the administration to be used for a specific
12. purpose? And if it isn't, is it just going to be put into
13. the general fund? And who knows what the administration or
14. what the future administrations will do to dispose of this,
15. we may wind up four or five years later and find out
16. that we have sold a piece of property for eight or nine
17. million dollars and we have nothing to show for it. Think
18. of how you would handle that as an individual if it was
19. your own personal property. These are some of the things that
20. I raise and I tried to survey the areas of local governments
21. in my district which are adjacent to this property and
22. an area that I represented for ten years before...reapportion-
23. ment out and I haven't got all of the answers from them as
24. yet. In answer to who wants this bill, I understand
25. that Senator Grotberg has told me that the City of Geneva
26. would like it so they can get on the tax rolls. It has not been
27. on the tax rolls over the period. And then also, the
28. administration wants it. But you're giving...you're putting
29. on the marketblock a very large piece of land and I think
30. that without any direction what we're going to use and dispose
31. of our lands, I think that we should take a good look at that
32. and in the future or at least find out what we're going to do
33. when we dispose of these lands. Thank you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Grotberg, do you wish to
3. close? Senator Grotberg.

4. SENATOR GROTEBERG:

5. Just...just a reminder that when developed, this land
6. will return to the public coffers of the local and State
7. government annually almost the amount of the sale price on
8. user fees, traditional real estate taxes, to a school
9. system that's about broke in the City of Geneva, one of the
10. really depressed school systems because of the school
11. laws and I would like you to know that the State paid a
12. total of thirty-three thousand dollars for all of these
13. acres in 1894 and...to 1907 and let's get it back on the
14. tax rolls where it belongs. Thank you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is on the passage of Senate Bill 1608.
17. Those in favor vote Aye. Those opposed vote Nay. The
18. voting is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question the Ayes are
20. 50, the Nays are 2, 3 Voting Present. Senate Bill 1608
21. having received a constitutional majority is declared passed.
22. Senate Bill 1617, Senator Davidson. Read the bill,
23. Mr. Secretary, please. Oh, for what purpose does Senator
24. Vadalabene arise?

25. SENATOR VADALABENE:

26. Yes, Mr. President. On a point of personal privilege.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. State your point.

29. SENATOR VADALABENE:

30. In the President's gallery, there's a group from
31. the Venice Lincoln Technical Center, which represents
32. the 49th, the 55th, the 56th and the 57th district.
33. These forty-five adult students are in government and they
34. are represented by their director, Dwayne Rankin, their

SB 1649
5/17/78
3rd Reading

1. instructor, Jim Russell and Sandra Radcliffe, and I would
2. appreciate if they would stand and be recognized.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Will our guests please stand and be recognized by the
5. Senate. Senate Bill 1617. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 1617.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Davidson. For what purpose does Senator
12. Rock arise?
13. SENATOR ROCK:
14. I wonder if the Senator might be kind enough to hold
15. this?
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Davidson.
18. SENATOR DAVIDSON:
19. At that kind of request from a reasonable man,
20. yes.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. The bill will be held. Take it out of the record.
23. Senate Bill 1649. Read the bill, Mr. Secretary.
24. SECRETARY:
25. Senate Bill 1649.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Knuppel.
30. SENATOR KNUPPEL:
31. Mr. President and members of the Body.
32. This bill does what it indicates it is intended to
33. do and that is to place before the Commerce Commission

1. in fixing future rate increases, the question of the cost
2. of service to the various classifications of users.
3. In the past, it's been customary to charge disproportionately
4. so that often some particular group of users are paying
5. more than...than it actually costs for their service. This
6. has been brought about...this has helped bring about an
7. unhealthy atmosphere for business in Illinois. If this bill
8. is passed, it will have the Commerce Commission in fixing
9. rates, considering what it actually costs and as you know,
10. there's no free lunch in this business. It costs so many
11. millions of dollars to generate the electric energy
12. or to produce the gas that's used in industry and residential
13. homes, but we have worked counter...kind of counter-
14. productively here with respect to industry in many different
15. areas to create in Illinois an atmosphere unfriendly to
16. our...our business people. This bill would ask that the
17. Commerce Commission consider the cost of, let's say,
18. furnishing service to a group, that would be in heavy
19. industry or residential, whatever it may be. They
20. got seven or eight classifications. I submit
21. that this is good legislation designed in fairness and I would
22. ask a favorable roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Soper.

25. SENATOR SOPER:

26. Thank you, Mr. President. Senator Knuppel,
27. I wonder if you would answer a few questions.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. ...indicates that he will yield. Senator Soper.

30. SENATOR SOPER:

31. I plead ignorance on this bill. I haven't read it.
32. It wasn't in any committee I was in. But would this affect
33. ...maybe we can get a little quiet around here.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. We'll...we'll try, Senator Soper. May we have some order.
3. SENATOR SOPER:
4. Can we get some of the handlers off the Floor?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Soper.
7. SENATOR SOPER:
8. Yeah. Senator Knuppel, it comes to my mind that
9. certain utilities have a time when hot water heaters
10. can go on at...at a low ebb in the...in the use of
11. electricity. And it's unlike gas, when you once put
12. electricity in the line, if it isn't used someplace and
13. gone through a meter, it's wasted. So, I know that at
14. electric...the electric utilities give you a special
15. rate. When your line goes on, your electric heater
16. can go on to heat hot water. Would this...would this
17. affect this situation? It's a lower rate at that time.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Knuppel.
20. SENATOR KNUPPEL:
21. In my opinion, it would not because this deal is only
22. with the rates on classes and there's only, as I say, maybe
23. seven or eight classes. And it deals only with increases
24. in rates when they...when they apply for an increase in
25. rates. It does not affect the presently existing rate.
26. So, that would be a residential rate. I assume that that
27. the accommodation that's allowed you for a water heater would
28. be part of the makeup of the...of the total picture and since
29. they could produce that and as you say, would otherwise be
30. wasted, that it would go in the residential rate and this
31. would have no affect on that.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Soper.

1. SENATOR SOPER:

2. Well, from your explanation, when you explained this,
3. I thought that you were trying to attack special interest
4. rates. In other words, this would be a special interest.
5. If...if a person had a hot water heater that was operated
6. by gas, he would be paying more money than...than the
7. fellow that had electric hot water heater 'cause he
8. wouldn't get a special rate. And both the rates are
9. established by the...by the Commission. Now, I don't
10. know what you're trying to get at, but I sure wouldn't
11. want to throw the baby out with the bathwater on
12. these things, 'cause there's a lot of accommodations,
13. electricity rates that are geared to...to the proposition
14. that if when the...when the electricity goes through the
15. line, if it doesn't go through a meter, it's dead, as I
16. said before, and it's wasted. So, I was just wondering, you
17. know, you take all utilities together and I was just
18. wondering if maybe this doesn't go a little...do something
19. that we don't want it to do.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. Thank you Mr...thank you, Mr. President. This
24. Senate Bill 1649 does present a bit of a dilemma for some
25. of us, I'm sure. According to some of the information
26. that's been furnished me, Senator Knuppel, it would seem
27. to indicate that proceeding under the basis which is outlined
28. in Senate Bill 1649, we could anticipate rather sizable
29. increases in the residential consumer rates for both
30. electricity and gas. This appears to me to be borrowing
31. or stealing from Peter to give to Paul. Your objective in
32. attempting to benefit the commercial user is admirable,
33. but there is no question but what the rates affect the end

1. product and if we are going to attempt to give an
2. advantage to industry, the...the...the...the public
3. utility has to make that up and it seems to me there is only
4. one place to make it up and that is from the consumer
5. and I'm wondering if your interpretation is the same as
6. the material I have in front of me, namely that the
7. residential consumer of gas would experience a twenty-
8. two percent increase and the residential consumer of
9. electricity at least in the Commonwealth Edison area,
10. would...would experience a fifteen and a half percent increase
11. in their bills.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Knuppel.

14. SENATOR BERNING:

15. Does that jibe with your...

16. SENATOR KNUPPEL:

17. Well, of course, as I indicated when I started, there is
18. no free lunch. There is no attempt here to benefit
19. ...to benefit commercial users at all. The attempt here
20. is to get some kind of a fair disproportionate...or a
21. fair spread of what it costs to...to produce and sell and
22. market this electricity. Now, I put material on your
23. desks which answers the charges by, I guess it's the
24. Illinois Public Action Committee, that's one of the committees
25. that prides itself, I guess, on...on consumerism.
26. But, when you define consumer, you include not only those
27. people that are residential users, but those people who
28. are commercial users, those people who are industrial users.
29. In my opinion, this applies only, and I think I read it
30. very carefully, this applies only to increases in rates and
31. how the increases are spread. It would have no affect at all
32. on the present discriminatory rates that do exist in favor of
33. residential users. Now, at the present time, if you have

1. people who are unable to pay their electric or their consumer
2. bills, they may apply, according to a press release here by
3. Lieutenant Governor O'Neil, to the Crisis Interventions
4. Assistance Program. So, it applies only to the increases,
5. it applies only after January 1st and anything that's
6. charged by industry or commerce is going to be passed onto
7. the consumer ultimately anyway. So, we're kidding ourselves.
8. You're...it costs so much to generate electricity. If...if
9. we do discriminate in favor of the residential user, the
10. commercial user is going to have to pay it. That in turn,
11. is going to be passed back ultimately to the residential
12. user.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berning, your time has expired. Well, Senator,
15. you asked the question and he may have run out your time.
16. Perhaps you could come around a second time. All right.
17. I'll put you on the list for a second time. Senator...
18. Senator Joyce.

19. SENATOR JOYCE:

20. Yes, thank you, Mr. President. I would like to call
21. attention to the fact that this will, indeed, raise residential
22. rates by twenty-two percent, Ladies and Gentlemen. I think that
23. ...that is something that we should all be aware of what
24. we're voting on here. Well, that's what the...well, Senator,
25. I'm...no it will raise rates when the...when the company
26. applies, were they to apply again for a rate increase.
27. It...well, I would like to...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. May we have some order, please. Senator Joyce.

30. SENATOR JOYCE:

31. Yes, I would also like to call attention to the fact that
32. this bill did pass committee by a five to four vote, so I think
33. that we have to realize that this is a very controversial bill

1. and...and I just want folks to...to understand what
2. they are voting on here.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Kenneth Hall. Senator Glass.

5. SENATOR GLASS:

6. I have a question, Mr. President, if the sponsor will
7. yield.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. He indicates that he will yield.

10. SENATOR GLASS:

11. Senator Knuppel, how...how are rates determined
12. now?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Rates are determined by the Illinois Commerce
17. Commission. They take into consideration a multitude
18. of different things, such as...as interest rates, return
19. on investment and so forth.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Glass.

22. SENATOR GLASS:

23. And I...I take it from...I mean, obviously, this
24. would change the basis upon which they make that
25. determination and...and among the materials that were
26. handed out to us is one which quotes three of the
27. commissioners, the gist of their comments is that it is
28. extremely difficult to determine cost of service, that
29. it's an ambiguous term, not universally agreed upon
30. as far as technique or...or definition and it...it sounds
31. to me like you're not introducing anything definite into
32. the law, that maybe one of the reasons why it's difficult
33. to determine how much the rates would increase is because

1. the difficulty of defining that...that term. I wonder
2. if you agree with that or you feel it is a definite...it is
3. easy to define.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Knuppel.

6. SENATOR KNUPPPEL:

7. Well, Senator, as you know, all of these tests are...
8. and...and it is a controversial bill, at least to that
9. extent Mr. Joyce was...Senator Joyce was correct. It
10. is a controversial bill. That I will admit and that's
11. the only thing he said that...that is accurate. But all
12. of these things, like the reasonable man you practice
13. or the prudent man in the practice of law, all these
14. things are difficult to put your finger on. But so
15. are all of the things that are in the rate making process
16. now. All this does is add another feature to the rate
17. making process, reasonable return on investment, that's
18. a weasel word, too, so to speak. But it does add the idea
19. that one type of a user will not be supporting another,
20. that it will make it so that it's uniform in the sense of
21. how you compute it so that...that you have some kind of a
22. fairness between the different between the different users.
23. And they will take into consideration in fixing those things
24. all the things they are taking in now so long as the rate is
25. not discriminatory. Now, a vote against this bill, Senator
26. Glass, would be one that says I'm in favor of discriminatory
27. charging of electric rates. Now, that's...that's just
28. exactly what this says is that the rates will not be
29. discriminatory. So, if you vote against the bill, you're
30. saying I favor discrimination between classes, whether the
31. discrimination is in favor of a...a residential, recreational,
32. industrial or otherwise. That's all the bill says, is that...
33. that in...in computing future rate increases that the Commerce

1. Commission will take into consideration whether it's
2. discriminatory or not.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Question to the sponsor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates that he will yield. Senator Davidson.

9. SENATOR DAVIDSON:

10. Senator Knuppel, will this include municipal owned
11. electrical plants such as we have or the REA if this is
12. passed, where they will come under the Commerce Commission
13. for review of their rates?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. It will not. The Commerce Commission has no authority
18. over the rates of rural electric cooperatives or
19. ...or municipal utilities. They fix rates only for
20. public utilities.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. The second question, I'm not sure I got the full gist
25. of either Senator Joyce's question or your answer; but I believe
26. in your discussion, you said this would not affect the rates
27. as they are now, but if the utility comes in and asks for a
28. rate increase as all of them are doing with...particularly with the
29. price of coal changes and the costs of rate...will this not
30. go back and change the rate...the base rate? This doesn't
31. leave the rate that's there now forever and a day and add onto
32. it, does it?

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Knuppel.

1. SENATOR KNUPPEL:

2. It's my understanding from reading the bill literally,
3. and I assume that's the way lawyers will read it, that it applies
4. only to the increases.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Well, I...I appreciate that the way the lawyers would
9. read it literally and that's may...the way you would read it,
10. but as you know and I know, lawyers...different and I'd
11. say they'll read it whatever way they want, particularly
12. the Commerce Commission, if that's going to be the one
13. to talk about this or make the review and they'll go back and
14. pick up the ones. I don't think it's...we're going to lock
15. in any residents from not having an increase and under the
16. circumstances, I can feel with the manufacturers and the
17. commercial users, but they do have an opportunity to pass it on
18. to we poor consumers who are still making a living while those
19. people who are residents, particularly that twenty percent of
20. people who are on a fixed income, have no way to pass it on
21. other than to take it out of their food budget. As this bill is now,
22. I have to vote against it because I don't think it's going to do
23. the problem we want to do and that's to spread the cost
24. equally without penalizing the people who use the least and
25. who are the least able to pay in most instances. The Crisis
26. Intervention on Electricity, the sign-up date is over with unless
27. they extended it for the next few days 'cause it ran out
28. April 30th and then they extended it to May 15th. Now, if they
29. extend it again, maybe that's so, but that Federal funding is
30. not been...happened or has not been funded and at the moment, there
31. is no money to fund to pay the Crisis Intervention on
32. people on their electric bill, particularly those who paid it.
33. The only one it applies to is the guy who has let it build up

1. two or three months and didn't pay it. The poor devil who
2. has tried to make his payment every month on that, doesn't
3. qualify unless there's a change in the Federal regulation.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Leonard.
6. SENATOR LEONARD:
7. Yes, a question for Senator Knuppel.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Indicates he will yield.
10. SENATOR LEONARD:
11. Did I...do I understand you consider the present policy
12. of the Commerce Commission discriminatory? Are they
13. required by Statute to discriminate?
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Knuppel.
16. SENATOR KNUPPEL:
17. Certainly not and they should not discriminate. However,
18. as we know, there is some discrimination in rates. That's
19. what has been passed out to you people by the Public
20. Action Committee that...that there is discrimination and if
21. discrimination was removed and they have inaccurately
22. quoted...quoted the statistic of twenty-two percent so that
23. Senator Joyce got his misinformation from some material of a...
24. of a liberal leaning group without checking his figures.
25. But, basically, there is no provision in the law that requires
26. the Illinois Commerce Commission to discriminate and in
27. fact, they should not discriminate, but they do.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Leonard.
30. SENATOR LEONARD:
31. Well, basically what we're dealing here with is their
32. ability to make a decision. Why do you think this Body should
33. not allow the Commerce Commission to make these decisions?

1. The way I hear this, they could implement the policy that
2. you want to put in the form of law. You simply want to take away
3. their decision as to how the rates ought to be. Why is it
4. so important that we remove that ability from the Commerce
5. Commission?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. No, I don't want to take away their power. They'll
10. still take into consideration all the things that they do take
11. into consideration. This deals only with increases. You read
12. the law, it says expressly and this is what I'm asking you to do.
13. I mean, I know some of you fellows are running for reelection
14. and you're...you're scared to death of the populous and
15. you're a bunch of gutless people sometimes. You don't stand
16. up here and tell things they way they are, but here's
17. the way it is. It reads and it says in the Act, for any
18. rate case filed after January 1st, 1979, notwithstanding any
19. other provision of this Act to the contrary, public utilities
20. as defined shall base their increase charges, their increase
21. charges for the production and so forth, on the cost of doing
22. business. Now, that's the way it is and if you...you know,
23. you people that...that...that want to vote for discriminatory
24. rates are free to do so. But what you are in effect doing, is saying
25. you like a system that discriminates. Well, if that's all right
26. for public utilities, I'd like a bill that discriminates against
27. Senator Joyce's district and I'll try to watch for one that
28. does, like the Mazon River.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Leonard. Senator Leonard.

31. SENATOR LEONARD:

32. All right. The question was why don't we have faith
33. that the Commerce Commission could make a decision? Why is it

1. necessary for this Body to take that ability
2. away from them? That was my question. I don't think I got an answer.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Are you asking it again, Senator? Senator Knuppel.

5. SENATOR KNUPPTEL:

6. I take it as a question. There are no specifications
7. as to what...that is Statutory specifications as to what
8. the Commerce Commission will take into consideration.
9. They take into consideration some things. It's the
10. feeling of myself and others that we have developed an area
11. where we have discriminatory rates that are not fair to those
12. of us who are in business or otherwise which have helped
13. perpetuate an unfriendly climate toward business in our
14. State that ought not to be and at least being willing to
15. accept that as it now exists, it ought not to be extended
16. nor increased. Now, this deals only with the increases in
17. rates as I read to you, and what we're saying is in the
18. future, that this discrimination...and of course, what brought
19. this legislation on, what triggered it is admittedly the
20. danger of lifeline rates which was introduced in the House
21. but did not pass a year ago. That would be a socialistic
22. concept of how we...how we furnish electric service and how
23. we make our charges. I don't feel that that's fair beyond
24. this point. In dealing with increases, it should not be
25. extended nor perpetuated.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Three questions of the sponsor. And I literally do not
30. understand these expressions because I've seen them in
31. other contexts and they are meaningless. What is a...what is the
32. cost of service, what is a customer class and who decides?

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Knuppel.

1. SENATOR KNUPPEL:

2. Mrs. Netsch, I assume you are a lawyer, is that correct?
3. What is a prudent man? What is contributory negligence,
4. et cetera? Many of these things, I realize this, there is...
5. there is not one piece of legislation that goes through this
6. Body that if you're circumspect enough to search it, doesn't
7. have that kind of language one place or another in it.
8. This would be, I assume, up to the Illinois Commerce Commission.
9. to determine what was discriminatory and what was not.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Newhouse. Senator Newhouse on the Floor?
12. Senator Demuzio. Senator Berning, second time. I'm sorry.
13. Senator Wooten is on the list. Senator Wooten.

14. SENATOR WOOTEN:

15. Thank you, Mr. President. I rise in opposition to this
16. bill and the basis for my opposition is the same I would
17. have against lifeline legislation. This is lifeline and
18. socialism for the utilities. It seems to me that we...
19. we ought to stay clear out of that issue. We've set up
20. the Commerce Commission to deal with this. It requires that
21. kind of steady ongoing study that they can give it and we,
22. frankly, cannot. I think for us to meddle in this would be to
23. intrude ourselves into a situation in which we would find
24. ourselves becoming more deeply implicated as time goes on.
25. You can't hit the tar baby just once. You have to hit it again
26. and again and you wind up completely wrapped up in it.
27. I'm not willing to take a poke at it for lifeline or for the
28. utilities. It's the very sort of thing we ought to avoid
29. and I urge a negative vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Newhouse has returned to the Floor. Senator Newhouse.

32. SENATOR NEWHOUSE:

33. I wonder, would the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. He indicates that he will yield.
3. SENATOR NEWHOUSE:
4. Senator, I have a...a leaflet here which has articles
5. the Chicago Tribune and the Sun Times. Do you have that
6. on your desk?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Knuppel.
9. SENATOR KNUPPEL:
10. You have an article there from the Sun Times? An
11. editorial? I believe...I believe you have an editorial
12. on you desk that was written by the Sun Times today. That
13. ought to give you reason enough to pass it with that
14. socialistic flag being for it...or against it, I mean.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Newhouse.
17. SENATOR NEWHOUSE:
18. I've got here something from the desk of William
19. E. Dart and it has two newspaper articles on it.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Knuppel.
22. SENATOR KNUPPEL:
23. Now, what's the question? I have that in my hand
24. now.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Newhouse.
27. SENATOR NEWHOUSE:
28. The second paragraph of the two articles reads differently.
29. In the second paragraph of the Sun Times article, there is
30. appended this sentence which is the last sentence in that
31. paragraph and it says...it says here that commercial...it goes
32. through...the paragraph goes through what's done to the
33. utilities, then it says commercial rates are generally lower

1. than residential. That's omitted from the Chicago Tribune
2. article. Could you explain that? I don't understand that...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Yes, Sir, I can explain that. This has always been true
7. because commercial generally runs around the clock. These...
8. these people are big, huge users and the cost of supplying
9. it is down. They take dumploads at off peak periods of time
10. and they are big users. Just like anything bought in
11. quantity is generally lower and that's the way it's been
12. for generations. Yes, that's...that's the reason for it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Newhouse.

15. SENATOR NEWHOUSE:

16. I see. In that respect then, Senator, there is some
17. discrimination inherent in the rate making process, is there?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, if there is, at the present time it could be that...
22. that...that the...that part would lead you to believe that
23. it was in favor of the commercial users. That is not, in fact,
24. true as has been pointed out by the action committee where they
25. say the residential rates are lower and there has been
26. discrimination throughout the rates and that's why they're
27. screaming that there would be a twenty-two percent rate increase.
28. The mere fact...what I'm saying is, the bill would put it on a
29. cost of doing business. It costs less to produce a kilowatt
30. of hour...hour of energy for a commercial user at 3:00 o'clock
31. in the morning. As Senator Soper or somebody over there pointed
32. out, it goes...gets on the lines, it could be a lot. So, it could
33. cost less to produce for...for heavy industry and commerce, than

1. it does for the...for the residential users. So, that's not
2. necessarily a discriminatory...just because the rate is lower,
3. it does not mean it's discriminatory.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Now for the second time. Any Senator wish recognition?
6. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Now, the...the rates that you just mentioned that we went
9. through, the late nights, the off peak hours and so forth,
10. is there any way that consumers can take advantage of that same
11. rate decline? Say for example, the guy who works from
12. twelve o'clock at night to eight o'clock in the morning.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Well, this was one of the things I think that Senator
17. Soper was pointing out. I'm not necessarily familiar in town,
18. but for example, with the rural electric coops, if you run
19. an irrigation outfit such as I do on my farm, if you will accept
20. a rate they have to offer, that type of a commercial user,
21. and you run your...your irrigation outfit at night or if you have
22. a hot water heater, they've...most of your utilities have had
23. rates if you added an electric stove. They're...they're subrates
24. on a...on a classification. In other words, you have a residential
25. rate, but if you add certain kinds of equipment and use so
26. many kilowatts, then your rate will slope off. Yes. There...
27. there have been these advantages to residential users.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Newhouse and your time has expired, Senator.

30. SENATOR NEWHOUSE:

31. I was listening, Senator, but I wasn't sure that you
32. included the off peak hours for consumers. Did you?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, this is one of the reasons, you know, your hot
4. water heater is on all twenty-four hours, if...if you realize this
5. and that's why you're using one of your biggest users in your
6. house is in the off hours and that's one of the reasons that
7. you can get a special rate for a hot water heater. I don't
8. know other examples, but that's one example. I'm sure that
9. ...that this is true if you had other...other equipment.
10. For example, if you ran your air conditioner at night, there
11. might be a...a company that would allow special rates for that
12. where if you run it at the peak hour right at the supper hour
13. when everybody comes home, that's when you get your brownouts
14. and blackouts..

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22. End of reel

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Any...Senator, now time has expired and I...if
3. you have more questions, perhaps we can come around on second time.
4. Senator Berning. Any other Senators? Senator Newhouse, for a
5. second time.

6. SENATOR NEWHOUSE:

7. I am still not clear that the questions been answered insofar
8. as off peak hours are concerned. I...does anybody know whether
9. in Chicago we can get an off peak hour rate?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. The rates if they are an off peak rate for a residential
14. user who's consistently the same, it would deal only with equip-
15. ment such as a hot water heater which is on twenty-four hours a
16. day. Your stove is on only when you cook and most companies have
17. had rates for that purpose. I can't think of other equipment
18. that that would be true of but I'm satisfied that it would not
19. be an impossibility that if someone went...if there were enough
20. users to make up a group within a residential classification as
21. there is on the co-op which I represent. There's something like
22. six or seven hundred irrigators. If those irrigators are on the
23. same time people come home, turn on their stoves there's problems.
24. In this instance they have made, Of course, you'll call a farmer
25. commercial but what has happened, they have made a special
26. situation where there are consumers who use irrigation. I'm sure
27. the same thing can be under the present law can be with respect to
28. residential users too.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. I don't want to draw this out, Senator, but I was trying to
33. get through to the...to the notion of how rates are set currently

1. and whether there presently exists the kind of discrimination
2. about which we all oppose. It seems to me that there presently
3. exists a discrimination even though there is some rationale for
4. it. I would suggest that it be impossible for the City of
5. Chicago for the average consumer...the average consumer, the
6. poor slob who works from eleven at night to eight in the morning
7. and uses off peak hour electricity and uses off peak hour gas.
8. I doubt that we could work it out to get him a break. In that
9. respect it seems to me to be a pretty big dichotomy. As
10. you know I do oppose the bill 'cause I do not want to see life-
11. line go down the line and I do want to see consumers in the
12. metropolitan areas get the same breaks as anyone else. So if
13. there are advantages to be derived I should think the smallest
14. consumer ought to be able to match the largest consumer.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further debate? Senator Nimrod.

17. SENATOR NIMROD:

18. Yeah, a question to the sponsor, Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates he will yield. Senator Nimrod.

21. SENATOR NIMROD:

22. Senator Knuppel, do we not presently have Federal grants
23. within the Department of Manpower...the Office of Manpower which
24. are now standing and appearing before the Commerce Commission
25. on behalf of two or more individual consumers in order to plead
26. their case for rates...reductions in this case where we don't
27. have anything involved in it. Would this eliminate that kind of
28. a present setup where we're using State money or Federal money
29. to defend the rate reductions for individuals where we really
30. don't...that we have really a group that...we don't have this
31. kind of legislation? That in fact we would be having representation
32. on lifeline?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. There has been but I understood Senator Davidson to say
4. and I'm not familiar with that, that grant had expired as of May the 15th
5. unless extended. But heretofore those people who were on fixed
6. incomes and, of course, your public welfare people that's all set
7. up in their budget whatever the cost of...of the consumer is
8. anyway, we pay it in Public Aid but there has been grants from the
9. Federal Government. Those grants would...would or could be lost
10. to us when we're sending more money down to Washington than we're
11. getting back and we would have our commercial industries and others
12. paying the bill for those people who were in a distress situation
13. as long as that money was available.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, well very specifically what I want to know is if we were
18. to vote for this bill, would it then make it impossible for the...
19. because of this legislation would they be unable to then appear
20. before the Commerce Commission to ask for any special consideration
21. on those particular cases with that Federal money against our own
22. Commerce Commission?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Absolutely not. There's been a lot of misinformation as I've
27. said before here about this legislation, about the bill. This does
28. not change the existing situation one bit. If the Federal Govern-
29. ment makes funds available in April they will be available in June
30. even though this bill might be enacted. It does not change that
31. at all. What would happen is, is the...in its increases the
32. Commerce Commission could put this on to industry making a still more
33. unfavorable business climate which would then be passed back to

1. the people who use the product that's manufactured or the
2. business.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Senator Knuppel may close the
5. debate.

6. SENATOR KNUPPEL:

7. Well, really outside of possible fear of some people of
8. political repercussions on the basis of...of so called consumer
9. disapproval, all this bill simply says is you're opposed to
10. discrimination in future rate increases for all types and classifi-
11. cations of users. Now if you do favor discrimination I wouldn't
12. want you to vote for this bill. But if you do...if you are opposed
13. to discrimination I would ask you to vote for it. What is a public
14. utility? It's a...it's a controlled regulated monopoly which
15. passes the cost of doing business on to the consumer anyway. And if...
16. and if there is discrimination it...it destroys the competitive
17. status of our industries and commerces as opposed to those states
18. which don't have that situation. And as to those who do...do do
19. business here it will be passed on to the consumer anyway. This
20. is good legislation. It's legislation that should be passed. It's
21. what you would say conservative legislation and a socialistic
22. legislation. But if you vote for it you're in favor of discrimination.
23. That's what socialism is based on you know. Take from the rich and
24. give to the poor. But here the poor don't really need it and
25. equalize everything and lose your freedoms and so forth. So that's...
26. it's just about that simple as to whether you want to...whether you
27. want to try to sock the industry which is ultimately going to be
28. passed onto you or not and whether you're in favor of discrimination.
29. I'd like a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall Senate Bill 1649 pass? Those in favor
32. vote Aye. Those opposed vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record. The

1. sponsor has asked that further consideration of Senate Bill 1649
2. be postponed. It will placed on the Order of Postponed Consideration.
3. Senate Bill 1680. Senator Rock. Okay. Senate Bill 1705...Senator
4. Rupp is recognized.
5. SENATOR RUPP:
6. And I rise to a point of personal privilege, Mr. President.
7. PRESIDING OFFICER:(SENATOR BRUCE)
8. State your point.
9. SENATOR RUPP:
10. Through the courtesy of Senator McMillan who's territory
11. that the Warren School pupils are located there, I went to school
12. over in Monmouth but the youngsters were sitting up there. They
13. have left but I did impose on the teacher to stay for a minute and
14. I'd played football with this chap while in school and I guess that
15. wasn't enough. So he had to go out and go in service and win a
16. Congressional Medal of Honor. I would like to extend the courtesy
17. of the Senate to him.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. We are certainly honored to have...
20. SENATOR RUPP:
21. Bob Dunlap.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Will you please stand and be recognized. Senator Nimrod.
24. SENATOR NIMROD:
25. Yes, Mr. President and Ladies and Gentlemen of the Senate.
26. Since Senator Rupp has stood and addressed us and advised us that
27. his friend here, I think we ought to also congratulate Senator
28. Rupp since today is his birthday and I think he deserves a con-
29. gratulation.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Congratulations, Senator Rupp. (Machine cutoff) 1737,
32. Senator Clewis. Read the bill, Mr. Secretary, a third time, please.
33. SECRETARY:

1. Senate Bill 1737.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Clewis.

6. SENATOR CLEWIS:

7. Mr. President and members of the Senate. Senate Bill 1737

8. increases the minimum and maximum salaries for certain county

9. officers in counties under one million. The bill is geared

10. primarily as a cost of...living increase for county officers.

11. The raises on the minimum...run from approximately fifteen

12. percent to a maximum of twenty percent. It's three and a half

13. to five percent spread over four years. It brings the county

14. officers up the step with today's economy and the cost of living

15. and I would urge a favorable roll call.

16. PRESIDING OFFICER:(SENATOR BRUCE)

17. Is there discussion? Senator Harber Hall.

18. SENATOR HARBER HALL:

19. Would the sponsor yield?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Hall. Harber Hall.

22. SENATOR HARBER HALL:

23. I wonder, Senator, if you're..familiar with downstate counties

24. of small population and whether you're familiar with their ability

25. to pay increased salaries of the nature that you're providing here.

26. Have you talked with the county board people? Have you talked with

27. the county supervisor or the county supervisors and others to find

28. out whether these salaries are...are favored by them?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Clewis.

31. SENATOR CLEWIS:

32. I can only respond that I know of no opposition to the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Harber Hall.

2. SENATOR HARBER HALL:

3. Well, some time ago there were many members of the General
4. Assembly that thought the concept of the General Assembly getting
5. involved with changing the minimums and the maximums every two
6. years of all county officials was somewhat ludicrous and didn't
7. make a great deal of sense in terms of knowing what the jobs
8. required and knowing the ability to pay these increased salaries.
9. And that possibly the best way to do would be to increase
10. minimums when necessary to show the absolute minimum that could
11. be paid and leaving the maximum open and I thought that was a
12. pretty good concept. And that's what I'd like to suggest and
13. for that reason I'm going to oppose this bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Soper.

16. SENATOR SOPER:

17. All right. Thank you, Mr. President. Senator Clewis,
18. Johnny D...Senator Johnny D. and Senator Clewis, could I ask
19. the sponsor a question?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield, Senator.

22. SENATOR SOPER:

23. What...you say this concerns county officers in...in what
24. category? What counties or...does this...does this take care of
25. the whole State or just certain counties?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Clewis.

28. SENATOR CLEWIS:

29. Senator Soper, I did start off by saying that it applied to
30. counties with a population of...under one million.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Soper.

33. SENATOR SOPER:

1. Now you live in a county that's got over a million, haven't
2. you...don't you?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Clewis.
5. SENATOR CLEWIS:
6. Yes.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Soper.
9. SENATOR SOPER:
10. Now, don't you think it's presumptuous of us to tell small
11. counties what to do...what salaries...minimum salaries to have
12. when we don't expect to fund that...that operation. We're
13. always telling people what to do. County boards what to do.
14. How to pay their people. We don't know whether...if they can
15. raise the money. I don't what this thing does but just to
16. arbitrarily say well, we're going to raise the minimum, we're
17. going to raise the maximum. County boards should be able to...
18. to hire the people and pay the people what the people there can
19. afford to pay them. And what the duties are. There are some
20. counties that don't have...have the duties of other counties.
21. ...You realize that some counties in the State you've got...
22. you've got more rabbits and pigeons around than you got people.
23. You've got five thousand people in some counties. I think there's
24. one county that's got five thousand two hundred. I don't think
25. you can do this unless you...unless you say the State is going to
26. pay...is going to pay the differential that the counties can't
27. pay. I'd like to say that everybody should get a minimum salary
28. but you provide a way to pay for it. I...I...I think this is...
29. I think this is bad. I don't think you understand what...what
30. some of these small counties have coming from...from Cook County.
31. I come from Cook County too and I think I would resent if anybody
32. came in from downstate and told Cook County what the minimum
33. salary should be and all...all the Senators here ganged up and

1. said well if that's the way you feel about our counties you've
2. got to pay every little cotton pickin' clerk or whatever anybody
3. that's doing any business in Cook County twenty-five thousand
4. dollars minimum and lump it or like it. I think that's real bad.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Clewis.
7. SENATOR CLEWIS:
8. Are you implying, Senator Soper, that the Senators representing
9. all the small counties in the State of Illinois would be opposed
10. to this bill?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Soper.
13. SENATOR SOPER:
14. I'm just saying this that if they want to pay salaries that
15. their county boards can't afford and can't pay. Understand?
16. Then I think they're in trouble. If you don't think so you go
17. back there and try and get elected.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The Gentleman's time expired. Senator D'Arco.
20. SENATOR D'ARCO:
21. Will the sponsor yield for a question?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. He indicates he will yield.
24. SENATOR D'ARCO:
25. What is the increase in salary in the small, smallest of
26. counties? The minimum...
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Clewis.
29. SENATOR CLEWIS:
30. In the smallest of counties the cost of the living increase
31. which it could well be considered is twenty percent. A salary of
32. twelve thousand dollars raised to fourteen thousand four hundred.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator D'Arco.
2. SENATOR D'ARCO:
3. Where do you get the twelve thousand dollar figure?
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Clewis.
6. SENATOR CLEWIS:
7. The twelve thousand figure is the present minimum salary.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator D'Arco.
10. SENATOR D'ARCO:
11. Is...is that salary set by Statute?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Clewis.
14. SENATOR CLEWIS:
15. Yes.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator D'Arco.
18. SENATOR D'ARCO:
19. So you're just giving the smallest counties the county clerks,
20. the cost of living increase through the Statute. Is that what, in
21. fact, you're doing?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Clewis.
24. SENATOR CLEWIS:
25. In effect.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator D'Arco. Further questioning, Senator?
28. SENATOR D'ARCO:
29. No.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Newhouse, did you have a question? Senator...
32. SENATOR NEWHOUSE:
33. At...at the proper point. I'd like to rise to a point of

1. personal privilege, Mr. President.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. If we'll conclude action on this bill. Senator

4. Savickas, for what purpose do you arise?

5. SENATOR SAVICKAS:

6. Purpose of a question of the sponsor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates he will yield, Senator Savickas.

9. SENATOR SAVICKAS:

10. Does this raise for county clerks also include those counties

11. that are bankrupt now and we're going to raise the salary of their

12. county officials like Pope County?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Clewis.

15. SENATOR SAVICKAS:

16. How...how do we pay then?

17. SENATOR CLEWIS:

18. Senator Savickas, this raise would apply to county officers

19. in all counties all over the State. In counties less than one

20. million population.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. So we have some counties now that are bankrupt and some on

25. the verge of bankruptcy and if we're going to raise the county

26. officials salaries how are we going to pay it? Or how is the

27. county going to pay it?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator...Senator Clewis.

30. SENATOR CLEWIS:

31. I would question how they would pay the present salaries.

32. Now you got a situation here where you're saying that a...a

33. county is bankrupt. Maybe they're in a position where they can't

1. afford county officers. Period...We've got a...situation here
2. whereby legislation we mandated we've locked people in a position
3. in counties where...that can afford to pay people more, that are
4. paying people the minimum and the only...way they can receive
5. an increase in any county is the change of legislation and that's
6. exactly what we're attempting to do.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Buzbee. I'm sorry. Senator
9. Nimrod was...up first.

10. SENATOR NIMROD:

11. Yeah. As I understand this bill, Mr. President and Ladies
12. and Gentlemen of the Senate, what we're doing is increasing both
13. the minimums and the maximums. And seems to me that what we
14. ought to be doing if you're concerned about this, Senator Clewis,
15. is increasing the maximum but leave the minimums alone. Who are
16. we to sit here and tell the local boards who make these decisions
17. on raises that they ought to be increasing it by twenty percent.
18. That's the prerogative of the local county boards to make those
19. decisions for those positions. Now if you want to increase the
20. maximum I don't think anybody would object. The decision is still
21. left within the county. But for us to increase the minimum and
22. maximum both, I think is a wrong approach and I don't think it's
23. our particular area to do that.

24. PRESIDING OFFICER: (SENATOR BURCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. In response to the question from
28. Senator Savickas, in fact the United States Congress has passed
29. legislation which will, in the case of Pope County, because of
30. the about two-thirds to three-fourths of their taxable property
31. being owned by the United States Government in the form of
32. United States forests. In that particular situation the Congress
33. has passed legislation where they will pay to the local county

1. entities funds in lieu of property taxes. So hopefully we will
2. not see in a situation of Pope County any more when they are, in
3. fact, going bankrupt. I think this is good legislation because
4. these are the people who have to get out there and run for
5. office every four years. They're making minimal salaries right
6. now. They, in fact, are working sometimes almost at the poverty
7. level and we ask them to be good county officials and yet we
8. don't want to provide adequate salaries for them and I think
9. that we ought to pass this legislation. I commend Senator
10. Clewis for introducing it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further debate? Senator Guidice.

13. SENATOR GUIDICE:

14. Well...would the sponsor yield for a question.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield. May we have some order please.
17. Senator Guidice.

18. SENATOR GUIDICE:

19. If...if I understand this correctly, Senator Clewis, the
20. minimum is twelve thousand five hundred at the present time and
21. the maximum is fifteen thousand five hundred. Is that correct?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Clewis.

24. SENATOR CLEWIS:

25. In the...in the smallest county in...in a county of...
26. in a county of fourteen thousand that would be it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Guidice.

29. SENATOR GUIDICE:

30. ...Now I understand that the reason for the bill and raising
31. the minimum is because of the fact that for the last four years
32. they've been keeping the people at the minimum figure without
33. giving them any increase where they have that latitude to do it. Isn't

1. that correct?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Clewis.

4. SENATOR CLEWIS:

5. Senator Guidice, that's the whole point of the bill. These

6. people are locked in. There's nobody that's going to voluntarily

7. pay them the maximum. They are locked in at the minimum.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Guidice.

10. SENATOR GUIDICE:

11. Well, under those...circumstances they have petitioned the

12. legislature to come in and help them out because they haven't

13. been able to get a raise in four years even five hundred dollars

14. or six hundred dollars and all you're asking for here is to raise

15. the minimum to two thousand dollars to bring them to a...a living

16. wage and I would support this type of a bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Schaffer.

19. SENATOR SCHAFFER:

20. Mr. President, there is one fact that hasn't been mentioned

21. here. Two actually. One that the vast majority of the counties

22. around the State are, in fact, paying above the minimum right

23. now and are, in fact, paying above the minimum set by this law.

24. This...it is obvious that this bill would affect a relatively

25. small number of counties who have not increased their salaries.

26. The second fact that hasn't been mentioned is that if we do not

27. adopt legislation this year another set of county officers will

28. be elected, many of whom will be deprived of a raise for four

29. more years. I would respectfully remind my colleagues in the

30. Senate that the people at the county level find themselves in

31. the same boat that you and I do. We can't get a pay raise every

32. year like everyone else around. Our pay raises come but once

33. every four or occasionally two years depending on the term. Without

1. this legislation or something similar this year...the clerks
2. and the treasurers, at least, mentioned here will in many counties
3. go four years without a pay raise. I'm not saying that this bill
4. is carved in granite or perfect, but I don't think it's fair to
5. deprive these people of a pay raise for four years. They are
6. dedicated people. They are honest people of both political
7. parties and regardless of who's elected if we want good people in
8. office we're going to have to pay good salaries and that's just
9. the simple fact of life.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there further discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. Yes, Mr. President. The thing I resent, not only about the
14. bill, but the whole structure of this is that the county board
15. passes the buck to us and I think we ought to just put a stop
16. to that. As a matter of fact, the county boards have latitude
17. to raise salaries. They choose not to. They leave it to us
18. and I for one would just like to keep it sufficiently tightened
19. so that they assume some responsibility which they should have
20. and not always be running to us to settle the matter for them.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Clewis, do you wish to close
23. debate? Senator Clewis.

24. SENATOR CLEWIS:

25. I just might add, Mr. President and members of the Senate that
26. the buck stops here and I would urge a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Question is, shall Senate Bill 1737 pass. Those in favor
29. vote Aye. Those opposed vote Nay. The voting is open. Have
30. all voted who wish? Have all voted who wish? Take the record.
31. On that question, the Ayes are 34, the Nays are 19, 1 Voting
32. Present. Senate Bill 1737 having received the constitutional
33. majority is declared passed. Senate Bill 1747. Read the bill,

1. Mr. Secretary please.

2. SECRETARY:

3. Senate Bill 1747.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Merlo.

8. SENATOR MERLO:

9. Mr. President and members of the Senate. A provision of
10. the recently enacted condominium package required that the board
11. of managers of a condominium would assume the responsibility of
12. securing comprehensive liability insurance and named those to be
13. insured. The insurance industry, the Illinois Association of
14. Realtors as well as the Illinois Homeowners Association have
15. clearly brought to my attention that the bill as passed out of
16. this House in the last Session was unclear, confusing and unless
17. we remove the extraneous language in the bill that it could lead
18. to complications and could result in existing condominium owners
19. inability to secure liability insurance. The bill clarifies
20. a number of points. One that the Board of Managers must secure
21. public liability insurance for the common elements clarifies the
22. limitation of the developers and unit owners as to the extent of
23. their coverage under the liability policy and that three, that
24. the premium for liability insurance coverage are to be considered
25. common expense. As I mentioned before the bill is supported and
26. approved by the insurance industry, the Illinois Homeowners
27. Association and the Illinois Realtors and I ask your affirmative vote
28. on the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further discussion? The question is, shall Senate
31. Bill 1747 pass. Those in favor vote Aye. Those opposed vote
32. Nay. The voting is open. Have all voted who wish? Have all
33. voted who wish? Take the record. On that question, the Ayes

1. are 56, the Nays are None. None Voting Present...Senate Bill
2. 1747 having received the constitutional majority is declared
3. passed. Senate Bill 1753. Senator Bloom on the Floor? Senator
4. Bloom, do you wish to call that bill? Read the bill, Mr.
5. Secretary, a third time please.
6. SECRETARY:
7. Senate Bill 1753.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Bloom.
12. SENATOR BLOOM:
13. Yes, thank you, Mr. President. This is part of the Mirage
14. package. It creates the Illinois Excise Return Preparers Responsibility
15. Act to regulate those people who prepare tax returns for
16. compensation and for a living. Basically, this attaches responsibility
17. to those people who do this for a living and the language tracks
18. the appropriate Federal legislation and regs. You may have recalled
19. in that series that people that own that particular tavern went
20. to about six different tax preparing operations and got six
21. different ways to skim. The bill has been amended to specify
22. and target in on the income tax and proceeding and the effective
23. date was changed and at the request of most of the members of
24. the committee on the final page it clarified what was meant by
25. a person by saying individual, firm, corporation or business
26. association which prepares Illinois Excise Tax Returns or an employee
27. thereof who is employed as a preparer. I'll try an answer some
28. questions.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there discussion? Senator Knuppel.
31. SENATOR KNUPPEL:
32. I don't about this bill but I prepare about four or five
33. hundred income tax returns a year and I'm telling you the

1. nuisance of having to put your Social Security number on them.
2. You've got to sign a copy and give it to the taxpayer and I never
3. had one person come back in twenty-four years, but now I'm
4. getting all kinds of returns back from the...from the income
5. tax people saying you forgot to put your Social Security on...
6. number on it. You forgot to sign it. I suppose that makes
7. a more patronage for those people that got to check them, but
8. I'll tell you you got to pass that cost on to the taxpayer
9. and it doesn't do a hell of a lot to encourage people to help
10. clients file returns. I'd have to oppose the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Daley.

13. SENATOR DALEY:

14. Will the sponsor yield to a question?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. He indicates he will yield. Senator Daley.

17. SENATOR DALEY:

18. In this bill, is there a independent liability of a
19. mandatory fine? Is there any mandatory penalty in the bill?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Bloom.

22. SENATOR BLOOM:

23. Yes, Senator. It imposes civil penalties of a hundred
24. dollars for anyone who negligently understates or misstates a
25. taxpayers liability. Five hundred if the understatement or mis-
26. statement is willful and you may recall during the...the discussion
27. in your committee we went into that aspect of it and then twenty-
28. five and twenty-five dollar penalties for failing to furnish a
29. copy of the return to the taxpayer or to retain a copy or for
30. failing to sign it or failing to furnish Federal tax ID number.
31. And so on.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Daley.

1. SENATOR DALEY:

2. Also Senator, definition of a preparer. You say anyone

3. who advises or prepares a return for valuable consideration, what

4. the bill, as I understand it, is after the...accountants...Is

5. that what the bill is going to do?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bloom.

8. SENATOR BLOOM:

9. Yes, Senator, that is the thrust of this bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Daley.

12. SENATOR DALEY:

13. As I understand, the CPA's do endorse this bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bloom.

16. SENATOR BLOOM:

17. That is correct, Senator.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there...Senator Guidice.

20. SENATOR GUIDICE:

21. Thank you, Mr. President. Will the sponsor yield to a

22. question?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. He indicates he will yield. Senator Guidice.

25. SENATOR GUIDICE:

26. All right...regarding the...in Section V in negligent or

27. willful disregard of the law. You want to impose a criminal

28. fine now upon a...a preparer who has made a mistake or is

29. negligent in the...in the use of the figures on a...maybe he

30. reverses a digit or something of this sort?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Bloom.

33. SENATOR BLOOM:

1. Well, Senator, I believe we discussed this in the committee
2. of which you were a member and the witness from the Department of
3. Revenue was talking civil penalties under Section V fines and...
4. oh yes, the other aspect then the...then the discussion did focus
5. in on the willful disregard. Now that's...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Guidice.

8. SENATOR GUIDICE:

9. Well, I'm speaking more now in regards to a negligent
10. application of either some numbers that were given to him by...
11. by the company that he is doing this business for or the...for
12. the taxpayer who he is doing it for. If he gets a figure such
13. as a deduction for four hundred and...or better yet for four
14. hundred and twelve dollars and he reverses the figures to two
15. hundred and fourteen dollars which is a common mistake made by
16. accountants or in...in the use of numbers anyway. Then we're
17. going to impose a fine on that particular individual for that
18. negligence that's involved with that point.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Bloom.

21. SENATOR BLOOM:

22. Well, as a practical matter I...I think not. I think that
23. they'd flag his and say...you know, our...the return you prepared
24. does not compute or whatever they say and he says, oops, it was
25. a...transposition. This bill is designed to to give the Department
26. of Revenue the tools to avoid the situation that we had in Mirage
27. where the...the owners were importune by six different tax preparers
28. to say, hey, gang, here's six different ways you can skim. Lex...
29. de lex non cur minimus.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Guidice.

32. SENATOR GUIDICE:

33. Well, under the present situation as exists, if there is a

1. willful action on the part of the preparer, okay, for whatever
2. reason it be, be it in collusion with the taxpayer or not there
3. is a penalty that is provided and we do have a criminal process
4. that can be involved. Now what you're doing is you're carrying
5. this out to a negligence thing and by your own definition thereto
6. say that it's an arbitrary thing that they might or might not
7. flag it and say okay, we're going to give you a pass because it
8. was a...it was an honest mistake. But this other guy, he's been
9. shaky for whatever reason they feel and they're going to involve
10. him in...in the criminal aspect of it. I...I don't understand
11. why you would want to do something like that.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bloom.

14. SENATOR BLOOM:

15. Well, to...to respond. This is the same language that is
16. in Federal Law and I think we both agree that there are not...
17. there are no accountants that I know of that are...are being
18. subject to civil penalties for transposition of numbers.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Guidice and your time has nearly expired, Senator.

21. SENATOR GUIDICE:

22. Do you know or do you have any knowledge of any action that's
23. been taken by the Federal Government as a result of...now with the
24. Mirage or in any other...a case where they have prosecuted or
25. have brought the criminal sanctions for negligence?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator...or Senator Bloom.

28. SENATOR BLOOM:

29. Do I have any personal knowledge? No, I do not. No, I do
30. not. It's...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator, your time has expired. Senator Guidice.

33. SENATOR GUIDICE:

1. SENATOR GUIDICE:

2. Just...just the last comment. You know I supported this
3. bill in committee just to get it out on the Floor but I find
4. it very difficult to compromise myself in the making a...a
5. negligent act a criminal...and have a criminal sanction involved.
6. Call it what you will, it's still a fine. It's still some type
7. of sanction brought against a person. It's...it's of quasi-criminal
8. nature and I would be opposed to it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Bloom, do you wish to close?

11. SENATOR BLOOM:

12. Yes, thank you very much. This bill was thoroughly
13. discussed in Judiciary I. It's a reasonable measure and it's
14. designed to give the Department of Revenue the necessary tools
15. to combat the situation where you can have six different tax
16. preparers presenting six different ways to rip off both the
17. public and the State. It's good legislation. It follows the
18. Federal legislation and I'd urge a favorable roll call. Thank you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question...the question is, shall Senate Bill 1753 pass.
21. Those in favor vote Aye. Those opposed vote Nay. The voting is
22. open. Have all voted who wish? Take the record. On that
23. question, the Ayes are 45, the Nays are 8, 2 Voting Present.
24. Senate Bill 1753 having received the constitutional majority
25. is declared passed. Senate Bill 1760. Senator Newhouse. Do
26. you wish to have the bill read, Senator? Read the bill, Mr.
27. Secretary, a third time please.

28. SECRETARY:

29. Senate Bill 1760.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE):

33. May we have some order please. Senator Newhouse is recognized.

1. SENATOR NEWHOUSE:

2. Thank you, Mr. President. These...this series of three
3. bills are designed to cure the cash flow problems of county
4. hospital and make it a more efficient operation by operating
5. through the Cook County Governing Commission. This first
6. bill, let me say first of all, deleted the raise and the tax
7. provision. That was taken out by amendment. What the bill
8. presently does is it...is that it increases the size of the
9. bounty board so there will be a greater diversity of
10. representation. It requires the proceeds of the...tax levy
11. to be paid to the commission rather than go as a conduit
12. to the county board. There is a...the...there is...well...I'd
13. ask for a favorable roll call and answer any questions.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion or debate? Senator Rhoads.

16. SENATOR RHOADS:

17. Question of the sponsor if he will yield.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Rhoads.

20. SENATOR RHOADS:

21. Senator Newhouse, what is the purpose of having the funds
22. go directly to the Governing Commission rather than through the
23. county board? Who is requesting this?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. The...the governing board...governing body is requesting
28. this. The county board has no opposition to it. Here's what
29. happens, Senator. The proceeds from the tax levies are not
30. available until April. The way the present law is read is that
31. it requires a monthly payout, which means that the Governing
32. Commission has to go and borrow funds to operate on even though
33. there are funds then available in...in the county board, which

1. under the interpretation of the law they cannot pay out. So now
2. we'll have...we'll have a...the efficiency of having the
3. direct payment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. You said the county board has no opposition to this. What
8. is...who has the auditing function for the funds later on after
9. they're used?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Newhouse.

12. SENATOR NEWHOUSE:

13. Senator, I...I would assume that the Governing Commission
14. has that auditing responsibility. I...I truthfully can't
15. answer it...the question that you asked, but I would assume
16. that since the board...the funds do go directly to the Governing
17. Commission that they would have the responsibility for audit.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator...Senator Savickas.

20. SENATOR SAVICKAS:

21. Yes, would Senator Newhouse yield for a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates he will yield. Senator Savickas.

24. SENATOR SAVICKAS:

25. I...just looking at the synopsis here, Senator, you're
26. increasing the members to fifteen...nine...from nine to fifteen?
27. Are these paid members?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. No...would you leave the mike open please. No they're not
32. paid members, Senators. They're all volunteers and most of them
33. have some kind of expertise that they give for free to the

1. Governing Commission.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Savickas.

4. SENATOR SAVICKAS:

5. My next question is since we're going to give them the

6. money directly are we also in the bill allowing them to

7. initiate their own...their own tax levy instead of doing it

8. through the county board?

9. PRESIDING OFFICER: (SENATOR BRUCE):

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. To my knowledge that's not part of the bill, Senator.

13. No.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Well, Senator, I think that should be part of it that if

18. we're going to let the County Hospital's Governing Commission

19. have this authority and take the money that we should also

20. allow them to raise their own funds and not...not do it now

21. as presently done through the county board.

22. SENATOR NEWHOUSE:

23. Senator, the...I'm not sure I...I understand the question

24. but let me give you the answer that I...I think might...satisfy

25. you. Presently the tax levy is at the maximum so there can't

26. be any raise in the tax levy. That was part of the bill which

27. was...which we took back out so there can't be any raise in the

28. levy. But what happens now is that the proceeds of the tax

29. anticipation warrants go to the county board, but the county

30. board is bound by law to pay them out only monthly so that it

31. means that even though the county board might have enough money

32. and...and does in many instances have enough money for cash

33. flow for the hospital, the hospital can't get them. They then

1. have to go to the bank to borrow and pay interest to...for
2. interim financing. So that's the problem we're trying to cure.
3. SENATOR SAVICKAS:
4. How much money would we save on this interim financing by
5. going directly through the commission?
6. SENATOR NEWHOUSE:
7. Senator, I'm sorry I don't have that answer, but I will...
8. I can tell you it will be a substantial amount because it's an
9. unsecured loan.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Soper.
12. SENATOR SOPER:
13. Thank you, Mr. President. Senator Newhouse, I've got a
14. little sheet on this thing. It tells that the...that the...you're
15. going to increase the...the limit on the tax...the tax rate from
16. .25 to .30 within referendum. Is that still on the bill?
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Newhouse.
19. SENATOR NEWHOUSE:
20. No, it's not Senator. That was taken by amendment...
21. SENATOR SOPER:
22. What is it now?
23. SENATOR NEWHOUSE:
24. ...on 2nd reading.
25. SENATOR SOPER:
26. What is it now?
27. SENATOR NEWHOUSE:
28. It's back to 20...25 where it was previously.
29. SENATOR SOPER:
30. Now...all right. The way you've got this set up the
31. commission can also enter into a contractual agreement without
32. regard to fiscal year as long as any such borrowing does not
33. exceed seventy-five percent of it's uncollected receivables. Now

1. if the Department of Public Aid owes you money then you could
2. borrow up to seventy-five percent of that on your receivables
3. is that it?

4. SENATOR NEWHOUSE:

5. What...what line are you reading, Senator?

6. SENATOR SOPER:

7. I don't know. I'm...I've got a sheet here on...on...it
8. says three on my sheet here.

9. SENATOR NEWHOUSE:

10. Senator, so far as I know those monies owed by the Depart-
11. ment of Public Aid are not receivable.

12. SENATOR SOPER:

13. What are they then?

14. SENATOR NEWHOUSE:

15. They're not...receivables which can be borrowed against
16. insofar as I know. Is that correct, Senator Moore?

17. SENATOR SOPER:

18. Moore, are you listening?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Soper.

21. SENATOR SOPER:

22. Yes, they were...

23. SENATOR NEWHOUSE:

24. From what I understand...Senator Soper.

25. SENATOR SOPER:

26. Yeah...

27. SENATOR NEWHOUSE:

28. From **what** I understand it's been the practice in Public Aid
29. is when people who are owed monies by the Public Aid go to make
30. a loan when they borrow they borrow funds against which there is
31. no security in many instances. Those...those warrants simply
32. cannot be used.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Soper.

2. SENATOR SOPER:

3. All right. I think those are receivables and I think you
4. could borrow that...what bothers me is what...what fiscal year
5. you're talking about and how much money you can borrow on that.
6. How are you going to pay it back? And you could put in most
7. anything in...in that which call those receivables from Public
8. Aid. There has got to be determination first whether or not all
9. that money is to come from Public Aid or whether the...or the...
10. whether the patients...pardon me...whether the patients have
11. insurance or not and whether or not that insurance is applicable
12. and the payment from the insurance companies or from...or from
13. the Medicare and then you would borrow money on top of something
14. that you really haven't got coming because you're going to get
15. that from the insurance program and from Medicare. Now you
16. would put say fifty million dollars in and you get, say twenty-
17. five million dollars from...from Medicare and from insurance
18. but you'd borrow against the fifty million instead of borrowing
19. against, say twenty-seven and half or thirty million.

20. SENATOR NEWHOUSE:

21. Senator, I'm reading the section that I think you're
22. referring to and it's on page 4 beginning at line 9 through 14
23. and in that section it does not say that the borrowing is against
24. the receivables, it simply says you can't borrow more than seventy-
25. five percent of the receivables and there's a distinction there.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Soper, your time has expired...

28. SENATOR SOPER:

29. Yeah, I understand that but...Senator Newhouse, you can't...
30. so it says you can't borrow more than seventy-five percent of
31. your receivables but you're telling me that the money you got
32. coming from somebody else isn't a receivable because you didn't
33. mention it in that...in that manner. It's a receivable. You got

1. money coming from someone.

2. SENATOR NEWHOUSE:

3. All right. Senator, I...I would...I would not quibble with

4. you...

5. SENATOR SOPER:

6. Well, I'm not going to quibble...

7. SENATOR NEWHOUSE:

8. But the receivable is not security...

9. SENATOR SOPER:

10. Well, no receivables are secure until you get them. Somebody

11. owes you money. He pays you, he doesn't pay you, that's a

12. receivable. If it's security you've got a bond or you've got...

13. or you've got a policy that's supposed to pay or...or there's some...

14. something put up as a security.

15. SENATOR NEWHOUSE:

16. Well, Senator, if...if what's troubling you is the Fiscal Year

17. proposition I would suggest to you...

18. SENATOR SOPER:

19. And you just skipped over what was bothering me that receivable.

20. That's what was bothering me.

21. SENATOR NEWHOUSE:

22. I see.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Walsh.

25. SENATOR WALSH:

26. Well, Mr. President and members of the Senate. Senator Soper

27. is absolutely correct when he observes that this bill would give

28. this commission which as of today is really not answerable to

29. anybody and after this bill will probably be answerable to even

30. fewer people. They would have authority to issue tax anticipation

31. notes of up to seventy-five percent of their receivables and these

32. receivables can be one year old or twenty years old. The commission

33. claims its got X number of dollars coming from the Department of

1. Public Aid and the Department of Public Aid claims it owes the
2. commission Y dollars. They're...regularly in dispute as to the
3. amount of the receivables. This bill would give the commission
4. the authority to issue tax anticipation notes in the amount of
5. seventy-five percent of what they claim...what their books show
6. to be their receivables and this is an authority which I feel should
7. not be given to...to an appointive committee and this...this
8. commission is not even appointed by elected officials. It's
9. appointed by a select committee which is itself appointed by,
10. in one case, deans of the medical schools. I don't think that
11. it's...it's good practice. I think this is a bad bill and I
12. would urge its defeat.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Glass.

15. SENATOR GLASS:

16. I...I think, Mr. President, what I was going to say has
17. been said. I would suggest to Senator Newhouse that he consider
18. the possibility of retaining in the bill the right of the Body
19. to go on a...go off a cash basis accounting system which I know
20. is of interest to them and I think that...that part of the bill
21. is...makes sense, but I...I have serious trouble with the rest
22. of it and I would concur with the comments already made.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion? Senator Newhouse may close
25. the debate.

26. SENATOR NEWHOUSE:

27. I ask for a favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is, shall Senate Bill 1760 pass? Those in
30. favor vote Aye. Those opposed vote Nay. The voting is open.
31. Have all voted who wish? Have all voted who wish? Take the
32. record. On that question, the Ayes are 31, the Nays are 22.
33. None Voting Present. Senate Bill 1760 having received the

1. constitutional majority is declared passed. For what purpose
2. does Senator Walsh arise?
3. SENATOR WALSH:
4. To verify the affirmative votes.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Walsh has requested a verification of those who
7. voted in the affirmative. Will the members...members please be
8. in your seats. Would the members please be in their seats. The
9. Secretary will call those who voted in the affirmative.
10. SECRETARY:
11. The following voted in the affirmative: Berman, Bruce,
12. Carroll, Chew, Clewis, Collins, D'Arco, Daley, Demuzio, Donnewald,
13. Guidice, Kenneth Hall, Hickey, Johns, Joyce, Ziomek, Lane, Lemke,
14. Leonard, Maragos, Merlo, Netsch, Newhouse, Rock, Sangmeister,
15. Savickas, Smith, Vadalabene, Washington, Wooten, Mr. President.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Walsh. Senator Walsh, do you question the presence
18. of any member?
19. SENATOR WALSH:
20. How is Senator Netsch recorded? Is she...
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Netsch is on the podium, Senator.
23. SENATOR WALSH:
24. Oh. Senator D'Arco...
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. She's recorded in the affirmative for the record.
27. SENATOR WALSH:
28. Senator D'Arco.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator D'Arco is coming in the back door.
31. SENATOR WALSH:
32. Do they have remote control switches, Mr. President?
33. Senator...Senator Maragos.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is Senator Maragos on the Floor? Yes, he is standing
3. beside Senator Chew.
4. SENATOR WALSH:
5. Is Senator Guidice?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Guidice is...center aisle.
8. SENATOR WALSH:
9. Senator Donnewald?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Donnewald...
12. SENATOR WALSH:
13. I'm looking at his seat. Is he...I thought...
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Donnewald, he's talking to Senator Shapiro.
16. SENATOR WALSH:
17. Well, I thought he was supposed to be in his seat.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Under the rules he is. The roll call has been verified.
20. The...Ayes are 31. The Nays are 22. None Voting Present. Senate
21. Bill 1760 having received the constitutional majority is declared
22. passed. Senator, we...there's an amendment to be offered on
23. 1761. I think the procedure has been to hold those bills until
24. we go back to all bills on 3rd reading unless there's some
25. agreement with you and the President on that. Senator Newhouse.
26. SENATOR NEWHOUSE:
27. ...I didn't understand that I don't have an agreement with
28. the President, but I...I have a three bill series and I'd like to
29. dispose of them if that's possible. This is a...an amendment that
30. was agreed to in committee and we just got it prepared.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. All right. Is there...is there leave to take this bill from
33. the Order of 3rd reading to the Order of 2nd for the purpose of

1. amendment? Leave is granted. The bill is on the Order of 2nd
2. reading. Any amendments, Mr. Secretary?

3. SECRETARY:

4. Amendment No. 1, Floor amendment offered by Senator Newhouse.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Newhouse to explain the amendment.

7. SENATOR NEWHOUSE:

8. Thank you, Mr. President and Senators. If you recall there
9. was some controversy in...in committee over and the...it revolved
10. around who should pay the freight for those prisoners who are
11. incarcerated in the county jail and in custody of the sheriff.
12. The theory was advanced that those persons who had been jailed
13. but not convicted were still in a status of...of retaining their
14. citizenship rights, which meant that they could have third party
15. payment and so forth, which is very difficult once they have been
16. convicted it's out. The Department of Public Aid proposed the
17. bill at least on this issued and perhaps on others. What we do
18. with this amendment is to put...is to take that class of persons
19. who are in the custody of the sheriff who have not yet been
20. convicted and are there pending trial and preserve their rights
21. to have their...their hospital care paid by the Department of
22. Public Aid. It also provides for third party payers such as
23. Blue Cross and provides that those individuals would be
24. responsible themselves to the extent that it was possible to
25. collect for the hospitalization. I move for the adoption of the
26. amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? On the motion to adopt all in favor
29. say Aye. Opposed Nay. The Ayes have it. The amendment is
30. adopted. Any further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. Senator, since you...that has been adopted,
2. can we proceed with 1762 for intervening business? All right.
3. Senate Bill 1762. Read the bill, Mr. Secretary please.

4. SECRETARY:

5. Senate Bill 1762.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. This bill does precisely what the synopsis said. It provides
12. for pre-registration of people for medical services so that they
13. don't have to scramble to get certified after they're sick with
14. the hospital trying to wonder where the money is going to come
15. from and so forth. Illinois is one of about four states who
16. doesn't presently have a...a measure of this nature and I would
17. ask for a most favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Question...Is there discussion? Senator Moore.

20. SENATOR MOORE:

21. Thank you, Mr. President and members of the Senate. I have
22. some problem with the bill. I appreciate what the sponsor is
23. trying to do and how it will assist the...the county hospital.
24. The problem that I have is that we are pre-registering people
25. who would be eligible for public assistance prior to the actual need
26. of the medical assistance. Once one is pre-registered and
27. determined eligible the eligibility would be valid for not less
28. than six months or more than a year. Now the burden that it's
29. going to place upon the department would be to redetermine
30. eligibility when or if the need for medical services arose after
31. the person had been previously pre-registered and determined to
32. be eligible. In other words, I might be eligible for medical
33. assistance today and that certification would last at least six

1. months to a year but ninety days or four months or five months
2. or six months from now I may not be eligible and it's going to
3. create a burden upon the Department of Public Aid to, in effect,
4. redetermine the eligibility which if we redetermine at the time
5. of the need of medical service there would be no need or pre-
6. registering them. I can appreciate what we're trying to do here
7. to help out the county hospital, but I have to reflect the thinking
8. of the Illinois Department of Public Aid who opposes this bill.
9. I understand that there was supposed to be an amendment developed.
10. Apparently it had not been developed, Senator, between Doctor
11. Houghton and the department staff that would have clarified some
12. of these points. For that reason I have to oppose the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? Senator Soper.

15. SENATOR SOPER:

16. Thank you, Mr. President. Well, it seems to me that if you
17. pre-register somebody and he's eligible today how do you know what
18. he is six months from now or nine months from now and somebody
19. walks in and they see pre-registered and all of a sudden you
20. give them all these accommodations. You find out that he's not
21. eligible and you've got him down and he says well, you took me
22. in and now I'm not going to pay and then...then you got a big
23. rhubarb on this thing. You got to check the records and recheck
24. the records. If a person comes in, he goes in the hospital. They
25. check...they check and see if he's eligible and you do it once
26. at the time. But pre-registration you got to buy filing cabinets,
27. you got to have extra people to do this. You want more money for
28. it and it's figured that this will cost about eleven million dollars
29. to do this thing. Now if you want to spend eleven million
30. dollars that you haven't got for something that you can't do
31. intelligently well, then you do it. I'm not against people
32. getting service and getting efficient service, but this isn't
33. efficient service. It's like telling me that today I should

1. register for something that I may never use and if I wanted to
2. use it I have to reregister and recheck it. That sounds stupid
3. to me.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Knuppel.

6. SENATOR KNUPPEL:

7. Well, I just wanted to remind Senator Soper that this is
8. the way of the future. Socialism, get with it. You were
9. earlier this afternoon, let's hang in there man.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Senator, I believe I heard the word eleven million dollars.
14. Is that approximately what this is going to cost the State if this
15. procedure is instituted?

16. SENATOR NEWHOUSE:

17. Senator, I haven't the faintest notion where this figure
18. came from and if it can be justified to me, I'll pull this bill
19. right out.

20. SENATOR OZINGA:

21. Well, I just had it produced to me just a few minutes ago
22. that our staff had said that the cost of this program to the
23. Department of Public Aid would be approximately eleven million
24. dollars and I'd like to know a little bit about that.

25.
26.
27.
28.
29.
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32.
33.

SB 1783
5/17/98
3rd Reading

1. PRESIDING OFFICER: (SENATOR BRUCE)

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

4. SENATOR NEWHOUSE:

5. I'm hearing some things here for the first time and I...I
6. don't quite know what they mean. I will still have some
7. control over this bill and I'd like to discuss it with you,
8. but I'm...I'd ask for a most favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is shall Senate Bill 1762 pass. Those
11. in favor vote Aye. Those opposed vote Nay. The voting
12. is open. ...does Senator Newhouse arise?

13. SENATOR NEWHOUSE:

14. Mr...Mr. President, would you take...take it out of
15. the record, there's too much...too many unanswered questions
16. that we ought to resolve before we call this bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Newhouse, I think we'll have to place this
19. bill on the Order of Postponed Consideration. Have all
20. voted who wish? Is there leave to place the bill on the
21. Order of Postponed Consideration? Leave is granted. The
22. bill will be placed on the Order of Postponed Consideration.
23. Senator Newhouse, did you wish to leave 1761 on the Calendar?
24. All right. Senate Bill 1783, Senator Hynes. Read the bill,
25. Mr. Secretary, please.

26. SECRETARY:

27. Senate Bill 1783.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President and members of the Senate. This bill, in
34. its amended form would provide a one thousand dollar homestead

1. exemption to owner occupied single family residences,
2. condominiums and cooperatives to the extent that the
3. assessment on any such dwelling would be increased at
4. the time of reassessment. So it applies only to increases,
5. it does not apply to the existing tax base. There was
6. some confusion yesterday about the amendment that was adopted
7. and that amendment does, in fact, limit the application to
8. owner occupied residences, condominiums and cooperatives
9. and is not otherwise applicable. The bill applies State-
10. wide and it would, as I said provide an exemption of
11. one thousand dollars, of up to one thousand dollars against
12. any increase at the time of reassessment. I think it is
13. a very, very important effort to give some relief to the
14. property taxpayer because of the increases that we have
15. been seeing not only State-wide here, but all over the
16. country. And I believe this is an effort that falls within
17. the purview of the Illinois Constitution, which specifically
18. authorizes homestead exemptions. We are limiting therefore
19. increases that might otherwise be imposed upon property
20. taxpayers and are not eroding the existing tax base.
21. School districts, to the extent that some of these increases
22. will be delayed, will recapture a great part of that through
23. the State-aid formula. I believe this is a workable approach.
24. I think it is an important form of...of relief to taxpayers
25. and I would urge your support.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any discussion? Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr. President. Question of the sponsor.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Indicates he will yield. Senator Rhoads.

32. SENATOR RHOADS:

33. Senator Hynes, thank you for clearing up that...confusion

1. over the amendment yesterday. And you did clear up the fact
2. that this is owner occupied. Do we have any way of distinguishing
3. if the owner occupied residence is the principal residence of...of
4. the owner? For example, if a person lives six months in Cook
5. County and six months in another state or outside of Cook
6. County, what...what do we do in that situation?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Hynes.

9. SENATOR HYNES:

10. I believe that the...the bill does apply if its an
11. owner occupied residence so that it would be covered in
12. that situation.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Rhoads.

15. SENATOR RHOADS:

16. Well, we don't have too many seasonal dwellings in...in
17. Cook County, but frankly, that's the kind of thing I had in
18. mind, a part time residence. In other words, is...is this
19. tied to domicile in any other way? For example, domicile
20. for voting purposes.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Hynes.

23. SENATOR HYNES:

24. It is not so specifically so tied. But if someone...if
25. someone, in fact, were domicile in resident else, I do not
26. think he would qualify. But the question in...in, that you
27. gave to me involved a person who might have a...another place
28. in Florida or something of that nature, I don't think its
29. necessary that you...be a resident and occupy the premises
30. twelve months a year.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Glass.

33. SENATOR GLASS:

1. Thank you, Mr. President. One question of the sponsor.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Indicates he will yield. Senator Glass.
4. SENATOR GLASS:
5. Senator Hynes, like Senator Rhoads, I have had a chance
6. to review your amendment and I...I think the bill is in good
7. form and I...I plan to support it. But you did take out
8. a provision that required the owner to...come in and present
9. proof that he was the owner of the property and I wonder if
10. you could just outline what procedure there is for determining,
11. in fact, whether a residence is owner occupied. How...how
12. will that occur?
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Hynes.
15. SENATOR HYNES:
16. That will be the...the task of the individual assessing
17. officer to set up the procedure, just as it was under the
18. Senior Citizens Homestead Exemption. And it could be done
19. by a certificate that would have to be signed which could
20. be included with the assessment notice. There are a number
21. of possible ways that it could be done. But that is going
22. to be the responsibility of the assessing officer to do it.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Further discussion? Senator Schaffer.
25. SENATOR SCHAFFER:
26. Senator Hynes, what are the ramifications of this bill?
27. Am I correct in assuming that this is just Cook County?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Hynes.
30. SENATOR HYNES:
31. This...this bill applies on a State-wide basis. And it...
32. SENATOR SCHAFFER:
33. It is State-wide.
34. SENATOR HYNES:
35. It is State-wide and the exemption would...would go into

1. effect only when property was reassessed and only to the
2. extent there was an increase not to exceed one thousand
3. dollars.

4. SENATOR SCHAFFER:

5. What are the ramifications on the School Aid Formula
6. with this bill? Who wins, who loses?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Hynes.

9. SENATOR HYNES:

10. I don't think you can translate the ramifications
11. on the School Aid Formula into winning and losing. Any...any
12. district in which there is a break put on the increases,
13. where the increases are not fully realized, where the property
14. has appreciated. The assessed valuation in that district
15. will of necessity be lower and therefore that district will
16. not have the...higher assessed valuation for purposes of the
17. School Aid Formula and additional State-aid would be forth
18. coming. So it will apply equally all over the State.
19. Wherever the...a person qualifies for an exemption, the
20. School Aid Formula will provide additional funds to the
21. district.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. I'm...I'm trying to grasp this thing, it is, of course,
26. reasonably complicated. Simply put, Senator Hynes, would an
27. area with increasing assessed valuations dramatically
28. increasing assessed valuations win under this proposal?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Hynes.

31. SENATOR HYNES:

32. Win in...in terms of the School Aid Formula or generally
33. speaking?

1. SENATOR SCHAFFER:

2. In terms of...a lower assessed valuation than there
3. normally would have been without the bill, which, of course,
4. means there would be an increase in school aid funding.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Hynes.

7. SENATOR HYNES:

8. Anywhere there is an increase, that will be the
9. result. And this will not eliminate every increase.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. Well, coming from an area of increased assessed
14. valuations where we're going up leaps and bounds, it
15. sounds good to me. I just kind of wonder where the,
16. in the areas where the increases haven't been as
17. dramatic whether the impact might not be pretty
18. considerable.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. Senator Hynes, this appears
23. to be just a first faltering meager step to provide some
24. minimal relief to the home...home owner, the home property
25. taxpayer. And my question to you is...the up to a
26. maximum of one thousand dollars in assessed valuation
27. increase being so little when homes in our area out there
28. in the northern part of the State are increasing at the
29. rate of from ten to fifteen percent, I think it is, yearly.
30. And if a home with a thirty thousand dollar valuation
31. as a barely, bare minimum, and there are very few at that
32. rate anymore, assessed valuation, ten percent would be
33. three thousand dollars, your giving a little bit, but

1. not very much. I wonder if you had considered increasing
2. that thousand dollar figure at all?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hynes.

5. SENATOR HYNES:

6. Well, I did give a great deal of consideration as to
7. what the figure should be and I felt this was a reasonable
8. one. I...I think it would be fair to assume that on...
9. using the tax rates State-wide, the taxpayer could in a given
10. year, save up to a hundred, a hundred dollars to a hundred
11. twenty-five dollars with this exemption. The problem with
12. going beyond that is the problem that some have...alluded
13. to here. What is the impact on the local...taxing bodies,
14. in terms of their ability to generate revenue. This is,
15. I think, substantial relief. It is...it is not a total
16. elimination, it is of the assessment increase.

17. SENATOR BERNING:

18. Well, Senator I...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Berning.

21. SENATOR BERNING:

22. ...I appreciate your effort here just as I appreciated
23. the effort of the Rules Committee in allowing my Senate
24. Bill 1392 to be heard by Revenue and that's as far as it
25. got. There's no question but what something has to be
26. done and in...in the absence of something better, which
27. I think my bill was, I would like to support this. But
28. I do want to point out to Mr. President and the members
29. that this figure is a...is a substantially different...
30. differing figure in its impact in various areas. Most
31. of the rest of us, outside of Cook County, are assessed
32. on our real estate at thirty-three and a third percent,
33. whereas in Cook County it's sixteen percent. When you

1. take sixteen percent of the cash value, you get a very small
2. figure relatively and a thousand dollar reduction in any
3. increase there is substantial. Whereas, when you are assessing
4. at thirty-three and a third percent of market value, there,
5. a thousand dollar reduction is really minimal and in my
6. opinion, while this is a faltering step toward giving some
7. relief to the burdened, overburdened taxpayer, it doesn't
8. go far enough, particularly in that portion of the State,
9. which is termed downstate. And most of our taxpayers, I
10. want to tell you are very down in the mouth right now.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion? Senator Soper.

13. SENATOR SOPER:

14. Thank you, Mr. President. Senator Hynes, is this
15. in addition to the senior citizen's tax break that we
16. get? I may be in conflict, you know, conflict of interest
17. to get extra money beside the senior citizen's break on
18. a residential piece of property.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Hynes.

21. SENATOR HYNES:

22. Yes, it is. This applies to everyone, regardless of
23. age.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Soper.

26. SENATOR SOPER:

27. What...what would the fiscal note on this amount to?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hynes.

30. SENATOR HYNES:

31. Well, as I indicated earlier Senator, it is impossible
32. to put a precise figure on it because we are talking about
33. future increases that would occur at a time when the...reassess-
34. ment would be made. So you cannot put an exact dollar figure

1. on it. It depends on what the rate of inflation will be
2. and how it...it continues. If it continues at...at the pace
3. that it currently is at or whether it slows. So you can't
4. put an exact dollar figure on it. I think the important
5. thing is though, from the point of view of...of revenue
6. lost, generally we would be talking about erosion of the
7. existing base, as is the case with the senior citizen
8. exemption where we simply take whatever the assessment is
9. now and we reduce it. This does not reduce the existing
10. tax base. It simply applies to future increases. So that
11. it puts a break on future increases.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Soper.

14. SENATOR SOPER:

15. Well, we just got through with a gem here that told us
16. that we're going to raise all the clerk's salary in the
17. State of Illinois and now we're going to erode the base
18. that the...that the county can use to...to pay these salaries.
19. What are we going to do now, jump out of the oil into the
20. frying pan into the fire, like Senator Knuppel so eloquently
21. has stated, kids, there's no free lunch. And what we're trying
22. to do is tell everybody we're going to be great to them.
23. We're going to be so nice to people that you won't be able
24. to finance all this stuff. I...I really don't understand this.
25. Now we mandate to pay clerks a certain amount of money, now
26. we tell the...tell the counties, you can't...you can't charge
27. ...a thousand dollars. If...if...if a fellow, for instance
28. in the small counties, the...the...the assessed valuation
29. goes up a thousand dollars, you take off the thousand dollars,
30. that's seventy dollars. I...I don't know how you're going
31. to pay these costs if you do this.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Harber Hall.

1. SENATOR HARBER HALL:

2. Well, I...I notice that these bills went out of our
3. Revenue Committee on a seemingly a party line vote. But
4. I don't...I don't have a great deal of quarrel with this
5. bill excepting to point out to the members that we have
6. spent a great deal of time trying to get equalization
7. of assessment in statutory form so that every home owner
8. can go and compare in the assessor's office and know that
9. he is being properly assessed. When we make amendments
10. like this, it's going to be ever increasingly difficult
11. to have a standard of assessment where the citizens
12. themselves have the possibility of insuring themselves
13. that there is standardization, that everyone gets treated
14. equally. So, this breaks away somewhat from that theorem
15. that we tax in Illinois ad valorem, that is at value.
16. Because we are making law that makes exceptions to ad
17. valorem and there are two more bills that do the same coming
18. up. I also would like to point out that the sponsor has
19. seen fit to change the wording in the Homestead Act that
20. was developed after a great deal of thought to insure that
21. this only applies to home owners who are residents in
22. their home when previously the definition of homestead property
23. shall include property occupied as a residence by a person or
24. persons who is et cetera, liable for paying taxes. Now we
25. do away with that language and say that this bill applies
26. to...that shall include property that is owned and used
27. exclusively for a residential purpose. I would suggest
28. to you that I could own fifty homes in Chicago or maybe
29. two or three in Bloomington and that they would all qualify
30. with that language for this exemption of a thousand dollars.
31. I...I really have...I really admire the direction of the
32. legislation to provide a home owner with some breaks, but
33. I'll tell you, I...I have some...some qualifications about

1. the support for them, so I'm going to vote Present.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, this is one of those that now you see it, now
6. you don't bills. I'm going to vote for it because I've
7. had a basic concept that a man ought to be able to get his
8. food, clothing and shelter, without having to pay tax on
9. it in a free country like the United States. Beyond that
10. I can't buy the socialistic principles that exist. That's
11. the reason I'm going to vote for the Homestead Exemption.
12. I tried to get one in the Constitution. I...I feel that
13. everybody ought to be entitled to not a thousand dollar,
14. but a five thousand dollar Homestead Exemption from taxes
15. and that then we should gather the money somewhere else.
16. But one thing we got to realize is the people who are
17. local officials are ingenious too and if we take it away
18. here, they're going to get it somewhere else, because
19. we're not dealing with State funds. Every penny of the
20. Homeowners Tax is kept in his local county and the people who
21. are going to applaud this, and there are a lot of people
22. who will, they're going to say they've gotten relief.
23. As Senator Berning so aptly said, his people are screaming,
24. they're down in the mouth and they think they're going to
25. get something, well, they got to get money someplace,
26. there's no free lunch. It doesn't hurt, I suppose if you
27. take it out of the left pocket, but this money has got to come
28. from somewhere else or it should philosophically because
29. every man, as I say, I feel is entitled to food, shelter
30. and a certain modicum of clothing to cover his nakedness
31. out of this world we live in and based on that concept
32. and that concept alone, I can support this legislation.
33. But to tell anybody or to make anybody believe that the

1. taxpayer, a person who's financially able to pay for his
2. home, is going to get relief unless he's on a fixed
3. income or something, is a little bit illusory where
4. master magicians boys, but I think the boys at the local
5. level can adjust it.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Schaffer, for the
8. second time.

9. SENATOR SCHAFFER:

10. Senator Hynes, we're having a bit of a quandary
11. over here. It's my understanding that the County of Cook
12. being a classification county assesses residences at
13. sixteen and a half percent. The rest of the State assesses
14. at thirty-three and a third. It occurs to me that if that
15. is indeed the case, unless I misunderstand your bill, which
16. is quite possible, that the thousand dollar deduction in
17. Cook County is going to be twice what it would be downstate.
18. If that is, in fact, the case, that means, and let's face
19. it, there's very few places in Cook County that aren't
20. going to increase in...in value just on the basis of
21. inflation if nothing else. That means that the increase in
22. assessment in Cook County will be dramatically decreased, which
23. of course has ramifications on the School Aid Formula.
24. And if this is, in fact, the case, I would respectfully
25. alert my downstate colleagues that one of the ...ramifications
26. of this bill, which obviously is well motivated, could be
27. a dramatic shift in school aid funding into the County of
28. Cook. And I would suggest the downstaters better take a
29. close look at this bill because one of the ramifications
30. may very well be that the State sources will funnel even
31. more in a larger proportion into the County of Cook and
32. I don't think that we want to do that without a serious
33. debate. And if...if I'm wrong on that premise of the two

1. assessment levels, I'd appreciate being corrected, but I'm
2. getting very nervous about this proposal.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? Senator Hynes may close the
5. debate.

6. SENATOR HYNES:

7. Well to respond to...to two points that were made.
8. First, the...the question of whether it applies only
9. to owner occupied single family residences, the precise
10. language of this bill as it exists on the books in the
11. Homestead Improvement Bill and it has been interpreted
12. by the Attorney General in an official opinion to be so
13. limited. The State Department of Local Government Affairs
14. is enforcing it in that fashion. So it does, in fact, apply
15. only to single family residences, condominiums and cooperatives
16. that are owner occupied. Secondly, with respect to...Senator
17. Schaffer's observation, the reduction in assessed valuation
18. will be the same in each county of the State. It will be a
19. one thousand dollar reduction in assessed valuation. So insofar
20. as the School Aid Formula is concerned, the reduction will
21. be the same. There will be no difference. And if...if the
22. ...a...if five thousand, let's say five thousand exemptions
23. are granted outside of Cook County and five thousand in Cook
24. County, the reduction in the base will be five million
25. dollars in Cook County and five million dollars downstate,
26. unless my mathematics are off, but I believe that adds up
27. to five...to five million, in any event. So the reduction
28. will be the same in the base and therefore for purposes
29. of State aid the distribution will...will not be altered.
30. I believe this is an important, important effort to provide
31. some relief to the escalating property tax situation, I have
32. explored a number of alternatives and almost any approach
33. that you take runs into severe constitutional problems.

1. This one, I believe, is constitutional, it does provide
2. relief and I would encourage your support.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. The question is shall Senate Bill 1783 pass. Those
5. in favor will vote Aye. Those opposed will vote Nay.
6. The voting is open. Have all voted who wish? Have all
7. voted who wish? Take the record. On that question the
8. Ayes are 51, the Nays are 2, 3 Voting Present. Senate
9. Bill 1783 having received a constitutional majority is
10. declared passed. Senator Hynes, you wish to proceed
11. right down the line? On the Order of Senate Bills 3rd
12. reading, Senate Bill 1784. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1784.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Hynes.

19. SENATOR HYNES:

20. Mr. President and members of the Senate. This bill
21. applies to the Homestead Improvement Exemption. It would
22. increase that exemption from fifteen thousand to a maximum
23. of twenty-five thousand. It would also, provided the...the
24. deferral, would...would be four years or the next time the
25. property is reassessed in the county in which it is located,
26. whichever is longer. The impact State-wide at this point,
27. will be not that great in terms of dollars because at the
28. present time it...the best estimate we could come up with
29. would be about two hundred thousand dollars State-wide. It
30. will increase gradually as costs continue to increase which
31. they have been doing. I think the...the reason for this and
32. the importance of it is that the program has worked very
33. well and in certain areas of this State, it has been an

1. important incentive to property owners to improve their
2. property. The original bill that we passed deferred the
3. taxes for a period of four years. The tax increase due
4. to the improvement and this would increase the amount
5. to twenty-five thousand and provide it's four years
6. or the next time the property is reassessed on the regular
7. basis, whichever is longer. And I would appreciate your
8. support.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Senator Berning.

11. SENATOR BERNING:

12. Question of the sponsor.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Sponsor indicates he will yield. Senator Berning.

15. SENATOR BERNING:

16. Unfortunately, I don't have the bill in front of me,
17. Senator Hynes. When you say, exemption from an annual
18. maximum to a new maximum of twenty-five thousand, would
19. that be every year, sir? Or could that be every year for
20. the homeowner?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Hynes.

23. SENATOR HYNES:

24. It is an annual exemption, so that in one year the
25. improvements cannot total beyond that. Then it...then you
26. get an exemption for four years and at the end of that time
27. it...it goes off for...at the end of that time or the next
28. ...the next time the...the property is reassessed.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Berning.

31. SENATOR BERNING:

32. Let me clarify. I, as a homeowner, could not have a
33. twenty-five thousand dollar improvement every year, is

1. that what you're saying?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Hynes.

4. SENATOR HYNES:

5. That is correct. It is currently fifteen thousand every

6. year. And then at the end of four years that exemption would

7. disappear and you'd begin paying taxes on it.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Berning.

10. SENATOR BERNING:

11. I apparently still don't...make myself clear. I know

12. it's fifteen and it says annual. My question is, is that

13. a twenty-five proposal every year?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hynes.

16. SENATOR HYNES:

17. My answer again is, yes, it is. That's the way it is

18. now at fifteen and that is the way...there's no change

19. at all in that and that's the way it will be.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berning.

22. SENATOR BERNING:

23. Then in four years, I can add a hundred thousand dollars

24. to the value of my home.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Hynes.

27. SENATOR HYNES:

28. That is correct and at the end of that time the first

29. twenty-five thousand would be picked up and then the next

30. year another twenty-five thousand the following year another

31. twenty-five thousand. But you must...you must do it to an

32. existing...an existing home that...that is already on the

33. books and assessed.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berning.

3. SENATOR BERNING:

4. Well, Mr. President and members of the Senate. This
5. poses a very, very interesting situation. I supported the
6. fifteen thousand dollar exemption for an improvement and
7. I assumed that was one improvement. Now I submit to
8. you that here we are having inadvertently, at least in my
9. case, supported a sixty thousand dollar improvement over
10. a period of four years, now being confronted with the
11. option of a one hundred thousand dollar improvement
12. over four years. And I suggest to you, Ladies and Gentlemen,
13. that we ought to carefully think about this because I
14. could have a chicken coop, if you will, on my property
15. and I could build in four years, a hundred thousand dollar
16. mansion around it and tear down the chicken coop on the
17. inside and be subjected to little or no tax. for four
18. years. And at the end of four years, I sell it, and it
19. seems to me that in our effort to make it appealing and
20. to a degree accommodating to the homeowner, we are going
21. too far with this concept. If this were one improvement
22. in an quadrennial period, it would make some more sense
23. in my opinion. The way it is here, I submit that this
24. is an unwarranted windfall for some people and I...I
25. would suggest that this is the sort of thing that we...we
26. ought to carefully weigh and in my opinion ought to reject.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Hynes.

29. SENATOR HYNES:

30. Well, Mr...Mr. President and members of the Senate.
31. In response the...it would not apply to the chicken coop
32. situation because the...the law requires that there be
33. an existing structure which is used for that purpose and

1. there is no change whatsoever in the existing law as to
2. what is qualified...as to what qualifies. And if...if it
3. is not a...an improvement to an existing residence, it
4. simply does not qualify so that you could not use it to,
5. in effect, as a subterfuge. And I think it is a reasonable
6. proposal and would ask for your support.

7. PRESIDING OFFICER: (SENATOR HYNES)

8. Further discussion? Senator Walsh.

9. SENATOR WALSH:

10. Mr. President and members of the Senate. I think
11. Senator Berning's observations are appropriate and I rise
12. in opposition to this bill. I did not support the fifteen
13. thousand I think going to twenty-five thousand so soon after
14. we...we pass the lawmaking at fifteen is unwarranted.
15. The...for someone who wants to make an improvement of over
16. fifteen thousand dollars and secure an exemption, it seems
17. to me he could just wait for a year and put on the other ten.
18. I don't know that these legislative exemptions State-wide are
19. such a good idea. I supported the other bill because it...it
20. seemed to alleviate a problem in a quadrennial assessment
21. year for...and it was only a one thousand dollar assessment,
22. Homestead Exemption. But this goes from fifteen to twenty-
23. five. My recollection is the fifteen thousand has only been
24. on...I...I thought it was a year, maybe it's just a couple
25. of years. And to go to twenty-five thousand you're talking
26. about a significant...a significant improvement. I think
27. it's more like a rebuilding than a...than a mere improvement
28. and I intend to vote No on this bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Well, if the members can just realize what's happening
33. here, they will soon see that with a bill like this that

1. every supervisor of assessments, every assessor, will be
2. able to take care of his friends in any way he wants because
3. there will be no comparison available between your house
4. and the house next door. You don't know what improvements
5. were made four years ago or three years ago or two years
6. ago, they could be anything. So when you read the assessment
7. lists that are published or if you go down and ask for them,
8. you can't say well that house is worth more than mine.
9. Obviously, the fair market value...would put it...it worth
10. twenty thousand more than mine, but they are not being
11. assessed that additional because the assessor will have an
12. excuse. He will be able to pull out seventeen eighty-four
13. and he'll say, well, they made some improvements and he'll
14. say that takes care of that, goodbye. So we're really
15. getting away from the whole concept of taxation of real
16. ...property ad valorem and this is...is a real intrusion to
17. that concept and I ask that this bill be defeated.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Further discussion? Senator Leonard.

20. SENATOR LEONARD:

21. Mr. President, I was impressed by the chicken coop
22. conspiracy that was...entailed here. I...I compliment
23. Senator Berning, I did not realize he had such imagination.
24. I do not know if there's going to be a rush to go out and
25. build hundred thousand dollar chicken coops in the four
26. years. I think we're missing the point. We're talking
27. about something that will encourage people to improve their
28. homes, if someone has a hundred thousand dollars and wishes
29. to improve a home that way, four years will pass, property
30. values will go up and I think we have to look at the benefit
31. that will come out of this over the long range and not
32. worry about people hypothetically going out and building
33. a hundred thousand dollar chicken coops.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, fellows I'm moving from Virginia to Havana and
5. I'm going to build a new house and that chicken coop idea
6. just suits me, I only need one room to sleep in and I'll
7. do it a little bit at a time, but this is good legislation
8. in an election year and I think you guys should all get
9. on it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Glass.

12. SENATOR GLASS:

13. Thank you, Mr. President, Ladies and Gentlemen. I...I
14. would bring up one...one additional point. I think in
15. partial response to...to Senator Leonard's point, the
16. next bill in the series seems to be a lot more appropriate
17. because it...it is a bill that does not increase assessments
18. for people who repair and maintain their homes, but we
19. are dealing with an ad valorem property tax, that's
20. what a real estate tax is. And we're saying by this bill
21. that even though that's the basis of the tax, we're going
22. to ignore it to the extent of a hundred thousand dollars.
23. And I...I tend to agree with...with Senator Walsh's
24. comments that this is...this is going much too far even
25. if it is an election year.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? Senator Hynes may close the
28. debate.

29. SENATOR HYNES:

30. Very simply, Mr. President, the potential abuses that
31. have been talked about here have not occurred nor could
32. they occur because the...it is within the...the statutory
33. intent that they not occur and the assessor in...in the

1. individual...county simply would not allow that to happen.
2. The fact is that in the past three years since this bill
3. has been in operation, inflation in the area of cost of
4. construction has run rampant and many of the relatively
5. modest improvements that are being put on homes are
6. exceeding, or are going to be exceeding fifteen thousand
7. dollars. And it is a very common practice in many communities
8. in this State where families will move into a...a small home, like
9. the neighborhood in which they live, they like their neighbors
10. and they, rather than move to a larger home, they simply would
11. like to...to try to build something onto it. I think it's
12. a very desirable thing and that has been the result of the
13. original bill. This simply tries to keep up with the...the
14. problems that inflation has been causing and will cause into
15. the future and I would urge your support.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. The question is shall Senate Bill 1784 pass. Those in
18. favor will vote Aye. Those opposed will vote Nay. The
19. voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question the Ayes
21. are 38, the Nays are 18, 1 Voting Present. Senate Bill
22. 1784 having received a constitutional majority is declared
23. passed. On the Order of Senate Bills 3rd reading, Senate
24. Bill 1785. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1785.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Hynes.

31. SENATOR HYNES:

32. Mr. President and members of the Senate. This is the
33. simplest of the three in the series. It provides that

1. repair and maintenance, ordinary repair and maintenance to
2. a home is not an assessable item. It applies only to Cook
3. County. We passed a bill last year with respect to downstate.
4. This had never been a problem in the State in the past up
5. until the last few years. In almost every county in the
6. State, the assessors interpreted the existing law, and I
7. think correctly, that repair and maintenance was not an
8. assessable item. Some county assessors downstate began
9. to assess when someone would paint a house or do some other
10. normal repair and improvement. A bill was put through last
11. year on that subject and this bill would simply make it
12. clear in Cook County that the longstanding practice is
13. not...I mean that the longstanding practice is the correct
14. practice and I'd ask your support.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Is there any discussion? Senator Schaffer.

17. SENATOR SCHAFFER:

18. Senator Hynes, I believe downstate though there is a
19. ceiling. I think that's the difference between this bill
20. and...the downstate provision. I think the...it's somewhere
21. under eight thousand. Am I correct in that assumption?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Hynes.

24. SENATOR HYNES:

25. You are...you are correct. There is a seventy-five
26. hundred dollar ceiling which in my judgment was a mistake
27. that was put on. The...and I have indicated to a number
28. of members that have...have asked that question that I
29. would support an effort to take that ceiling off as far
30. as downstate is concerned. The practice in Cook County
31. has been simply to disregard these totally and any effort
32. to put a ceiling would be a change in what the policy has
33. been in Cook County. Furthermore, if you read the bill that

1. was passed last year for downstate, the last sentence, and
2. I was looking for it...I...the last sentence of it says,
3. that nothing herein shall be construed to make anything
4. assessable that wasn't assessable before. So all those down-
5. state assessors that through the years did not assess,
6. repair and maintenance, will continue to do what they were
7. doing before. So, in effect, there is no cap for most
8. of the downstate counties. But as I said, I...I would be
9. very happy to remove the cap if that is the desire of
10. Legislators here, And I will so do if...if this bill,
11. the Body sees fit to pass this bill and it is the desire
12. of the downstate members, I will have amendment put on
13. in the House to...to do exactly that. But I did...I
14. want to simply codify what is existing practice in Cook
15. County.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Well, ...Senator Hynes, frankly I'd feel a lot better
20. if this bill left the Senate with that amendment on. And again
21. there are some ramifications, clearly in this case, in assess-
22. ments and School Aid Formula for downstaters. We have, I
23. think, a dichotomy here that isn't...is not a good thing.
24. I think if it's good for Cook County, it's good for down-
25. state. By the way, I think it is good for the whole State
26. and with that amendment on I could cheerfully support the
27. bill, I think, but without it, you'll pardon me if I'm
28. a little reluctant.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Hynes may close the
31. debate.

32. SENATOR HYNES:

33. Well as I...as I indicated, I...I think that should be

1. done. I think the existing law, in effect, means that
2. anyway, Senator Schaffer, and I'd like...I have the
3. provision now, it says "this section shall not be construed
4. to require an assessment increase in any case in which such
5. increase would not have been required prior to the effective
6. date of this Amendatory Act of 1977." So that in...in the
7. overwhelming majority of the counties downstate, simply
8. do not take into consideration repair and maintenance
9. so that they've gone on with the same practice. And those
10. that...that wish to have a cap, so be it, but I do not know
11. why it was put on in the first place, I don't think it
12. should have been, and as I indicated to you, if...if
13. there...there were some that wanted it from out...outside
14. of this Body, I...I understand, I'd be happy to support
15. that amendment over in the House and then send the bill
16. back here for that...that kind of concurrence. But I
17. would like to move the bill now and I've already asked
18. on the basis of discussions several people have asked
19. me about it over the past few days and I...I have instructed
20. our staff to try to find out what the position of the
21. ...State Assessment Officials Association is and so
22. on and I'd be happy to cooperate in that. But I would like
23. to pass the bill now and if...if that changes the desire,
24. I will be happy to go along with it.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. The question is shall Senate Bill 1785 pass. Those
27. in favor will vote Aye. Those opposed will vote Nay.
28. The voting is open. Have all voted who wish? Have all
29. voted who wish? Take the record. On that question the
30. Ayes are 49, the Nays are 5, 2 Voting Present. Senate
31. Bill 1785 having received the constitutional majority
32. is declared passed. Do you wish 86? 1792, Senator
33. Guidice. 1798, Senator Carroll. Middle of page 12 on

1. the Calendar, Senator Carroll. All right, on the Order of
2. Senate Bills 3rd reading, Senate Bill 1798. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1798.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR CARROLL)

9. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, Mr. President, Ladies and Gentlemen of
12. the Senate. This bill is a suggestion from the Reference
13. Bureau that because of two changes last year in the tax
14. incremental financing, the machines, in their magic, failed
15. to spit out a paragraph. And while it was never intentionally
16. omitted nor stricken by any bill, it was not printed and
17. therefore it was suggested that this bill be placed to
18. correct that technical error. I would ask for a favorable
19. roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is there any discussion? The question is shall Senate
22. Bill 1798 pass. Those in favor will vote Aye. Those opposed
23. will vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Take the record. On that question
25. the Ayes are 58, the Nays are none, none Voting Present.
26. Senate Bill 1798 having received a constitutional majority
27. is declared passed. ...1802, Senator Walsh. 1816, Senator
28. Joyce. 1822, Senator Leonard. 1830, Senator Weaver. On
29. the Order of Senate Bills 3rd reading, Senate Bill 1830.
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1830.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Weaver.

4. SENATOR WEAVER:

5. Thank you, Mr. President. Senate Bill 1830 amends
6. the original County Nursing Home Act by clearly granting
7. the local county boards the authority to establish admission
8. policies at the local level. There are about thirty-nine
9. county nursing homes in the State of Illinois housing
10. about six percent of the...nursing home patients in the
11. State. We have added by amendment, Senator Hickey put
12. on the word, "shall", which says that they shall be admitted
13. to county nursing homes pursuant to uniform rules and
14. also we put in the nondiscrimination clause at the end
15. of page 4 which states that all admissions of...of persons
16. pursuant to this act shall be made without regard to
17. age, sex, race, color, religion, creed, ancestry, physical
18. or mental handicap, occupation or national origin of the
19. person making the application. If there's any questions,
20. I'd be happy to try to answer them, if not, I'd appreciate
21. a favorable roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Senator Hickey.

24. SENATOR HICKEY:

25. Thank you, Mr. President. There's another part of
26. this bill which I think is really important. It's some-
27. thing that I tried to amend on another bill last year
28. that...that finally fell apart and that is that nursing
29. homes now may charge the approximate cost to private patients,
30. and this is a very important part of the bill, I think.
31. And...and I rise in support of the whole thing.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any further discussion? Senator Weaver, you may close

1. the debate.

2. SENATOR WEAVER:

3. Appreciate a favorable roll call, Mr. President.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The question is shall Senate Bill 1830 pass. Those

6. in favor will vote Aye. Those opposed will vote Nay.

7. The voting is open. Have all voted who wish? Have all

8. voted who wish? Take the record. On that question the

9. Ayes are 42, the Nays are 3, 7 Voting Present. Senate

10. Bill 1830, having received a constitutional majority

11. is declared passed. Senator McMillan, 1852. Three hold.

12. 56, Senator Regner. 8, okay. Hold on the last one, okay.

13. All right. Message from the Governor.

14. SECRETARY:

15. Message from the Governor by Zale Gauberman, Director,

16. Legislative Affairs.

17. Mr. President - The Governor directs me to lay

18. before the Senate the following message:

19. To the Honorable member of the Senate, 80th

20. General Assembly. I have nominated and appointed the

21. following named persons to the offices enumerated below

22. and respectfully ask concurrence in and confirmation of

23. these appointments by your Honorable Body.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Executive Appointments. Senator Johns, for what

26. purpose do you arise?

27. SENATOR JOHNS:

28. Thank you, Mr. President. Excuse me for the temporary

29. delay. I'd like to join as cosponsor with Senator Hall,

30. my seatmate of Senate Bill 1483.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You heard the request. Is leave granted? Leave is

33. granted. So ordered. If I can have the attention of the

1. membership, as I understand it, we will, with leave of
2. the Body go to House Bills 3rd reading to pick up an emergency
3. appropriation bill and then go back to Senate 3rd. There
4. are ten members who have requested that bills be brought back
5. for the purpose of an admendment and then that will conclude
6. the day's business I am realiably informed. Leave of the Body
7. we'll go to House Bills 3rd reading. On the Order of House
8. Bills 3rd reading, House Bill 3230. Read the bill, Mr.
9. Secretary.

10. SECRETARY:

11. House Bill 3230.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, Mr. President and Ladies and Gentlemen of the Senate.
18. This bill is an appropriation bill for both a transfer and an
19. addition of funds to the Industrial Commission. The additional
20. funds are needed for the salary increases that we provided for
21. the arbitrators and for the secretary of the commission. In
22. addition to that there is a transfer from the EDP account
23. of some twenty-seven thousand dollars into the general
24. account to take care of the adjustments in the salary
25. positions...are there. This is a...an emergency bill to
26. take of this because they missed one payroll on this al-
27. ready and we need to have this go through this week in
28. order for them to make the end of the month payroll. I'll
29. be glad to answer any questions. If not, I would ask for
30. a favorable roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is there any discussion? The question is shall House
33. Bill 3230 pass. Those in favor will vote Aye. Those opposed

1. will vote Nay. The voting is open. Have all voted who
2. wish? Have all voted who wish? Take the record. On
3. that question the Ayes are 57, the Nays are none, none
4. Voting Present. House Bill 3230 having received a consti-
5. tutional majority is declared passed. All right, we have
6. eight members who have requested that their bills be
7. brought back from the Order of 3rd reading to the Order
8. of 2nd reading. If...if any other members have amend-
9. ments on that order of business, please deliver them
10. immediately to the Secretary and we'll try to accommodate
11. those requests. On the Order of Senate Bills 3rd reading,
12. Senate Bill 309. Senator Sangmeister seeks leave of the
13. Body to bring back Senate Bill 309 to the Order of 2nd
14. reading for purpose of an amendment. Is leave granted?
15. On the Order of Senate Bills 2nd reading, Senate Bill 309.
16. Mr. Secretary. Senator Sangmeister.

17. SENATOR SANGMEISTER:

18. Thank you, Mr. President. Inadvertently, the first
19. amendment that was put on was a defective amendment so
20. at this time I would like to move to Table Amendment No. 1.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. Senator Sangmeister has moved to reconsider
23. the vote by which Amendment No. 1 to Senate Bill 309 was
24. adopted. All those in favor signify by saying Aye. All
25. those opposed? The Ayes have it. The vote is reconsidered.
26. Senator Sangmeister now moves to Table Amendment No. 1 to
27. Senate Bill 309. All those in favor signify by saying Aye.
28. All those opposed. The Ayes have it. The amendment is
29. Tabled. Further amendments?

30. SECRETARY:

31. Amendment No. 2 offered by Senator Sangmeister.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Sangmeister.

1. SENATOR SANGMEISTER:
2. We now would move for the adoption of Amendment No. 2
3. which is the correct amendment that should have been put
4. on in the first place.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Sangmeister has moved the adoption of Amend-
7. ment No. 2 to Senate Bill 309. Is there any discussion?
8. All those in favor signify by saying Aye. All those
9. opposed? The Ayes have it. The amendment is adopted.
10. Any further amendments?
11. SECRETARY:
12. No further amendments.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. 3rd reading. Okay, on the Order of Senate Bills,
15. Senator Joyce on the Floor? Senator D'Arco. On the
16. Order of Senate Bills 3rd reading, Senate Bill 571.
17. Senator D'Arco seeks leave of the Body to bring
18. back Senate Bill 571 to the Order of 2nd reading for
19. the purpose of an amendment. Is leave granted? On the
20. Order of Senate Bills 2nd reading, Senate Bill 571. Mr.
21. Secretary. Senator D'Arco.
22. SENATOR D'ARCO:
23. Having voted on the prevailing side, I would move
24. that Amendment No. 1 to House...Senate Bill 571 be
25. reconsidered.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator D'Arco has moved to reconsider the vote by
28. which Amendment No. 1 to Senate Bill 571 was adopted.
29. All those in favor signify by saying Aye. All those
30. opposed? The Ayes have it. The vote is reconsidered.
31. Senator D'Arco now moves to Table Amendment No. 1 to
32. Senate Bill 571. All those in favor signify by saying

1. Aye. All those opposed? The Ayes have it, the amendment
2. is Tabled. Further amendments?
3. SECRETARY:
4. Amendment No. 2 offered by Senator Berning.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Berning.
7. SENATOR BERNING:
8. Thank you, Mr. President. This is the amendment we
9. agreed upon in committee. All it does, it provides
10. the...annuitant will pick up not only the employee, but
11. employer's share of the cost. It's standard in all of our
12. provisions and I move for the adoption of Amendment No. 2.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Berning has moved the adoption of Amendment
15. No. 2 to Senate Bill 571. Is there any discussion? All
16. those in favor signify by saying Aye. All those opposed?
17. The Ayes have it. The amendment is adopted. Any further
18. amendments?
19. SECRETARY:
20. No further amendments.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. 3rd reading. On the Order of Senate Bills 3rd
23. reading, Senate Bill 1083. Senator Berning seeks leave
24. of this Body to bring back Senate Bill 1083 to the Order
25. of 2nd reading for purposes of an amendment. Is leave
26. granted? Leave is granted. On the Order of Senate Bills
27. 2nd reading, Senate Bill 1083. Mr. Secretary.
28. SECRETARY:
29. Amendment No. 3 offered by Senator Berning.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Berning.
32. SENATOR BERNING:
33. Thank you, Mr. President and members of the Senate.

1. I respectfully request approval of Amendment No. 3. This
2. is an emergency amendment that is necessary to bring us
3. into conformity with the Federal regulations insofar as
4. pension coverage for CETA employees. It is my intention
5. to put this amendment on, pass the bill back to 3rd
6. reading with the concurrence of the Body, and I will hold
7. it there so that everyone will have an opportunity to
8. examine the amendments. I will have a...an explanation
9. which will be furnished for you by the IMRF as well as
10. the State Pension System so that there will be, I hope,
11. a complete understanding. But it's my assurance to you
12. all that I will not call the bill until there is an
13. opportunity for everyone to become familiar with the
14. provisions of this amendment. I therefore move, Mr.
15. President, the adoption of Amendment No. 3.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Berning has moved the adoption of Amendment
18. No. 3 to Senate Bill 1083. Is there any discussion?
19. All those in favor signify by saying Aye. All those
20. opposed? The Ayes have it, the amendment is adopted.
21. Any further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. 3rd reading. Senator Walsh. On the Order of Senate
26. Bills 3rd reading, Senate Bill 1802. Senator Walsh seeks
27. leave of this Body to bring back Senate Bill 1802 to the
28. Order of 2nd reading for the purpose of an amendment. Is
29. leave granted? Leave is granted. On the Order of Senate
30. Bills 2nd reading, Senate Bill 1802. Mr. Secretary.

31. SECRETARY:

32. Amendment No. 2 offered by Senator Walsh.

33. SENATOR WALSH:

1. What's the status of Amendment No. 1, Mr. Secretary?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Amendment No. 1 was the one that was Tabled, I believe.

4. SENATOR WALSH:

5. Yes. Mr. President and members of the Senate. When
6. the bill was called on 3rd reading yesterday, Senator Berman
7. raised a question as to the effect this bill might have on
8. the transportation levy that would be made by elementary school
9. districts. After consulting with the Office of Education
10. and Senator Berman, we concluded the best approach would
11. be to limit the effect of this bill to Cook County and to
12. DuPage County. For that reason, we drafted Amendment No. 2
13. which is on the Secretary's Desk that would limit the
14. effect of this bill permitting high school districts to
15. transport elementary school students to DuPage and...Cook
16. County. I move the adoption of Amendment No. 2.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Walsh has moved the adoption of Amendment No. 2
19. to Senate Bill 1802. Is there any discussion? All those
20. in favor signify by saying Aye. All those opposed? The
21. Ayes have it. The amendment is adopted. Any further
22. amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. 3rd reading. Senator Bruce on the Floor? On the Order
27. of Senate Bills 3rd reading, Senate Bill 1835. Senator
28. Bruce seeks leave of this Body to bring back Senate Bill
29. 1835 to the Order of 2nd reading for the purpose of an
30. amendment. Is leave granted? Leave is granted. On the
31. Order of Senate Bills 2nd reading, Senate Bill 1835. Mr.
32. Secretary.

33. SECRETARY:

1. Amendment No. 1 offered by Senator Bruce.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, Mr. President. In 1975 we changed the

6. State Employees Group Insurance Act to redefine the...the

7. word, "employee", and inadvertently excluded all the people

8. at the University of Illinois in their Cooperative Extension

9. Service because they do not as Federal employees participate

10. in any State Retirement System. That was inadvertant, we

11. have carried them on the program, but now we would like to

12. reaffirm the fact that they are, in fact, designated employees

13. under our group insurance program. Senator Weaver is

14. well aware of the amendment. Move its adoption.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bruce has moved the adoption of Amendment No. 1

17. to Senate Bill 1835. Is there any discussion? Senator

18. Graham?

19. SENATOR GRAHAM:

20. Mr. President, I'd like to make an announcement. I

21. know this is probably not a proper time.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Oh, can...I'll get right back to you. Let's adopt

24. this amendment then we're through with this order of

25. business.

26. SENATOR GRAHAM:

27. All right. I'm sorry. I'm sorry.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Bruce has moved the adoption of Amendment No. 1

30. to Senate Bill 1835. Any discussion? All those in favor

31. signify by saying Aye. All those opposed? The Ayes have

32. it. The amendment is adopted. Any further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. 3rd reading. All right, Gentlemen we are...any other
4. member have a bill that he wishes to bring back for purpose
5. of an amendment at this time? All right. Senator Graham.

6. SENATOR GRAHAM:

7. I see the troops are all getting restless and before
8. they get too restless, I'd like to announce to the worthies
9. on this side of the aisle that there will be a Republican
10. caucus at 9:00 o'clock tomorrow in Room 400. Republican
11. Caucus, 9:00 o'clock in the morning. I know you're over-
12. joyed.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any indications as to how long that might take,
15. Senator? We're due to come in at 9:00 o'clock.

16. SENATOR GRAHAM:

17. I thought it was 10:00.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. My understanding was 9:00 o'clock tomorrow morning.
20. Is that correct, Senator Hynes?

21. SENATOR GRAHAM:

22. I heard it was 10:00, that's why...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Well, I...I only work here. Senator Philip.

25. SENATOR PHILIP:

26. I'll make...I don't think I'll make any comments about
27. that Senator Rock, but I do have an announcement. We have
28. a softball practice game scheduled for this evening at
29. 6:00, Lincoln Park, Diamond 4. So all you jock straps, let's
30. get out there.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Graham, you are correct. In order to accommodate
33. your caucus, it will be 10:00 o'clock tomorrow morning. We

1. We do have one joint resolution, which I'm told, the House
2. is awaiting. With leave of the Body, we'll go to the Order
3. of resolutions.

4. SECRETARY:

5. Senate Resolution 385 offered by Senator Daley and
6. all Senators, it's congratulatory.

7. Senate Resolution 386 offered by Senator Demuzio
8. and it's a death resolution.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Consent Calendar.

11. SECRETARY:

12. Senate Joint Resolution 88 offered by Senator Hynes
13. and all Senators.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hynes.

16. SENATOR HYNES:

17. Mr. President and members of the Senate. We have been
18. informed that President Carter will be visiting Springfield
19. on Friday, May 26th and we have communicated with the President
20. our desire to have him address a Joint Session of the General
21. Assembly and he has consented to do that. And this resolution
22. would simply state those facts that I have just outlined and set
23. the hour of 9:15 a. m. on Friday, May 26th for a Joint Session
24. of the House and Senate for the purpose of hearing the President
25. of the United States and I think it is a great honor to this
26. Assembly and I'm pleased to be able to move the adoption of this
27. resolution.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hynes has moved to suspend the rules for the
30. immediate consideration and adoption of Senate Joint Resolution
31. 88. All those in favor signify by saying Aye. All those
32. opposed? The Ayes have it, the rules are suspended. Senator
33. Hynes now moves the adoption of Senate Joint Resolution 88.

1. Is there any discussion? All those in favor signify by saying
2. Aye. All those opposed? The Ayes have it, the resolution is
3. adopted. Any further business or announcements? Senator
4. Schaffer.

5. SENATOR SCHAFFER:
6. Mr. President, I'd just like to ask leave of the Body
7. to join Senator Davidson in sponsorship of House Bill 2696.

8. PRESIDING OFFICER: (SENATOR ROCK)
9. You've heard the request. Is leave granted? Leave is
10. granted. So ordered. Senator Vadalabene.

11. SENATOR VADALABENE:
12. Yes, Mr. Chairman, a similiar request. I would like to
13. have leave to have myself shown as joint sponsor with Senator
14. Grotberg on House Bill 2666.

15. PRESIDING OFFICER: (SENATOR ROCK)
16. 2666, you've heard the request. Is leave granted? Leave
17. is granted. So ordered. Senator Sangmeister.

18. SENATOR SANGMEISTER:
19. Yes, thank you, Mr. President. I would like leave to
20. be shown as the Senate sponsor on House Bill 2447, which
21. is presently assigned to Senator Knuppel. I've discussed
22. this with him and he has no objection.

23. PRESIDING OFFICER: (SENATOR ROCK)
24. All right. You heard the request. Is leave granted?
25. 2447, leave is granted. So ordered. Senator Knuppel.

26. SENATOR KNUPPEL:
27. Just on a matter of personal privilege. That resolution
28. about the...the President just show me as voted No please.

29. PRESIDING OFFICER: (SENATOR ROCK)
30. The record will show. Also state. Senator Mitchler.

31. SENATOR MITCHLER:
32. Way of announcement, Mr. President. Those Senators that
33. recived their certificates from the American Legion for Memorializing

1. Congress to vote No on the Panama Canal, please bring them
2. next Friday so we can get our picture taken with President
3. Carter.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further business to come before the Senate? Senator
6. Hynes.

7. SENATOR HYNES:

8. First, Mr. President, an announcement. The...reminder
9. that the Gridiron Dinner will be held next Wednesday evening
10. at the Elks Club and tickets are available from any member of
11. the Illinois Legislative Correspondence Association. The
12. tickets are going fast so you better get in on the...the act
13. while there's still a chance. Second...secondly, I would
14. ask leave of the Body to have Senator Ziomek shown as the
15. principal sponsor of Senate Bill 1522. I am on as principal
16. sponsor. I would like to remain as a sponsor, but have
17. Senator Ziomek shown as the principal sponsor.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. You've heard the request. Is leave granted? Leave
20. is granted. So ordered. Any other announcements? Any
21. further business to come before the Senate? If not, Senator
22. Ziomek moves that the Senate stand adjourned until Thursday
23. May 18th at the hour of 10:00 a. m. The Senate stands
24. adjourned.

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