

MARCH 14, 1979

REGULAR SESSION

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of twelve having arrived the Senate will come
3. to order. Will the guests in our galleries please rise.

4. Prayer by Rabbi Barry A. Marks, Temple Israel, South Lincoln
5. and Governor, Springfield, Illinois. Rabbi Marks.

6. RABBI BARRY A. MARKS:

7. (Prayer by Rabbi Marks)

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Reading of the Journal.

10. SECRETARY:

11. March...Thursday, March the 1st, 1979; Friday, March the
12. 2nd, 1979; Wednesday, March 7th, 1979 and Thursday, March the
13. 8th, 1979.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Johns.

16. SENATOR JOHNS:

17. Thank you, Mr. President. I move that the Journals just
18. read by the Secretary be approved unless some Senator has
19. additions or corrections to offer.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. You've heard the motion. Those in favor indicate by
22. saying Aye. Those opposed. The Ayes have it. The motion
23. carries. Committee Reports.

24. SECRETARY:

25. Senator Donnewald, the Chairman of the Assignment of Bills
26. Committee assigns the following bills to committees: Agriculture,
27. Conservation and Energy, Senate Bill 224; Higher Education,
28. Senate Bill 228; Elections and Reapportionment, Senate Bill 225;
29. Executive, Senate Bills 220 and 223; Finance and Credit Regulations,
30. Senate Bill 229; Insurance and Licensed Activities, Senate Bills
31. 226 and 230; Judiciary I, Senate Bills 227 and 231; Judiciary II,
32. Senate Bill...Senate Bill 222; Labor and Commerce, Senate Bill 219;
33. Local Government, Senate Bill 221.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. A Message from the House.
3. SECRETARY:
4. A Message from the House by Mr. O'Brien, Clerk.
5. Mr. President - I am directed to inform the
6. Senate the House of Representatives has passed bills with the
7. following title in the passage of which I instructed to ask
8. concurrence of the Senate to-wit: House Bills 41, 45, 58,
9. 186, 231, 234, 256, 309 and 360.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Resolutions.
12. SECRETARY:
13. Senate Resolution 67 offered by Senator Davidson and all
14. members and...it's congratulatory.
15. Senate Resolution 68 offered by Senators Davidson and
16. Graham and all Senators and it's congratulatory.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Consent Calender. Introduction of bills.
19. SECRETARY:
20. Senate Bill 232 introduced by Senator Demuzio.
21. (Secretary reads title of bill)
22. Senate Bill 233 introduced by Senator Jerome Joyce.
23. (Secretary reads title of bill)
24. Senate Bill 234 introduced by Senator D'Arco.
25. (Secretary reads title of bill)
26. Senate Bill 235 introduced by Senators Netsch-Walsh.
27. (Secretary reads title of bill)
28. Senate Bill 236 introduced by the same sponsors.
29. (Secretary reads title of bill)
30. Senate Bill 237 intorduced by the same sponsors.
31. (Secretary reads title of bill)
32. Senate Bill 238 introduced by Senators Netsch, Rhoads...
33. (Secretary reads title of bill)

1. Senate Bill 239 introduced by Senator Vadalabene.
2. (Secretary reads title of bill)
3. Senate Bill 240 introduced by the same sponsor.
4. (Secretary reads title of bill)
5. 1st reading of the foregoing bills.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Communications.
8. SECRETARY:
9. A Message from the...President pursuant to Senate Rule
10. 61. The following Senators are appointed to serve on the
11. Committee on the Reorganization of State Government. Senator
12. Dawn Clark Netsch, Chairman. Other members are Senators D'Arco,
13. Buzbee, Carroll, Daley, Vadalabene, Wooten, Hall, Senator John
14. Graham, Minority Spokesman. Other members Senators Geo-Karis,
15. ...McMillan, Weaver and Philip. Signed, Senator Philip J. Rock,
16. President of the Senate.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. The Secretary advises the Chair that the Permanent Rules
19. as amended will...are in the process of being prepared and will
20. be distributed to the membership, probably tomorrow. Senator
21. Rock moves that the Governor's Proclamation that resides in
22. Rules Committee be...it's an Executive Order, I'm advised...be
23. removed from Rules Committee to the Committee on Reorganization
24. of State Government. Those in favor indicate by saying Aye.
25. Those opposed. The Ayes have it. The motion carries. A
26. Message from the Governor.
27. SECRETARY:
28. A Message from the Government by Jim Edgar, Director...of
29. Legislative Affairs.
30. Mr. President - The Governor directs me to lay
31. before the Senate the following message: To the Honorable
32. members of the Senate, the 81st General Assembly. I have
33. nominated and appointed the following named persons to the

SB 58
2nd Reading
3-14-79

1. offices enumerated below and respectfully ask concurrence in
2. and confirmation of these appointments by your Honorable Body.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Executive Appointments. May I have the attention of the
5. Body please. Some of you were not privileged to attend the
6. mini-concert in 212, but we do have the young lady that did
7. preside and I would, at this time, ask leave to have Senator
8. Wooten make an introduction. Senator Wooten.

9. SENATOR WOOTEN:

10. Thank you very much, Senator Donnewald. Those of you
11. who were able to attend know full well Miss Nisman's ability.
12. I simply wanted to bring her up here so that all of you will
13. have a chance to meet an outstanding artist, Miss Barbara Nisman.
14. Miss Nisman.

15. MISS NISMAN:

16. Thank you. Let me say it was a pleasure to give the concert
17. for such a receptive audience and I hope you'll invite me back
18. some time soon. Thank you.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The Chair might add that that was the best committee meeting
21. I've ever attended. Senate Bills, 2nd reading. Senator...Let's see.
22. Senate Bill 58, Senator Grotberg. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 58.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Are there amendments from the Floor?

29. SECRETARY:

30. No Floor...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. There is a Floor amendment.

33. SECRETARY:

1. Amendment No. 1 offered by Senator Grotberg.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Grotberg.

4. SENATOR GROTBORG:

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

6. is the bill that we were holding because of the lack of

7. clarifying language between the Municipal League and the

8. county officials and they have reached an agreement on the

9. following language, that the authority of a county shall be

10. limited to the territorial limits of the local government

11. unit with which the county contracts. I would move the

12. adoption of Senate Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

15. Amendment No. 1 to Senate Bill 58 be adopted? Those in favor

16. indicate by saying Aye. Those opposed. The Ayes have it.

17. Amendment No. 1 is adopted. Are there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. Senate Bill 65. Senator Joyce. Read the

22. bill, Mr. Secretary. There is...I'm advised that there is a

23. request for a fiscal note and we cannot proceed. Senate Bill

24. 74, Senator Sangmeister. Senate Bill 113, Senator Berning-

25. Vadalabene. Senate Bills on 3rd reading. Senate Bill 26.

26. Senator Keats. You wish to proceed, Senator? Read the bill,

27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 26.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Keats.

1. SENATOR KEATS:
2. Thank you, Mr. President and Ladies and Gentlemen of
3. the Senate. I was requested to put this bill in. It deals
4. with some minor changes in the Park Code. It will allow...
5. probably an increase in the ability of Park Districts to
6. improve existing land they have and to exchange it for
7. private land of comparable or greater value. To the best
8. of my knowledge no one is opposed to the bill and I would
9. appreciate your support. Thank you.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Is there discussion? Senator Rock.

12. SENATOR ROCK:
13. Thank you, Mr. President. A question to the sponsor
14. if he will yield.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Indicates he will.

17. SENATOR ROCK:
18. Does this bill have any applicability, at all, to the
19. Chicago Park District?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Keats.

22. SENATOR KEATS:
23. The answer would be yes, but it would be a hundred
24. percent voluntary. The Chicago Park District has no constraints
25. placed on it, but it would leave an option open, if they desire.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Rhoads.

28. SENATOR RHOADS:
29. Hold on.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. He...he's completed his questioning. Senator Rhoads.

32. SENATOR RHOADS:
33. Just want to point out that this is Senator Keats first

1. bill in this Chamber, so it ought to be studied very carefully.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Geo-Karis.
4. SENATOR GEO-KARIS:
5. Would the sponsor yield for one question?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Indicates he will.
8. SENATOR GEO-KARIS:
9. Inasmuch as I do not have a copy of the bill, Senator
10. Keats, and am at a little bit of a loss, I presume that you
11. mean, for example, non-governmental entity could be any
12. private corporation. Am I correct?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Keats.
15. SENATOR KEATS:
16. That would be included. Yes, you are correct, Senator.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Geo-Karis.
19. SENATOR GEO-KARIS:
20. ...Would that also include, for example, any single
21. individual and so forth?
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Keats.
24. SENATOR KEATS:
25. It could include an individual if they were offering
26. property of comparable or greater value.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Geo-Karis.
29. SENATOR GEO-KARIS:
30. Mr. President and Ladies and Gentlemen of the Senate.
31. I...I think this is a very good bill and a very necessary bill
32. because we have had occasions with our different Municipal
33. Governments. I know in my area where more clarity should have

1. been given to some of the bills passed in the past, so to speak,
2. allowing a nature of exchange but not within...private entity
3. and I think it would be a worthwhile bill and I speak for the
4. bill even if it is Senator Keats first bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Mitchler.

7. SENATOR MITCHLER:
8. I'd like to ask the sponsor a question.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Indicates he will yield.

11. SENATOR MITCHLER:
12. There's always a question we ask, Senator Keats, who wants
13. this bill?

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

16. SENATOR KEATS:
17. This...excuse me there, this bill was requested by some
18. constituents of mine. What happened was, there's parkland right
19. next to a church and the church bought land across the street.
20. A slightly larger area. A slightly greater value. More trees,
21. bushes, et cetera. They were going to trade the land 'cause the
22. church couldn't use theirs and the park couldn't use theirs. The
23. Park District getting a better deal. They, then, discovered it
24. was illegal and asked me to submit the bill. The man who asked
25. was the pastor of the church.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Mitchler.

28. SENATOR MITCHLER:
29. Several of my colleagues, Senator Keats, have asked me to
30. ask what demonination the church is, but that's immaterial to
31. the bill, I believe, but...inasmuch as this is going to help
32. your district, we admire you for putting it in, although it
33. might not pass, but good luck.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Chew.

3. SENATOR CHEW:

4. Yes, Sir. May I have a answer from the sponsor, Sir?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. He will attempt it.

7. SENATOR CHEW:

8. I checked with several of my constituents in my district

9. last week after I noticed the bill was on there and a very

10. competent lawyer seemed to feel that your bill is...is really

11. unconstitutional and they further stated that since you were

12. not an American citizen, that you didn't have the right to

13. introduce legislation in this Legislature, so I'll have to

14. check it a little further.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Savickas. Senator Keats, do you wish to respond?

17. SENATOR KEATS:

18. If...if I'm not an...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. I...

21. SENATOR KEATS:

22. ...American citizen, could you please check with my parents.

23. There's something they're not telling me. They're...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You can check that later. Senator...Senator Savickas.

26. SENATOR SAVICKAS:

27. Yes, Mr. President and members of the Senate. I'd like to

28. ask a question of Senator Keats.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. He indicates he will yield.

31. SENATOR SAVICKAS:

32. Senator, throughout the noise here I thought I heard you

33. say that this bill does apply to the City of Chicago Park District.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Keats.
3. SENATOR KEATS:
4. Okay, Senator Savickas, this bill would apply only in a
5. voluntary way. It adds no new restraints. It puts the law
6. back to the way it once was, so there are no new restraints.
7. It...it simply...applicable if they wish it to be.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Savickas.
10. SENATOR SAVICKAS:
11. Well, could we take this out of the records...for the
12. time being. I'd like to talk to you about it.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Take it out of the record. Senate Bill 50, Senator
15. Vadalabene. Senator Vadalabene.
16. SENATOR VADALABENE:
17. Yes, I would like to have this bill brought back to the
18. Order of 2nd. I have an amendment on the Secretary's Desk.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Do we have leave? Leave is granted. The bill is now on
21. 2nd reading. Senator...
22. SECRETARY:
23. Amendment No. 1 offered by Senator Vadalabene.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Vadalabene.
26. SENATOR VADALABENE:
27. Yes, the amendment, briefly, it takes away the subpoena
28. powers of the Secretary of Transportation in regard to Senate
29. Bill 50, which creates the Mississippi River Parkway Commission
30. and I would...ask for the adoption of the amendment.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there discussion? The question is, shall Amendment No.
33. 1 to Senate Bill 50 be adopted? Those in favor indicate by

1. saying Aye. Those opposed Nay. The Ayes have it. Amendment
2. No. 1 is adopted. Are there further amendments?
3. SECRETARY:
4. No further amendments.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. 3rd reading.. Senate Bill 59, Senator Grotberg-Sangmeister.
7. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 59.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Grotberg.
14. SENATOR GROTBORG:
15. Thank you, Mr. President and members of the Senate. Senate
16. Bill 59 deals with a matter of compensation programs of county
17. board members. It is my understanding at the present time that
18. they can either go per diem or a salary and in the interest of
19. getting board attendance the per diem is a most attractive
20. way to get people out to meetings and some counties go only
21. salary and I...I'm sure plus mileage...as we do. There's been
22. a request by the Urban County Councils and several of the
23. major counties in Illinois that we allow counties to combine
24. the two and they're not statutorily permitted to do so at this
25. time. This bill then would allow them to use both a...a salary
26. per diem structure at their level and they...they're responsible
27. for it now, whatever they decide they can do, but this would
28. allow them to have a more flexible compensation method than
29. they have now and I'd be glad to try to answer as many questions
30. as would come...it's my first bill and I would like to pass it.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. First bill today. Is there further discussion? Senator
33. Joyce.

1. SENATOR JEREMIAH JOYCE:

2. Yes, Mr. President, thank you. I...in respect to the good
3. sponsors of this bill, I would submit to you that what we are
4. doing is letting the county boards set a base salary and then
5. charge a per diem. We are, in effect, we could be letting them
6. give themselves a raise in a very underhanded manner and yet
7. be able to say that the General Assembly is the one that gave
8. them this authority. I think that if they want more money
9. they should raise their per diem and I just want to point that
10. out to the membership that we could, in fact, be accused of
11. being in collaboration with county boards to give themselves
12. a pay raise.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Would the sponsor yield for a question?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. He indicates he will.

19. SENATOR GEO-KARIS:

20. Senator, if I understand you correctly, just from the
21. synopsis, you are saying that they can combine a salary
22. plus per diem. It happens in my county, which is the third
23. largest county in the State, that each county board member
24. gets a salary of ten thousand dollars a year. Now by your
25. bill, would that mean that they could increase that by adding
26. per diem expenses?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. That's the language that's inserted just adds "or a
31. combined per diem and annual salary" so if your board has
32. elected themselves or voted themselves a salary of whatever,
33. you know, ten thousand, five thousand, twelve hundred in some

1. of the smaller counties, the answer is yes, they can...they
2. can reduce it or raise it, do whatever they want. They can...
3. they have tremendous power. They just don't have the power to
4. do both.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Under your bill though, are...are you saying that they
9. would have the power in addition to their salary, of example,
10. ten thousand dollars per year, of...they would have the power
11. to add a per diem stipend whichever...whatever to...whatever
12. amount they choose along with their salary.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Just...just a moment. This is the first day of the week
15. for the Session and it is very, very noisy. It sounds like
16. we're in the House. May we have order. Well, we won't proceed
17. until there is order. Will the Sergeant-at-Arms clear the aisles
18. and all unauthorized people remove themselves. Proceed.

19. SENATOR GEO-KARIS:

20. Does...does the sponsor want me to repeat my question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Grotberg, did you, through all the noise, receive
23. the question?

24. SENATOR GROTBORG:

25. Yes, Mr. President...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. All right.

28. SENATOR GROTBORG:

29. ...I think I know more than I understand about this bill.
30. I'd be glad to respond. The answer is yes, Senator Geo-Karis.
31. They have the same powers that we have and...and they have to
32. live with their decisions and given the recent history of this
33. kind of an issue they're going to live very tenderly with it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Maragos. Before you try to speak, would you...
3. would the Gentlemen in the aisle remove their caucus. Senator
4. Maragos.
5. SENATOR MARAGOS:
6. Will the Senator...Grotberg respond to a question?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Indicates he will.
9. SENATOR MARAGOS:
10. Does this affect Cook County?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Grotberg.
13. SENATOR GROTBURG:
14. No...it's a Home Rule county.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Maragos.
17. SENATOR MARAGOS:
18. And the Cook County Problems Commission has no opposition
19. to this bill. In fact, one of its members is in support of it.
20. Is that correct?
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Grotberg.
23. SENATOR GROTBURG:
24. That's correct. Kane County Board Chairman, Phil Elstron,
25. a member of the County Problems Commission and the Urban Counties
26. Council, they're all in favor of some flexibility on their
27. compensation programs and I, you know, they've got to live with
28. what they do. I'm not a big proponent of...in due credit to
29. Senator Joyce, I respect to what he is saying. He's absolutely
30. right. There's a chance to play games just as there is in the
31. General Assembly of Illinois.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Maragos.

1. SENATOR MARAGOS:

2. Mr. President and members of the Senate. I am in support
3. of this legislation and I am speaking in favor of it and ask
4. you all to vote for it because of the fact that in spite of
5. some qualms that many of us may have in this regard, I would
6. state further that the counties and we say we ought to give
7. more responsibility to local government and let them face
8. their own music instead of having it do that for them and if
9. they're asking for this power let us give it to them. Thank you.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator J.J. Joyce.

12. SENATOR J.J. JOYCE:

13. Well, just to speak the second time, Mr. President. I
14. just want to let the members know the...the vote that this
15. passed the committee was 4 to 2 to 3, so at...that was the
16. overwhelming majority of how it passed out of our committee.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Bowers.

19. SENATOR BOWERS:

20. Thank you, Mr. President. I just want to clarify a
21. couple of things and I am in support of this legislation.
22. I think the first thing that this Body ought to understand
23. is that the county board now has the power to set their
24. salary at any figure they want to set it and the problem
25. is that they either have to be all fish or all eggs. They
26. either have to be all per diem or all the fixed salary. Now
27. there is some benefit in tacking a per diem on top of a
28. smaller fixed salary, the benefit being that those who
29. faithfully attend the board meetings and sometimes that's a
30. problem in these small counties, but those who faithfully attend
31. get a little more than those who do not attend the meetings and
32. to...but...so in order to give them that kind of support they've
33. got to have some sort of leeway to set...set their salaries and

1. I think this is good. It doesn't permit them to give a raise
2. that they couldn't give otherwise. It simply permits them to
3. state how that raise is going to be paid. Thank you.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. A question of the sponsor,
8. if he will yield?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Indicates he will.

11. SENATOR ROCK:

12. How does this impact, if at all, upon one's pension?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Grotberg.

15. SENATOR GROTBORG:

16. To my knowledge, Senator Rock, in exactly the same way
17. it does ours. The...if you're on a per diem it's a reimburse-
18. ment of expense. Salary is income unless you can justify it
19. with the expense side. Am I correct or...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. Well, our salary base or our pension base is our salary,
24. the per diem expenses when we're in Session a hundred days a
25. year and we get thirty-six dollars a day. That thirty-six
26. hundred dollars is not, in any way, computable...computable
27. with respect to our pension. This, it seems to me, would
28. allow that base compensation...would allow per diem expense
29. to be computable as a pension base and I'm suggesting that
30. this is going to cost the county a lot of money.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. I would only take issue that constructively, Senator
2. Rock, as interpreted by many, many pension laws, per diems
3. are not part of a salary base for any pensions that I know
4. of and they...they would have to work that out.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR ROCK:

8. Well, that...that is exactly, in my judgment, what you're
9. doing by this bill. You are saying that you can combine per
10. diem and the salary and that's compensation and compensation
11. is that upon which one's pension is based.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Grotberg.

14. SENATOR GROTBORG:

15. I'd like to take this out of the record and find the
16. answer to that question myself, Senator Rock...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Take it out of the record. I'm advised that all the
19. problems have been resolved as to Senate Bill 26. Senator
20. Keats. We...we've already read the bill. Oh, read the bill,
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 26.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Keats. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President, during the earlier discussion Senator Chew
30. brought up the question of Senator Keats' citizenship and that...
31. that was not resolved and I do not see how we can proceed with
32. this until that is resolved.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? All right. The question is,
2. shall Senate Bill 59 pass? Those in favor vote Aye. Those...
3. just...the question is, shall Senate Bill 26 pass? Those in
4. favor vote Aye. Those opposed Nay. The voting is open. Have
5. all those voted who wish? Have all those voted who wish? Take
6. the record. On that question, the Ayes are 46, the Nays are
7. 10. Senate Bill 26 having received the constitutional majority
8. is declared passed. Senator Vadalabene, do you wish to proceed?
9. Senate Bill 50. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 50.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President. Senate Bill 50 as amended,
18. provides for the renewed reestablishment of the Illinois-
19. Mississippi River Parkway Commission. Renewed activities along
20. the Great River Road and substantial allocation of Federal
21. Funds for its development indicates that Illinois should re-
22. establish a State-Mississippi River Parkway Commission. This would
23. restore us to full membership with the ten states and two
24. provinces of Canada that cooperates so well to promote the
25. Great River Road. It would also allow Illinois a stronger
26. voice in Washington as citizen spokesman to get a more...fair
27. share of our Federal tax money back into the Midwest and I
28. would appreciate a favorable vote.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there discussion? Senator Netsch.

31. SENATOR NETSCH:

32. Will the sponsor yield for a question, please?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. He indicates he will.
2. SENATOR NETSCH:
3. Senator Vadalabene, could you explain to me what the
4. Commission will do that could not already be done by an
5. existing agency of State Government? My question, obviously,
6. is why do we have to have...create a separate entity with
7. all of that, that always involves in order to achieve
8. the same purpose, with the purpose being a perfectly worthy
9. purpose?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Vadalabene.
12. SENATOR VADALABENE:
13. Well, that was in my opening statement that by not joining
14. this compact with these other states and the two provinces of
15. Canada we do not have any voice in Washington to get these
16. Federal Funds and with this...and with this commission we
17. would have a stronger voice because then it would be eleven
18. states plus two provinces of Canada.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Netsch.
21. SENATOR NETSCH:
22. I did hear your opening statement but I did not understand
23. you to say that...you are saying then that there is a compact
24. among the states that are affected and that this commission
25. is, in effect, the Compact Commission and so what we are
26. doing is not creating just a new separate entity in the State
27. of Illinois alone but we are, in a sense, establishing our
28. membership in a Compact Commission. Is...is that a...an
29. accurate statement?
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Vadalabene.
32. SENATOR VADALABENE:
33. That is exactly...right. We are...but we are reestablishing.

1. I think at one time they were in there but I don't know how
2. they got back out but what we are doing are...we are
3. reestablishing with this compact.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you. That explanation helped me a great deal. I
8. think that's a very different matter from what I first had
9. understood when you made the explanation. Thank you.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Vadalabene may
12. close, if he wishes. The question is, shall Senate Bill 50
13. pass? Those in favor vote Aye. Those opposed Nay. The voting
14. is open. (Machine cutoff) all those voted who wish? Take the
15. record. On that question, the Ayes are 53, the Nays are none.
16. Senate Bill 50 having received the constitutional majority is
17. declared passed. Senate Bill 92, Senator Regner. Read the
18. bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 92.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Regner.

25. SENATOR REGNER:

26. Mr. President and members of the Senate. This appropriates
27. three hundred and twenty thousand eight hundred dollars to the
28. Department of Children and Family Services for the operation of
29. a twenty-four hour Central Child Abuse Registry in the depart-
30. ment and I'd urge a favorable roll call on it. I...the Governor
31. announced and the new director had asked for this program to have
32. the information available twenty-four hours a day rather than the
33. eight hour day that they work on now.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. I'd like to ask the sponsor a question, Mr. President.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. He indicates he will respond.
7. SENATOR MITCHLER:
8. Senator Regner, this amount on my bill indicates four
9. hundred and fifty-eight thousand. The amendment reduced it,
10. I assume, to the figure that you said and that's for Fiscal
11. Year '79. That money would have to be spent prior to June 30.
12. What is the appropriation in FY '80 for this electronic
13. system or computer system?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Regner.
16. SENATOR REGNER:
17. Senator Mitchler, I haven't the foggiest notion what the
18. exact dollar amount is for Fiscal Year '80. I haven't seen
19. their appropriation bill yet in detail.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Mitchler.
22. SENATOR MITCHLER:
23. Senator Regner, the reason I asked that, a bill is
24. floating around for a 5.1 million dollar supplemental
25. appropriation for FY '79 to the Department of Children and
26. Family Services to be used for funding various sections in
27. their department and I understand that in FY '80 that
28. appropriation will be increased to nine million, so when
29. the director comes in and asks for this four hundred and
30. fifty-eight thousand, a half a million dollars for this
31. program just between now and June 30, I'm wondering what
32. he's going to ask for in FY '80 and I'm very concerned about
33. this because when the director and his liaison were in my

1. office I asked him how he could possibly spend 5.1 million
2. dollars on that other bill between now and June 30 and his
3. legislative liaison said, they didn't intend to, there was
4. no way they could but they wanted to have it in the budget
5. because when they asked for nine million next year it wouldn't
6. look like they were asking for a...a great increase and I'm
7. wondering if this is just a fictitious amount or if they've
8. gone ahead and purchased this computer system and have it
9. ongoing and what their budget is for it next year. It might
10. be three million dollars next year, knowing how the Department
11. of Children and Family Services has got the spending spree
12. that they're into.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Regner.

15. SENATOR REGNER:

16. Well...Senator Mitchler, you asked several questions on that.
17. Now regarding the Central Registry Program, they're estimating
18. five hundred and eighty-three thousand dollars for Fiscal Year
19. '80, four hundred and eleven thousand for Fiscal Year '81, so
20. there isn't that much of an increase. When you referred to
21. the Child Abuse Program being requested of nine million
22. dollars for next year, that's true but that's the...just
23. about the exact amount that there will be for Fiscal Year
24. '80 when you take into consideration the five million supple-
25. mental and the original four million dollars appropriated
26. by us last Spring, so the Child Abuse Program in dollars and
27. cents will be just about equal Fiscal Year '80 versus Fiscal
28. Year '79 and for the Registry Program it's...for a full year
29. it's going to be about two hundred thousand dollars more than
30. is being requested now.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? The question is, shall
33. Senate Bill 92 pass? Those in favor vote Aye. Those

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1. opposed Nay. The voting is open. Have all those voted who
2. wish? Have all those voted who wish? Take the record. On
3. that question, the Ayes are 45, the Nays are 8. Senate Bill
4. 92 having received the constitutional majority is declared
5. passed. Senate Bill 150, Senator Shapiro. Read the bill,
6. Mr. Secretary.

7. SECRETARY:

8. Senate Bill 150.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Well, Mr. President and Ladies and Gentlemen of the
15. Senate. As you probably all know, we have presently on
16. the law books of the State of Illinois, a law called the
17. Commercial Blight Areas Law, which allows a municipality
18. to issue Revenue Bonds for the redevelopment of a
19. commercial area, usually a downtown area, and then to pay off
20. those bonds with the rentals derived from the interests that
21. are involved in it, like the merchants or the industrial
22. person who owns the factory. The existing law unnecessarily
23. restricts these projects to new construction. Yet many
24. communities would benefit from the rehabilitation of
25. existing buildings. In other words, where a corporate group,
26. such as a city council could see a certain area of their
27. municipality going down but it still would not fit the
28. criteria of the existing law. Under this law they would be
29. able to issue Revenue Bonds to certain individuals who would
30. want to renovate a building and not go into totally new
31. construction. There is one municipality in the State of
32. Illinois who is vitally interested in a law of this kind and
33. that is the City of St. Charles where they have some areas

1. that they would like to see renovated and it is my understanding
2. that there is a social agency that would be willing to take
3. over some of these blighted areas if the city could issue
4. Revenue Bonds and then the social agency pay off the bonds
5. through rentals by the reconstruction or the remodeling of
6. these buildings into a senior citizens home. The bill, as
7. it exists before you, has been amended to allow for the...
8. the interest rate on the bonds to go as high as nine percent
9. and that is in view of the fact of the excessive or the high
10. interest rates that are now...that now we have to pay to
11. commercial institutions. The bill before you would permit
12. the financing for renovation or improvement of existing
13. buildings. It would allow such projects to go forward in
14. conservation areas and these conservation areas, as defined
15. in the bill, are areas that are somewhat less than blighted
16. but yet are in need of redevelopment and it could also be
17. used to provide for housing for senior citizens. If there
18. are any questions on the bill, I would be more than happy to
19. attempt to answer them. I...I further want to state that
20. there are some very severe restrictions on the bill and they...
21. these particularly blighted areas would have to meet certain
22. criteria. Such an area could not qualify unless it met a
23. combination of three separate criteria set forth in the bill.
24. Delapidation, obsolescence, deterioration, illegal use of
25. the individual structures, presence of structures below
26. minimum code standards, abandonment, excessive vacancies,
27. overcrowding of the structures in community facilities, lack
28. of ventilation, lack of sanitary facilities...inadequate
29. utilities, excessive land coverage, dilapidated land use or
30. layout, depreciation of the physical maintenance or a lack
31. or...or...of community planning, which is detrimental to
32. the public's safety, health, morals or welfare and then such
33. an area, if it meets three of these criteria, may be designated

1. as a blight area or conservation area and the total acreage
2. involved in the aggregate has to be, at least, a minimum of
3. two acres. In other words, it cannot be done for a single
4. building unless that building involves a...a two acre plot of
5. ground. If there are any questions on the bill, I would be
6. more than happy to try to answer them. It is supported by
7. the Illinois Municipal League and I've had a lot of interest
8. in the bill from individual communities. I want to point
9. out to you that these are strictly Revenue Bonds and would
10. not be an obligation on the...on the municipality or the
11. real estate taxes...real estate of the community.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. First of all, Senator, I think you have an excellent
16. bill. My concern is I hope it does apply to the non-Home
17. Rule counties...cities, rather, because I believe the
18. prior Act applied only to the Home Rule cities. Can you tell
19. me if it applies to both Home Rule and non-Home Rule?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Shapiro.

22. SENATOR SHAPIRO:

23. Yes, to the best of my knowledge, it...it applies to the
24. non-Home Rule units.

25. SENATOR GEO-KARIS:

26. I'd like this...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr. President and Ladies and Gentlemen of the Senate. I
31. certainly speak in favor of this bill. It's a real necessary
32. bill. It doesn't really tax the taxpayers because it...the
33. Revenue Bonds, as we all know, are paid from Revenue gathered

1. from them as contrasted by the general obligation bonds, which
2. become a liability on the people.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Rhoads.
5. SENATOR RHOADS:
6. Two questions of the sponsor, if he will yield.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Indicates he will.
9. SENATOR RHOADS:
10. Senator Shapiro, the full faith and credit of the
11. municipality is pledged behind these bonds just as they
12. would be? They are not.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Shapiro.
15. SENATOR SHAPIRO:
16. No. Strictly Revenue Bonds, no obligation on the
17. municipality.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Rhoads.
20. SENATOR RHOADS.
21. All right. Then secondarily, is it my understanding
22. that the entity in St. Charles, you mentioned a social service
23. agency, is this a Governmental agency?
24. SENATOR SHAPIRO:
25. No. Senator Rhoads, I think it's Lutheran Welfare
26. Services, who wants to build a home for senior citizens.
27. They have their plans all ready go, but they cannot raise
28. the necessary Revenue because the interest rate is so
29. high or they do not want to go to a commercial institution
30. because the interest rates are so high that the rentals
31. they would have to charge these senior citizens would just
32. be out of the question. They, evidently, approached the
33. City of St. Charles to see about...if the city could issue

1. Revenue Bonds at a lower interest rate, which would keep the
2. rentals to the individuals down. That's the genesis of the
3. bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. One final question then. Is it fair to say that we're
8. breaking new ground here in terms of having a non-for-profit
9. agency, such as Lutheran General Welfare Services rather than
10. a strictly for profit commercial enterprise be the...the
11. beneficiary of this commercial Revenue Bond? Is...is this
12. something new that we're doing that...that has not been done.
13. in the past? Weren't...weren't these bonds originally
14. intended for, strictly, commercial development?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. That is...that is correct and...and you may be right.
19. I'm not aware if there's...if there has been a precedent for
20. this type of Revenue Bond.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Netsch.

23. SENATOR NETSCH:

24. Thank you. I have a couple of questions also. One of
25. them, I think, was suggested, perhaps, by Senator Rhoads last
26. question. I'm attempting and not having seen the...bill
27. before this moment, to determine is this really a...a brand
28. new device that you are proposing or is it merely an
29. extension of an existing bonding device to conservation
30. areas as opposed to just, so-called blighted...commercially
31. blighted areas?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Shapiro.

1. SENATOR SHAPIRO:
2. ...Senator Netsch, I think it's an extension of the
3. existing Act.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Netsch.
6. SENATOR NETSCH:
7. Two additional questions. What is the relationship
8. of this to the Legislation that we passed, I believe it was
9. just last Session, the TIF, so-called the Tax Increment
10. Financing Legislation that was passed just recently by
11. the Legislature. How does this fit into that pattern?
12. It seems to me that some of it might be duplicative.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Shapiro.
15. SENATOR SHAPIRO:
16. I...I don't think I can answer your question, Senator
17. Netsch, 'cause I don't know. I haven't delved into that
18. aspect close enough. I just don't know...Pardon me.
19. Senator Grotberg says he thinks he can answer that.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Maragos. Oh, I'm sorry. Senator Netsch, I beg
22. your pardon. I didn't do it on purpose.
23. SENATOR NETSCH:
24. Thank you. Senator Shapiro had also asked if Senator
25. Grotberg could respond to one of my questions. Mr. President,
26. could you recognize Senator Grotberg. He has the answer to
27. one of the questions I just asked of Senator Shapiro. And
28. then I have a...a last question also.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. We certainly will accomodate you, Senator.
31. SENATOR NETSCH:
32. Thank you.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Well, thank you. Thank you, Mr. President. Senator
4. Netsch, there's no relationship between the two Statutes.
5. The Statute we're amending was put on the books in 1968.
6. It's strictly for Commercial Revenue Bonds. These will be
7. Industrial Revenue Bonds and they are strictly for non-Home
8. Rule cities. They've been very hard to use. Only a few
9. cities have used it because of the...of the severe blight
10. language that's in it. We're adding conservation area to it
11. and I feel I should...help explain it because St. Charles
12. has been used and from time to time I've been known to
13. come from there and I'm going to vote present on the bill
14. rather than get into a conflict on it but it's a much needed
15. amendment for all of our small towns in Illinois, non-Home
16. Rule towns that can bootstrap their way through some of the
17. deteriorating downtown areas, which has been an interest of
18. mine for many years but it's not related to the tax increment bill
19. at all.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. That does help. Thank you very much. One last question.
24. Even recognizing now that the...the basic device has been
25. in existence, although I gather not heavily utilized, because
26. of the problems that Senator Grotberg was just mentioning, what
27. typically is the source of the funding for the Revenue Bonds.
28. I understand they are purely Revenue Bonds. They are not
29. backed by full faith and credit or any other public sources
30. of revenue but somebody has got to pay something into the
31. Bond Fund in order to pay the debt service. What is that
32. source of income likely to be on projects that may be covered
33. by this?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. First of all, the bonds will be issued only on the
5. equities of the construction that's involved. The income
6. to retire the debt and the principal...the principal and
7. the interest has to come from the venture and the bond
8. market will tell us by the price of their bonds whether
9. they will buy them at all. But they go into the open
10. bond market, Senator Netsch, just like every other bond
11. of this type, out for bid.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Netsch.
14. SENATOR NETSCH:
15. In other words, as I heard Senator Shapiro, he referred
16. to a project in which...was it Lutheran Welfare Services
17. wanted to build and I'm not sure I heard what the project
18. was but...a nursing home let's say or whatever...
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senior citizens...
21. SENATOR NETSCH:
22. ...then it would be the...then it would be the income
23. from Lutheran Welfare received in connection with that
24. project that would be the retirement of the Revenue Bonds
25. and presumably, if the project did not look feasible that
26. does show up in the bond market. The bonds would not sell.
27. Is...is that an accurate description?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Grotberg.
30. SENATOR GROTBORG:
31. The...the lady is correct. Senator Netsch, the bond
32. market will us the price. This happens to be a combination
33. commercial an apartment for walking elderly that we're talking

1. about. Right behind the Hotel Baker as long as we're talking
2. about it, I'll tell where it all is, but if the thrust of
3. this venture that made us look at this Act State-wide because
4. Bond Counsel tells me there are twenty-two municipalities
5. in the State of Illinois that are ready to dive into this if
6. we can get it stretched to...conservation area.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you. Just one last comment. I am...plan to
11. support the bill because I think there are all sorts of
12. things that should be done that have to do with the vitality
13. of neighborhoods be they small or large. I would just issue
14. one word of caution. We are in this State and this State is
15. not unique in this respect, both at the State level and at the
16. local level, overutilizing the bond process and one of these
17. days we are going to start paying a heavy price for that. I...
18. that part of it really disturbs me quite a bit, but given the
19. nature of what is intended to be benefited by this...what
20. it's intended to accomplish, it is, at least, as good an idea
21. as many that we have already authorized and this is not the
22. one that ought to be punished for the fact that we really
23. ought to sit back and examine our whole bonding structure
24. and use.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Maragos.

27. SENATOR MARAGOS:

28. The sponsor, Senator Shapiro, yield to a question.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. He indicates he will.

31. SENATOR MARAGOS:

32. Senator Shapiro, is there any language in the bill,
33. unfortunately I don't have the bill in front of me, which

1. prevents any of these municipalities who are funding under
2. this Revenue Bond procedure from accepting funds from the
3. Federal or the State Governments to assist them in their
4. programs?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Shapiro.

7. SENATOR SHAPIRO:

8. To my knowledge, no.

9. SENATOR MARAGOS:

10. Is it possible then, that some municipalities when they
11. see they can have some matching funds from the Federal or the
12. State, can use this as a tool by which they could also...attract
13. those funds because of taxing or the levies are limited to the
14. taxing ability has been limited? Is this another...I want to
15. use the word subterfuge but with this another approach, would
16. they...use this as a...as a way of getting matching funds to
17. accomplish those purposes when they see that Federal or the
18. State funds are available?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Shapiro.

21. SENATOR SHAPIRO:

22. No. I...You mean...you'd be used as a subterfuge to
23. finance part of the bonds that are issued using Federal Funds?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. No. I...to clarify my question. Well, maybe I can do it
28. by example. Assuming a municipality sees that there are some
29. Federal Funds sitting out there or some State funds sitting,
30. which they want to utilize, but which they cannot do because
31. either by referendum of their own people or other sources
32. they cannot able to match those funds in order to...to be
33. able to become eligible for those funds to be applied to their

1. particular purposes. Could they use this as a means to
2. adopt or get a...is this a means by which they can raise
3. funds through this process and thereby, attract Federal or
4. State funds to...assist them in a project?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Shapiro.

7. SENATOR SHAPIRO:

8. To the best of my knowledge, I...I would have to say
9. no...in...and definitely not any more than has been done in
10. the past under this Act because the Act is already on the law
11. books. We're just using it to...expanding it to include a
12. different type of blight. The...the Act itself specifies
13. that the municipality shall determine how many bonds shall
14. be issued in...in what denominations so on and so forth, so
15. I don't think that under the existing Act or even with the
16. amendments that we have put on that a municipality could use
17. existing Federal or State funds to finance any part of this and
18. I'm not too sure that it would be in their best interest to,
19. since the bonds will be paid off...be paid off by rentals.
20. I don't think they could get that money back and replenish
21. their Federal Fund pool.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. One more question, Mr. President. Is there...condemning
26. powers in this particular bill or is that already in the
27. original bill, which is being...in the Statutes which are
28. being amended? Or are they going to have the power of
29. condemnation for these purposes?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Shapiro.

32. SENATOR SHAPIRO:

33. Under...under...they do have the power of...of condemnation,

1. I believe, under the existing law but under this bill they
2. are restricted to certain criteria for the remodeling or the
3. reconditioning or whatever they want to do to the building.
4. It...in the criteria are those that I mentioned earlier. The
5. total amount of ground that's involved has to be, at least,
6. two acres in the aggregate. If...they have to meet certain
7. criteria as far as their delapidation, whether they are
8. a threat to the health and safety, yet it may be a building
9. that doesn't have to be torn down completely.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Maragos.

12. SENATOR MARAGOS:

13. Thank you very much, Frank.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berning.

16. SENATOR BERNING:

17. Somewhat in response to the inquiry of Senator Maragos,
18. I quickly looked at the bill and would call attention to the
19. Senate sponsor as well as the Body that, perhaps, the new
20. language on page 8 starting with line...16 should be
21. reconsidered because, if I read it correctly, it's...well
22. even in spite of the amendment, my question has to do with
23. the...the restriction as I read it in the utilization of
24. anything other than Revenue Bond funds because as I read
25. this, it says "notwithstanding the foregoing" preceding
26. language "projects to be financed with Revenue Bonds payable
27. solely from rentals and other receipts" which seem to preclude
28. the point raised by Senator Maragos that Federal funds might
29. become...Federal or State funds might be made available but
30. this language, it would appear to me, may prevent the
31. utilization of those funds.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Shapiro.

1. SENATOR SHAPIRO:
2. Senator Berning and Ladies and Gentlemen of the Senate.
3. If you would read that entire clause, you'll see that it
4. reads "from rentals and other receipts to be derived from
5. such commercial projects" which would preclude any other
6. type of financing.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Berning.
9. SENATOR BERNING:
10. You are reading from lines above this.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Shapiro.
13. SENATOR SHAPIRO:
14. Senator Berning, that...
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17. (END OF REEL)
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1. SENATOR SHAPIRO:

2. The language is right after the word receipts. From
3. rentals and other receipts to be derived from such commercial
4. projects.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berning.

7. SENATOR BERNING:

8. ...Perhaps I am unduly cautious, but it seems to me that
9. that terminology could be construed as preventing the utilization
10. of anything other than receipts generated by the sale of the
11. bonds. Be that as it may, Mr. President, I'd like to direct
12. one other question to the sponsor. Why, at the end of that new
13. language, is it necessary to provide that...the granting of a
14. bond program can be done without advertisement or bidding?
15. Isn't this contrary to the best public policy?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Well, prior authorization by the amendment, which may or
20. may not be in the copy you are reading, notwithstanding, the...the
21. clause of the new language reads totally, notwithstanding the
22. foregoing, if prior authorization is granted by ordinance of
23. the corporate authority, contracts for work on commercial projects
24. shall be financed with Revenue Bonds payable solely from rentals
25. and other receipts to be derived from such commercial projects,
26. whether or not secured by a mortgage, may be let by the prospective
27. leasee without advertisement or bidding. But the corporate authori-
28. ty has to...has to approve that and the only thing that can be
29. used to retire the bonds are rentals or other receipts which are
30. derived strictly from such commercial projects, which are involved
31. in the Revenue Bond issue. It says, such projects.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Shapiro may close.

1. SENATOR SHAPIRO:
2. Roll call.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. The question is shall Senate Bill 150 pass. Those in
5. favor vote Aye. Those opposed Nay. The voting is open.
6. Have all those voted who wish? Have all those voted who wish?
7. Take the record. On that question the Ayes are 54, the Nays
8. are none. Senate Bill 150 having received the constitutional
9. majority is declared passed. Introduction of bills. Senator
10. Savickas, for what purpose do you arise?
11. SENATOR SAVICKAS:
12. Mr. President, members of the Assembly. I would like
13. to have the record show that Senator Walter Nega is absent
14. today because of a heart attack incurred this morning and
15. he is at the Memorial Hospital here in Springfield.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. The record will so show.
18. ACTING SECRETARY: (MR. FERNANDES)
19. ...Senate Bill 242 by Senator Collins.
20. (Secretary reads title of bill)
21. Senate Bill 241 by Senators Collins and Rock.
22. (Secretary reads title of bill)
23. 243 by Senator Collins.
24. (Secretary reads title of bill)
25. Senate Bill 244 by Senators...Senator Jeremiah Joyce.
26. (Secretary reads title of bill)
27. Senate Bill 245 by Senators Regner, Mitchler, Schaffer and
28. Rhoads.
29. (Secretary reads title of bill)
30. Senate Bill 246 by Senator Regner, Graham and Rhoads.
31. (Secretary reads title of bill)
32. 247 by Senator Daley, Savickas, DeArco, Vadalabene, Nega,
33. Joyce, Moore, Carroll and Merlo.
34. (Secretary reads title of bill)

1. 248 by Senators Coffey, Shapiro, Weaver, Walsh and Philip.
2. (Secretary reads title of bill)
3. 249 by Senators Lemke, ...Nedza, DeArco and Nega.
4. (Secretary reads title of bill)
5. 250 by Senators Berning and Egan.
6. (Secretary reads title of bill)
7. Senate Bill 251 by the same sponsors.
8. (Secretary starts to read title of bill)
9. Senate Bill 251 by Senators Lemke, Nedza, DeArco and...Nega.
10. (Secretary reads title of bill)
11. Senate Bill 252 by Senator Philip.
12. (Secretary reads title of bill)
13. Senate Bill 253 by Senators Netsch, Maragos and Collins.
14. (Secretary reads title of bill)
15. Senate Bill 254 by Senators Carroll, Egan, Schaffer and Moore.
16. (Secretary reads title of bill)
17. 255 by Senator Geo-Karis, Moore, Rhoads and Merlo.
18. (Secretary reads title of bill)
19. Senate Bill 256 by Senator Merlo, Moore and Senators
20. Egan, Schaffer and several others.
21. (Secretary reads title of bill)
22. Senate Bill 257 by Senator Knuppel.
23. (Secretary reads title of bill)
24. Senate Bill 258 by Senators Egan, Rock and Shapiro.
25. (Secretary reads title of bill)
26. Senate Bill 259 by Senator Knuppel.
27. (Secretary reads title of bill)
28. Senate Bill 260 by Senators Daley, Lemke, Berman, Vadalabene,
29. Merlo, Nedza, DeArco and others.
30. (Secretary reads title of bill)
31. Senate Bill 261 by Senators Nimrod, Shapiro, Philip, Daley,
32. Rock and others.
33. (Secretary reads title of bill)

1. Senate Bill 262 by Senators J. J. Joyce and...and Demuzio.
2. (Secretary reads title of bill)
3. 1st reading of the bills.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Resolutions.
6. SECRETARY:
7. Senate Resolution 69 offered by Senators Merlo, Berman,
8. Newhouse, Nedza, congratulatory.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Consent Calendar. Senator Rock.
11. SENATOR ROCK:
12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate. I have cause to be distributed on everybody's desk
14. a copy of the Supreme Court opinion which was issued just
15. this morning. If you'll turn to page 11 of that opinion,
16. the court essentially says that the language of Section 5-C
17. of Article IX constitutes a limitation on the power to tax
18. after that date, that date being January 1, 1979. And the
19. court further held that this interpretation does not affect
20. 1978 personal property taxes collectable in 1979. Effectively
21. the court has said that as of January 1, 1979, the...corporate
22. personal property tax is abolished. I think all the membership
23. ought to be aware of this and I've distributed this for your
24. information.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is there further business to come before the Senate?
27. Senator Buzbee.
28. SENATOR BUZBEE:
29. Thank you, Mr. President. Mr. President, I now move
30. that we discharge Appropriations Committee No. 1 from further
31. consideration of Senate Bill 153 and reassign it to Appropriations
32. II. And we need to also have consent granted to allow that
33. bill to be heard today in Appropriations II Committee.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Do we have leave? Leave is granted. Are their further
3. announcements? Senator Rock moves that the Senate stands
4. adjourned until noon tomorrow, March 15. Senate is adjourned.

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