PRESIDENT:

The Senate will...the Senate will...the Senate will come to order. The Senate will please come to order. Will our guests in the gallery please rise as our prayer this morning is by Father Joseph Havey, St. Agnes Church, Springfield, Illinois. Father.

FATHER JOSEPH HAVEY:

(Prayer given by Father Havey)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journal of Tuesday, May the 13th, in the year 1980 be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Johns. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. So ordered. Committee Reports.

SECRETARY:

Pursant to amended Rule 5, the Rules Committee met at 9:00 a.m., May the 14th, 1980. By unanimous vote the committee ruled that the following Appropriation bills can be considered during this Session of the Senate, and were assigned to the Committee on Assignment of Bills:

House Bill 3028, 3029, 3037, 3054, 3057, 3059, and 3062.

Senator Donnewald, Chairman of the Assignment of Bills Committee assigns the following bills to committee:

Appropriations I, 3028, 3029, 3037, 3057, 3062.

Appropriations II, 3054 and 3059.

PRESIDENT:

Message from the House.

SECRETARY:

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

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

House Bills 1180, 1340, 2901, 2934, 2942, 2943, 2952, 2976, 3005, 3017, 3292, 3293, 3294, 3295, 3296, 3344, 3353, 3369, 3418, 3440, 3456, 3482, 3489, 3511, 3538, and 3556.

PRESIDENT:

Message from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee Report on House Bill 524, and request a second Committee of Conference to consider the differences between the two House ...in regards to Amendment No. 2. Speaker of the House has appointed the members of the committee on the part of the House and Senator D'Arco is handling this bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Hello. Hi, how are you? Mr. President, I would ask that a second Conference Committee be reported on House Bill 524.

PRESDENT:

Senator D'Arco has moved that the Senate acceed to the request of the House. All in favor signify by saying Aye. All opposed. The Ayes have it. So ordered. All right, with leave of the Body we'll turn to page 16 on the Calendar. House Bills,1st reading.

SECRETARY:

House Bill 946, Senator D'Arco is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 929, Senator Bowers is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2852, Senator Maragos is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2893, Senator Knuppel is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2913, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3073, Senators Berman and Keats are the Senate sponsors.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3080, Senator De Angelis is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3119, Senator Merlo is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3129, Senator Keats is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3151, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3152, the same sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3208, Senator Berning is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3250, Senator Bruce is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3289, Senator Gitz is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3385, Senator Regner is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3402, Senator Gitz is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3415, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3466, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3467, by the same sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3468, by the same sponsor.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. WAND TV has requested leave to shoot some silent film for approximately ten minutes. Is leave granted? Leave is granted. Senator Walsh,for what purpose do you arise? It looks like it's going to be one of those days,Senator Walsh.

SENATOR WALSH:

We're off to a good start. Mr. President, a point of personal privilege. We have in the gallery, apparently sitting on the wrong side of the Senate, the Democrat side, nine students from your district, Elmwood Park High School, and with them their teacher, Gary Wool. If they would stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome. Yes, Senator Walsh.

SENATOR WALSH:

Does this mean that I'm out of business for the rest of the day?

PRESIDENT:

I sure hope so. Senator Lemke.

SENATOR LEMKE:

I'd just like to have the sponsorship changed on House Bill 3152 from...to Senator Egan, and remove me as the sponsor.

PRESIDENT:

All right, you've heard the request of Senator Lemke. Is leave granted? Leave is granted. So ordered. Yes, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I have two of those also. Would you...would the record show Senator Savickas as a hyphenated co-sponsor of House Bill 1517, of which I am the principal sponsor at the moment, and in addition we believe that House Bill 1407 has not yet shown a change of sponsorship from Senator Merlo to myself, although we did leave a note to that effect. May I have leave?

PRESIDENT:

All right, you've heard the request of Senator Netsch. Is leave granted? Leave is granted. So ordered. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President. I would like House Bills 3075 and 3156 and I have discussed it with the sponsor, Senator Lemke, that they become the hyphenated Keats-Lemke bills. They're already in the Rules Committee.

PRESIDENT:

All right, you've heard the request. Is leave granted? Leave is granted. So ordered. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

To request leave of the Body to be added as a co-sponsor to Senate Bill 1834.

PRESIDENT:

You've heard the request by Senator Schaffer. Is leave granted? Leave is granted. So ordered. All right, with leave of the Body we'll move to page 2 on the Calendar. Senate Bills on 2nd reading. Senate Bills 2nd reading. 615, Senator Maragos. 1454, Senator Joyce. Senate Bills 2nd, top of page 2. 1457, Senator Sangmeister. On the Order of Senate Bills 2nd reading, is Senate Bill 1457. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1457, there was a request for a fiscal note which has been complied with.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

At this time I would move...this puts the bill in the form that we now want it, and I would move for the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 1457. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Regner and Grotberg.

PRESIDENT:

Senator Regner.

SENATOR REGNER:

Yes, Mr. President, and members. What this amendment does, it repeals the one cent reduction in the...that we passed last year, unfortunately, I think, of the sales tax on food and drugs. It restores that penny, and then it reduces the overall percentage of sales tax reduction to 3.8 cents, which is the same dollar amount that this bill now would affect by reducing the Sales Tax on food and drugs one more cent. As we all know the problems that have occurred since we passed that legislation on behalf of the Governor last year and the pressure he was under to do something. It's cost the retailers substantial amounts of...more money to administer this. It's caused confusion at the grocery stores, at food establishment stores. Just yesterday in Joint Committee on Administrative Rules, we had a great long debate about some rules that the Department of Revenue was setting forth regarding the Sales Tax on food establishments, whether it should be four cents, three cents, or what, whether it's a carry out store or a keep in store and that. I think it would be a very equitable proposal to do this, to...dollar amount of the tax relief, is exactly the same under this amendment. It makes it easier to

administer, and the entire cost can go to the citizenry, not the cut that the retail establishments have to take in order to administer the bad Act that we passed last year, and I'd move for the adoption of Amendment No. 2 to Senate Bill 1457.

PRESIDENT:

Senator Regner has moved the adoption of Amendment No. 2 to Senate Bill 1457. Is there any discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President, and fellow members. This could be our last chance to do something right with what has been consistently a botched up program of rearrangement of the Sales Tax of the State of Illinois. I cannot recommend strong enough that you should support this opportunity to get more than one debate going on how to grant relief at the cash register for not only the consumer but for every businessman and paper shuffler in the State of Illinois. We have created a nightmare, for Heaven's sake,let's help straighten it out. Keep this alive. Vote Aye on this amendment.

PRESIDENT:

Further discussion? Senator McMillan.

SENATOR MCMILLAN:

Mr. President, and members of the Senate. I'll be very brief. I would echo Senator Grotberg...Grotberg's comments of all the proposals that we have dealing with Sales Tax Relief, this is the one which would provide the least loss of help for the taxpayer, because it is simple to implement, it doesn't add to the costs of the retailer, and therefore, he doesn't have to raise his prices in order to implement whatever program we have. If we really want to provide Sales Tax relief for taxpayers, this is by far the best approach and I would support it.

PRESIDENT:

Further discussion? Senator Maragos.

SENATOR MARAGOS:

Mr. President. I...I rise in opposition to this amendment because of the fact that we are going to try to help and...all the Sales Tax approach, the person who needs it most, and that is the young family people and the...the elderly who's incomes are not that great that they can buy fancy cars or buy anything else of ...nature which would not mean subsistence for them. If adopt, this amendment that means the Rolls Royce buyer as well as the Pinto buyer will have the same benefits proportionately as the price of the car. I think that what...the bill that has been done and handled by Mr. Sangmeister...Senator Sangmeister is a good approach, but let's not use a sledge hammer when we can use a tack hammer to do it judiciously and with restraint. I ask that you defeat this amendment.

PRESIDENT:

Further discussion? Senator Gitz.

SENATOR GITZ:

Well, Mr. President, and members of the Senate. I'm sure that the intentions of the sponsor of this amendment are honorable, however, I think they fail to understand why we had the differential Sales Tax in the first place. Illinois is the only large industrial State that still has a Sales Tax on food and medicine. Now, we recognize the budget impact, that's why we couldn't take off all five cents all at once. So, there was a phase-out. The intention of this amendment is not to recognize that we shouldn't tax food and medicine, the intention of this amendment is to reduce the Sales Tax in every commodity regardless of whether you're buying jack hammers, food at the store, commodities at the dime store, a new car, farm machinery, et cetera, and that's exactly, I think the wrong approach. Nobody's comfortable with the problems that retailers have had with the bill, but I would also remind you of one other simple fact, and that is that every grocery store owner now has the cash registers. The problems of shifting to the system, have all ready been

addressed. If there was a time for this amendment, the time was last Fall, not now. Finally, I would add in closing that Senator Sangmeister has in his bill an approach that will take the Sales Tax off of all food and medicine in increments. It takes off all medicine this year, and it also goes by category of food. I think that that is a much sounder approach than an amendment, which simply says we're going to reduce the Sales Tax in everything when, in fact, this legislation should be addressed at those who are most in need, and for that reason I think it is a bad amendment.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think that Senator Gitz has made most of the points now, very persuasively. I would point out again just that as I said at the time that we voted against discharging your own bill, Senator Grotberg, the...your theory is understandable,but it does go completely contrary to the objective that most of us had in attempting to pass the phase-out of the Sales Tax on food and medicine to begin with. The point is that that is where the Sales Tax falls most heavily on those in low to moderate income bracket, that is Sales Tax across the board on food and medicine. We were not trying...idealy it would be fine to take the Sales Tax off of everything, but we know that is not feasible, what we really needed to do was to provide some relief given inflation, and an across the board Sales Tax on those items that are most critical and most burdensome to people of moderate income. This is completely contrary to that philosophy, and for that reason the amendment should be defeated.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President, and members of the Senate. I...as I recall there were two bills in the Revenue Committee, Senator Regner, that...that the retailers supported. This is one of the bills that the retailers agreed would solve their problem as best that we can,consistent with the intention to take the Sales Tax off all...of food and medicine, and also it should be noted,I think, that Senator Daley, who crusaded for the elimination of the Sales Tax in food and medicine all over the State of Illinois,has acceded to this method of doing what he was attempting to do over the past months, and I think that the record should show that. I accede to Senator Sangmeister about the details, but I did want to point those two facts out to you, and I think that you should agree, Senator Regner, that this is totally consistent with the intention of the...of all of the people that are involved in trying to eliminate and alleviate the tax burden, this does it best, and it's a better idea. Don't try to kill it.

PRESIDENT:

Is there further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you. I think most of the arguments have been made, but you have to realize that this amendment of Senator Regner's completely changes the whole concept. This has nothing to do with removal of Sales Tax from food and drugs, this is across the board. It's an entirely different concept, one that I think was discussed thoroughly in the committee and was defeated there, it should be defeated here, and as far as the retail merchants are concerned, they're entirely happy with the way I've got the bill drafted. This will solve their problems as well. So, we don't need to look at it from that standpoint, and on that basis, I urgently urge an No vote on this amendment.

PRESIDENT:

Further discussion? Senator Grotberg, for the second time.

SENATOR GROTBERG:

Thank you, Mr. President. I would like to respond to Senator Netsch. Yes, in principal you are correct, but every-time we fool around with a multiple program for collecting a tax we are driving up the cost of doing business. We have effectively raised the price of groceries and medicine by dinging around with the program. There is no possible way that a merchant of any kind can accommodate his shop to this program without passing it on to the customer. The customer is paying more for groceries and medicine, because of the approach we're in now, and they will do likewise with the ap-proach that we are about to take through Mr. Sangmeister's bill. There is only one simple method to keep prices down and be fair across the board, and this concept is the one. Of course, the retail merchants accepted both of them on principal, you know why, they know damn well who's going to win. They didn't have the votes on my issue, or on Senator Regner's issue. They probably have the votes on Senator Sangmeister's issue, and they're not stupid. Vote for this bill.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, I'm sorry to...but I...I just want to make absolutely clear the fact that I am unalterably opposed to the amendment. I'm speaking to the merits of the bill, to Senator Sangmeister's bill, that Senator Daley has acceded to, and we're in favor of...I'm speaking in favor of the bill, and against the amend-ment. I'm sorry I may have not been clear.

PRESIDENT:

Any further discussion? Senator Regner may close.

SENATOR REGNER:

Yes, Mr. President. Now that Senator Egan is clear, I still am in opposition to what he said. I think we should, as

Senator Grotberg said, do something right for a change. Let's not change the law and have a fake tax relief measure that's going to have to have added costs to administer. This is a good amendment, it makes the bill right, and it makes it the way it should have been last Fall when it was voted upon. I ask for a favorable roll call.

PRESDIENT:

Senator Regner has moved the adoption of Amendment No. 2 to Senate Bill 1457. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30. None Voting Present. The amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1464, Senator D'Arco. On the Order of Senate Bills 2nd reading, is Senate Bill 1464. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1464, there was a request for a fiscal note, which has been complied with.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

What the bill orginially did was reduced the Motor Fuel Tax for gasohol from seven and a half to two and a half cents, and we thought that was a laudable idea, but we also thought that it would be appropriate to phase-in the Motor Fuel Tax after a

period of time, so the loss of revenue would be much less. And, in fact, the amendment provides that after June 30th, 1982,it will go from two and a half to three and a half cents, and progressively each year until the seven and a half cents is reinstated, and it also changes the definition of the word gasohol...doesn't change the definition, it changes the spelling from A to O. So, that's what it does.

PRESIDENT:

All right, Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 1464. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendment?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1486, Senator Daley. 1497, Senator Berning. On the Order of Senate Bills 2nd reading, is Senate Bill 1497. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1497.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. I have on the Secretary's Desk a replacement amendment which does exactly what the committee amendment does except to clarify and make it absolutely certain that the funds collected by the County Treasurer will be credited to the County Treasurer. So, with that explanation, the inclusion of two words, four percent of, I would like to move to Table the committee amendment so that we may adopt the Floor amendment.

PRESIDENT:

All right, Senator Berning has moved to Table Committee Amendment No. 1 to Senate Bill 1497. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berning.

PRESIDENT:

Senator Berning. Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. As I indicated, this is the committee amendment with the inclusion of two words, four percent of, to make it absolutely certain that the funds collected by the County Treasurer are credited in the same amount to...I'm sorry, collected by the State Treasurer are credited in the same amount to the County Treasurer as those funds which are collected by the County Treasurer, four percent.

PRESIDENT:

Senator Berning has moved the adoption of Amendment No. 2 to Senate Bill 1497. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading.

SECRETARY:

No, I'm sorry, Mr. President. Amendment...

PRESIDENT:

Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll. Senator Carroll yields to Senator Maragos. Thank you. Senator Maragos. Senator Savickas.

SENATOR MARAGOS:

Mr. President, and members of the Senate. This amendment was discussed in committee and the sponsor of the bill did not have any objection to it. What it does, it makes sure that when we defer the tax payment on Inheritance Tax that it'll be a reasonable rate of interest from six to twelve percent a year, because as you know, the inflated rates cause many taxpayers not to pay the taxes because they could make more money by being delinquent in taxes than they can by paying their taxes which they should. In fact, our State and our counties pay more money for the interest on warrants or even bonding procedures than we do by...than the taxpayer does when he... being delayed on this his tax payments. So, I'm in favor of the bill, however, I think, we should not reward any delinquent taxpayer if he's going to take...the deferred action approach, which has been in Senator Berning's bill, and I ask for adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Maragos has moved the adoption of Amendment No. 3 to Senate Bill 1497. Is there any discussion? Senator Keats.

SENATOR KEATS:

The...the reason I wanted to object to this particular amendment,

is when you think about the initial logic as espoused by the sponsor of the amendment, it sounds reasonable, but there's only one point we have to remember. Whose money is this we're talking about to begin with? Is this the Government's money, or is it your own...or is it your money, and if we're going to argue that the Government can make more money with your money than you can, well you're probably right, but the point is it's your money to begin with. So, I would ask you to defeat this amendment, that it simply is a way for the Government to take more money from you faster.

PRESIDENT:

Is there any further discussion? Senator Berning. That's why we have that little white switch, so I can...Senator Berning.

SENATOR BERNING:

I beg your pardon. Thank you, Mr. President, and members of the Senate. In contemplating this proposed amendment, I have to point out to you that to the best of my knowledge from information furnished to me by our Secretary...our State Treasurer, the Internal Revenue Service only charges four percent on the first million dollars, and in the view of the representative Treasurer's Office, our proposal at six percent is entirely reasonable. It doesn't appear to me that we can justify profiteering on people who are all ready under stress. As you well know, this bill is proposed for the sole purpose of attempting to protect heirs who are suddenly confronted with a huge Inheritance Tax payment as the result of the demise of the principal be it a farmer or a small business operator. There is no loss of revenue to the State, it is merely a deferral and we are actually providing an interest rate at six percent, which in my opinion, and as I say the representative of the State Treasurer, is adequate. For that reason, Mr. President, and members of the Senate, I would beg the members of the Senate, to consider the plight of these people we are trying to help. We're not giving them anything, they are paying a reasonable

rate of interest, and I point out to you that interest rates are starting to go down now. When we fix this it probably is fixed for some time. The Federal Government on the other hand every two years, or thereabouts, can go up or can go down. I don't believe that we ought to react entirely to the Federal Government's rate and that...for that reason I do not recommend the four percent, but do recommend the six percent, and I think it is totally reasonable, and I would respectfully suggest that Amendment No. 3 ought to be rejected.

PRESIDENT:

Is there further discussion with respect to Amendment No. 3? Senator Maragos may close.

SENATOR MARAGOS:

Mr. President, and members of the Senate. Please understand what we're trying to do here. Right, now, when somebody inherits money or property he has to pay an Inheritance Tax in cash within the nine month period or twelve month period whenever the...period that the death took place. We are saying with this bill, with...which we supported in Revenue, and I support it now, he can defer, he or she, the heir can defer payment on Inheritance Tax for ten years, and pay it in installments. That is fine, except that we're saying you had to pay six percent interest throughout those years, and at the same time when that person, if he...if he defaults on his payment, he loses six percent interest. He doesn't loses, she...he or she does not have any incentive to pay on time, even under the deferred payment. We aren't giving them a big break, and we agree with it, and I have many clients who are in this particular situation. All we're saying with this amendment is that they pay just like you do with your Real Estate Taxes if you're delinquent, twelve percent a year, and why...if you can be delinquent in your Real Estate Tax and pay twelve percent, why can't you do it with your Inheritance Tax, and it's a more realistic figure in today's inflated

market, and I ask for the support of Amendment No. 3.

PRESIDENT:

Senator Maragos has moved the adoption of Amendment No. 3 to Senate Bill 1497. Those in favor of the Amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 28. The amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1507. 1518. 1538, Senator Lemke. 1559, Senator Rhoads. 1572, Senator Weaver. On the Order of Senate Bills 2nd reading, is Senate Bill 1572. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1572.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The first amendment makes a reduction of one million four hundred forty-two thousand six hundred dollars to conform to...the bill to the Governor's level, and I would move its adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Committee Amendment No. 1 to Senate Bill 1572. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 2 increases the Personal Services appropriations to the University of Illinois by two million two hundred and ninety-six thousand four hundred dollars to provide additional funds for salary increases equal to eight and a half percent of one hundred percent of the Personal Services base. The Governor's budget includes funds for salary increases equal to eight percent on ninety-five percent of the Personal Services base and I would move its adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 2 to Senate Bill 1572. Is there any discussion? If there's no further discussion...Senator Regner.

SENATOR REGNER:

Senator Buzbee's feelings would be hurt if I didn't talk. Mr. President, and members of the Senate. I'm not even going to mention the dollar amount involved in this bill and ensuing bills that come up regarding higher education, but the real fallacy of this amendment is, they are now saying there are two kinds of State employees, those that work for higher education and those that work in the rest of the State, and I think, Senator Buzbee, you're flying right into the face of your own amendments on various other administration bills that are before us. This isn't an eight percent increase like we're providing for all other agencies, it's not an eight and a half percent, as Senator Buzbee...called it. Simply because it's based on a hundred percent instead of ninety-five percent, it's actually a nine percent increase. So, what we're doing with an amendment like this, we're providing about twelve percent more for employees of various universities. We've taken a hardline stand in both Appropriations Committees regarding new jobs, and the elimination of long term vacancies.

With the universities there's no elimination of new jobs. Every single new job they ask for, they get. There's no elimination of vacancies either short or long, and there is no phase-in of pay increases which we're allowing in various other agencies. We're saying here's the money, you have it from July 1 on, and the real ludicrous thing of the whole ...whole issue is, we have less students this year, we're going to have less students next year, and ensuing years, and the universities admit it, and they show it on various reports, and what we're doing is, we're increasing the base for numbers of employees, increasing the base for the pay of employees, and they're going to have less and less work to do each year and you can bet your bottom dollar they're going to come in and ask for new jobs next year. So, all I say is defeat this amendment. The universities will still be treated a lot better than the other State agencies, but not quite as well as they're asking for. I urge a No vote on this Amendment.

PRESIDENT:

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President, and members. We have all heard the concern of the university faculty members, and the fact that they have notbeen...Mr. President, can we have an order back here?

PRESIDENT:

Yes, will those not entitled to the Floor, please vacate, and if the staff has any conferences, will they please adjourn to a different room. Sentor Sommer.

SENATOR SOMMER:

Well, Mr. President, we have heard the concern and this is an attempt by Senator Buzbee to respond to that concern, that we're losing faculty, that we're not rewarding our faculty sufficiently, and that's something that's arguable.

The Governor picks a figure, and we pick one, and we can argue about it here, and it's not a great concern of mine, frankly, what we do. The thing that does concern me is that we are rewarding, by Senator Buzbee's action, the high paid administrators of these universities basically to a greater extent than...than we're rewarding the faculty members. The high paid administrator is going to get a big raise under this kind of proposal, the faculty member is going to get a small one, and we've done that year and year and year. Why don't we some time, Senator Buzbee, reward the people we say we're going to reward?

PRESIDENT:

Is there further discussion? The Chair has been asked leave, there's a Gentleman in the Press Box who wishes to take still photographs. Is leave granted? Leave is granted. Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, and members of the Senate. I think there should be a few comments made about some of the accusations here that universities, higher education, has not been cut one single job. Unlike the agencies of State Government, the...the Board of Higher Education does a whole lot of cutting before we ever get their budgets. Now, to say, Senator Regner, that there's been no cuts, no cut in program, no cut in requested personnel, is absolutely wrong, and I think you know very well that there are two classes of State employees. There has been for many years. Just for example, comparing State Civil Service employees, with University Civil Service employees, we've been trying to play catch-up for many years. Back in 1976, univeristy employees were 19.37 percent behind State employees. '77, they were seventeen and a half percent. '78, we got up to only 6.6, but then again in '79 they went back up 11.85 behind State employees. 1980 they're 13.37 behind State employees. So, you are

absolutely right, there are two classifications of employees. We've treated janitors in the State Capitol differently than we have in Higher Education by paying them about...on an average thirteen percent more to work in the Capitol than to work at any institution of higher education. We've been trying to play catch-up for years. This is a half of one percent more to try to continue to reverse that differential for all State employees.

PRESIDENT:

Is there further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. While I rise in support of the amendment, I had asked that the bill be held and the grouping of bills, and I will ...I have, of course, withdrawn that request of the sponsorship with the understanding that I may ask them to bring it back prior to passage, and I do that for a reason. I support the concept that we have, in fact, underfunded the employees of these systems, because they have not gotten the increases we have given the State employees, as Senator Weaver so well pointed out, and they are, in fact, falling behind especially in the lower levels. However, the systems have been less than fair and honest with us. When we've asked them, can they find dollar for dollar the monies to provide these necessary salary increases, and take them from other areas of their budget, they, of course, came back and said absolutely not. While they feel that salaries may be necessary, it is not their priority, and I can read you, which I won't bother, their responses, or make them available, where each of the systems have said to us, in writing, to me, that they...this is not their priority they would, in fact, rather not have salaries for their employees than to eliminate some boondoggles, and if you read through the approach, no one has suggested taking away monies from necessary items, other than themselves. They said, gee, we'd have to do

without equipment, we'd have to do without lab supplies, we'd have to do without maintenance. Nobody is suggesting that. What we're saying is, things like...why should we be spending such a substantial portion, more than half of every dollar that goes to higher ed. goes for non-instructional costs. Sometimes as high as two-thirds of the dollars we provide to higher education goes to non-instructional costs. We spend great deals of money on all kinds of other programs totally related to the quality or quantity of education we're providing to the school children in higher ed. Why? I can't get an adequate answer from these systems other than; don't tell us not to give money for such things as intercollegiate athletics or for giving doctors who we are paying salaries money in the clinics to also provide what we say is free medical help to people in need. So, that one, they get paid a salary, and two they get paid...and equivalent of a per diem every time they give a service at a clinic. The administrative boondoggles are where this money should come from. I have no objection, and think we must, we must provide this extra half percent, but the monies shall come from these types of non-instructional costs. If I cannot accomplish it through this Chamber, this Session, it will not be the end of the try, and I have asked the sponsors, and they've agreed while moving it along in the process if we can come up with a solution, before the bills get out of here they would bring it back. If not, we will either try in the House or in Conference Committee, should they get there, or by resolution, looking at such things as, the unit costs studies. Looking at such things as what we are providing by rate equivalence, that really have shown that we are not giving the quality education for the dollar that we think we are spending the money for.

PRESIDENT:

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President, and members of the Senate. As usual, Senator Carroll is staggering to the polls and voting dry. Senator Carroll has made some excellent arguments against this amendment, and then tells us that he's going to vote in favor of it. Senator Carroll, let's...let's go over the ground rules one more time, we're not talking about a half percent, we're talking about a full percent. We are talking about it all at once, rather than phased-in as Senator Regner alluded to. Now, after our meeting in the Approp. II Committee, the Vice-President of the University of Illinois, and Sam Baker came to see me as I'm sure they did...came to see other members of the committee to make their case. I'm still not convinced, and I hope a lot of you are listening to this debate, I know you have other concerns, but when you go back to other State employees in your district, and some of you have Corrections personnel, some of you have State Troopers, some of you have Department of Public Aid people in high concentrations. When you go back to those people, and defend one standard for the aristocracy of our university system and another standard for them a lower paid increase for them, I hope you remember and reflect back on this vote and think about it. This is a full percent more and it is all at once, and it's something that is inconsistent with what we're providing for other State employees.

PRESIDENT:

Is there further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I would like for all of the Senators here today to make note that this is a red letter day. The House is not only going to vote on ERA, the Big 4 today, there has been a leak. The Big 4 is breaking up. Make note on your Calendar.

At long last the Big 4 is breaking up.

PRESIDENT:

Further discussion? Senator Martin.

SENATOR MARTIN:

Would the sponsor yield?

PRESIDENT:

The sponsor indicates he will yield. Senator Martin.

SENATOR MARTIN:

Is it true, Senator Buzbee, that even though the different schools in the systems may have different requirements and needs in terms of salaries for its employees, that all of the schools in higher education will be treated alike through your series of amendments?

PRESIDENT:

Senator Buzbee.

(END OF REEL)

SENATOR BUZBEE:

That is correct, Senator.

PRESIDENT:

Senator Martin.

SENATOR MARTIN:

Could you tell me, and I think you do remember, how many people applied for the job of President, or Chancellor, excuse me, of S.I.U.?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Yes, I would remind you we're talking about the University of Illinois Bill, at this time; but I...to the best of my knowledge, something like two hundred applied...or rather two hundred were considered by the Search Committee, I should say, rather than applied for the job of Chancellor of S.I.U.

PRESIDENT:

Senator Martin.

SENATOR MARTIN:

Then I would like to comment. And, I think, because all the bills are alike, in effect, whether we are talking about one university which may need it, or another, they are being treated identically. One of the reasons you do give pay increases, is not only to attract, but to get people into jobs because there aren't enough people that want to fill them at the rate at which you are paying. Could we pound a little?

PRESIDENT:

Yes, I think so. All right, will the members please be in their seats?

SENATOR MARTIN:

I would remind, probably everyone here, that especially at the higher levels in the university hierarchy; and especially at some of the schools, there are lines of people that want these, supposedly horrible jobs. We are graduating

people that are so eager to teach at any university, that the applications for almost every field are overflowing the file cabinets. Now, if this is so terrible; and it is so awful, for instance, to be a president of a university; two hundred people applied for S.I.U., to be chancellors and vice-chancellors, the numbers are incredible. In the fields of Liberal Arts, there are so many people that would like a job as an assistant professor or full professor, that I think it does boggle the mind. I don't know that there has been proof, especially at the higher levels, that this is the kind of increase that is needed; and I would remind you, that none of those involved were willing to say that they guaranteed they wouldn't take the pay increase, or that they would take a very low pay increase to pay those down further in the system that may well need the increase. This is just sort of throwing money at them all, and that isn't fair, it isn't right and it isn't just.

PRESIDENT:

Is there further discussion? Senator Wooten.

SENATOR WOOTEN:

Couple...just a couple of questions. First, one of Senator Buzbee. Is this nine percent increase going to be applied equally to community college employees as well as to those in higher ed?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Yes.

PRESIDENT:

Senator Wooten.

SENATOR WOOTEN:

A question for clarification of Senator Carroll. Senator Carroll, you mentioned an astounding percentage of dollars

that are spent on noneducational functions. Would not most of that...just for satisfaction of my own thought, would not the bulk of that be taken up with the fact that they are residential...these are residential schools, and doesn't much of that money go for that purpose?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No.

PRESIDENT:

Senator Wooten.

SENATOR WOOTEN:

Then what does it go for, specifically?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

All types of things. Operations and maintenance, executive type budgeting items, such as public relations, such as administrators, such as grants; all types of things.

PRESIDENT:

Senator Wooten.

SENATOR WOOTEN:

That doesn't make sense. I...I would think that...that you mentioned physical plant, I...if what you say is true, then, obviously, you should cut the program by a good...by more than a third in every dollar. It just doesn't make sense.

PRESIDENT:

Is there any further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

Thank you, Mr. President. I feel it necessary to rebut some of the arguments that have been made; and also, to clarify some of the comments. First of all, as Senator Weaver so

aptly pointed out, the statement that was made that there had been absolutely no cuts in the university systems, the community college system and so forth, is simply not correct. The reason it's not correct is, as these budget requests went before the Board of Higher Education; the Board of Higher Education cut a total of forty-two million dollars from the five-systems requests. That is the University of Illinois, Southern Illinois University, the Board of Regents, the Board of Governors and the Community College System. They had submitted requests from their budget...in their budget request forms of some forty-two million dollars more than was allowed by the Board of Higher Education. Reference was made to the unit cost study; this is something that the Appropriations II Committee has been extremely interested in for at least two years now, actually we started dealing with it...year before last; so this, actually, is the third year that we have started addressing it. I have a personal interest in the unit cost study. I have said to the president, or to the head of each of the systems and to the various campus presidents, this is something we are absolutely serious about. We intend for you to continue to get your house more and more in order, as it pertains to operation and maintenance costs, as it pertains to administrative costs, as it pertains to the whole cost of operating higher education. They are getting their systems and their houses more and more in order. The Board of Higher Education has made substantial reallocations over the past two years of dollar requests, based on areas where they have identified that were inefficient in their operation. They have said to the various campuses and the various systems that you will get your house in order. In some cases, they have not gone far enough, in my opinion. We intend to stay on them. We intend to hound them, if you will. We anticipate in the fall, having the fiscal oversight hearings once again,

and we intend to, at that time, have the Board of Higher Education come in and tell us exactly what they have been doing to continue the reallocation of dollars. Comment was made about the difference between pay to university employees and other State employees. I would like to correct another common misconception. Senator Weaver pointed out that university employees are not on a step-rate pay plan as are our other State employees. As an example, if you are a State employee and you are covered under the Personnel Code, and you're in steps one through four; you automatically get a five percent pay increase each year. If you are in steps five and six, you get a five percent increase each year and a half. On top of that, of course, is the contractual arrangement which the Governor has made with the various State Employee Unions and with other persons who are employed by the State of Illinois who are not covered by a Union, that allows anywhere from a seven to eight percent or ten percent increase, in fact, in some cases, for other State employees. What we have done with the imposition of the eight percent solution on various State agencies, is to simply say that, okay, you go ahead and give those pay increases to those other State employees, we have no control over that, Governor; or we have no control over the Personnel Code, but you will live within the eight percent overall guideline. What we are doing with the universities, is simply saying, again...once again, trying to catch up just a little bit. We won't near begin to catch up with this amendment, but just try to make up some of the difference. Mention was made of the State Troopers. You will recall that last year we gave the State Troopers a pay increase that amounted to close to five thousand dollars...

PRESIDENT:

Senator, will you conclude, please.

SENATOR BUZBEE:

Certainly. I would also like to point out that in the case of the University of Illinois, not one dime is spent out of this budget for athletic scholarships; mention was made of that. I would also like to say, in closing, Senator Hall, as far as the Big 4 are concerned, we are not breaking apart, we have just simply bent a little bit on this particular issue; we'll be back together again in just a few minutes, and I think it's a good...I think it's a good amendment, and it ought to be adopted.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 2 to Senate Bill 1572. Any further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1573. Senator Carroll, for what purpose do you rise?

SENATOR CARROLL:

Thank you, oh, Mr. President. It is with great pleasure that I introduce a former member of this Chamber, who spent many a day talking like this. Senator Marshall Korshak, Papa Marsh.

PRESIDENT:

Senator, welcome. 1573. Yes, Senator Regner.

SENATOR REGNER:

Mr. President, back here, Senator Sommer and myself and... several other members did ask for a roll call on that last amendment.

PRESIDENT:

You are entitled to a roll call. The question is the

adoption of the amendment on...Amendment No. 2 on 1572. Those in favor of Senator Buzbee's amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 14, none Voting Present. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Buzbee, 1573? On the Order of Senate Bills 2nd reading, the bottom of page two, is Senate Bill 1573. Read the bill, please, Mr. Secretary.

SECRETARY:

Senate Bill 1573.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 reduces by four hundred eighty-nine thousand eight hundred dollars from the bill; it makes that amount of reduction to put it in the Governor's Level of Funding and I would move it's adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 1 to Senate Bill 1573. Is there any discussion? If not, all in favor signfiy by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is the amendment for Southern Illinois University, that we just had the discussion concerning the University of Illinois. This increases the Personal Services appropriations to Southern Illinois University by nine hundred twenty-three thousand dollars, to provide additional funds for salary increases equal to eight and a half percent on one hundred percent of the Personal Services base; and I would move its adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 2 to Senate Bill 1573. Is there any discussion? Senator Regner.

SENATOR REGNER:

Yes, Mr. President and members. All the same arguments hold true for Amendment No. 2 on this bill as Amendment No. 2 on the previous one. I do ask for a...an unfavorable roll call, but I would like to ask the sponsor a question.

PRESIDENT:

He indicates he will yield. Senator Regner.

SENATOR REGNER:

Senator Buzbee, might you consider, tomorrow, bringing this bill back for a further amendment that I would like to possibly offer and that is that we take the entire Personal Services line item and break it out into administration, faculty and other workers.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Senator, you know that I will certainly honor your request to bring the bill back at any time. I would like to get the bills out of here this week or early if we can; however, I can assure you, at this point, that I would

oppose your amendment; but I would certainly give you that... that opportunity.

PRESIDENT:

Further discussion? Senator Rhoads.

SENATOR RHOADS:

A question of the sponsor of the amendment.

PRESIDENT:

He indicates he will yield. Senator Rhoads.

SENATOR RHOADS:

Senator Buzbee, I asked you in committee a similar question to Senator Regner's and I...you didn't give an answer at that time. You said you would give me an answer on the Floor, regarding breaking this out for those people making over thirty thousand dollars a year. As Senator Sommer had pointed out earlier, we are in a position where the highest paid individuals are getting the biggest increases, because it is an across the board percentage increase. And, yet, the argument was made in committee, in testimony, that the people that we are trying to...help here, or that you are trying to help with your amendment, are the middle-income faculty between twenty and thirty thousand dollars a year. What's wrong with having a cutoff, since this, as they say, is their policy, anyway? Would you support such an amendment?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

In...in response to your last question, Senator, the answer is no, I would not support such an amendment. But I would like to address the issue just a second, and that is that all of the systems, have for the last several years, as a matter of fact, and for this year, have once again indicated that their percentage of increase for the higher

paid administrators, as you point out, will be a much smaller percentage of increase than for the lower paid faculty and staff members...the middle income and the lower income; that the lower the income, the higher percentage. In other words, they don't give a flat across the board increase...percentage increase to everybody. They give a smaller percentage increase to the higher paid personnel, and then as they come down to the lower paid personnel, they give a higher percentage increase.

PRESIDENT:

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Well, then, speaking to the amendment, as Senator Buzbee well knows; even though the percentages may be smaller at the upper end, because of the base that they are based on, in real dollar terms we are talking about three thousand dollars for somebody making over fifty thousand dollars a year, and, perhaps, eleven hundred to fifteen hundred for the average faculty member. Now, remember, we are talking about a Chancellor, here, who has his house paid for by the State, a State car, all kinds of expenses picked up by the State that ordinary citizens, as Senator Martin said in committee, just aren't entitled to. I...I...I think it's a...a perfectly reasonable request to make, Senator Buzbee, and I hope you would change your mind tomorrow, and support the amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Buzbee.

SENATOR BUZBEE:

In...in closing, Mr. President, I would say again, Senator Rhoads, that this is a discussion we've had with the universities for years; and you will recall back when Senator Harris was the President of the Senate, Speaker Blair was the Speaker that there was an amendment which was offered in the House of

Representatives, which tied up all of higher education budgets for several days, as a matter of fact; that wanted to break out by one particular occupational group in...in the universities to identify the exact dollars that they were going to get. There was, the eight years that I've been here, the only time that I'm aware of, a joint caucus in the Senate of the Republicans and Democrats to discuss that amendment, and it was unanimously agreed at that time, that we would not support that amendment...if they did not get their house in order, as the days went on, as the years went on, that we might, in fact, start doing that sort of thing; not just for one occupational group, but for all of them. As it turned out, I am convinced, that they have been getting their house in order. The University of Illinois, Southern Illinois University, the Board of Governors, the Board of Regents and the Community Colleges have all, over the years, attempted and have, in fact, succeeded in making sure that the lower and the middle paid employees get a higher percentage increase than the administrators, who are at the top end of the...of the...of the stick.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is, shall Amendment No. 2 to Senate Bill 1573 be adopted. Those in favor...there is a request for a roll call. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 13. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3, offered by Senator Johns.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. This amendment lost in committee seven to seven. And, this amendment is to allow the prevailing wage to be paid to the...to the Laborers Union on the campus up at S.I.U. For several years now, S.I.U. and its administration has held this group back... continually...working them over, so to speak, and...and breaking their backs. They utilize them for electricians, plumbers, bricklayers, whatever; yet, they refuse to pay them the prevailing wage. This is two hundred thousand dollars to take care of that wage, and...and the administration told me, "yeah, we'll pay it if you can get it." The Governor told these union people at a...at a tax conference in Carbondale, "get it on there and I'll approve it." So, here's his chance, for the administration and for the Governor, and I move for its favorable adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Regner.

SENATOR REGNER:

Mr. President, you know this...this is very humorous, Senator Johns' sponsoring an amendment such as this. The labor, as he is talking about, got their deal several years ago when they got full-time work, and now, they want to renege on their deal. I see no reason we should support them in the reneging on a deal they made several years ago; and I would urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Senator Regner brought up

the key point that the laborers involved were given full-time work, so there are times when they are being paid to do nothing; but here's the second factor, the prevailing wage does not happen to be the prevailing wage in the general vicinity of where they work. This is a prevailing wage that is figured, that in some cases, is actually several hundred miles away, so they would be getting, not only a renege on their deal of full-time work when they aren't always working full time; but the second point, they are getting a prevailing wage that doesn't happen to be the prevailing wage in their area to begin with. I would ask you to vote against it. Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. In all good conscience, I have to rise in opposition to this amendment. Since it appears to me that we are not taking into consideration that the same individual type employee in the private sector, who has to work to pay the taxes to pay these wages and the other expenses of this State of Illinois, are not guaranteed year round employment. It's an insult to those other working class people, and in my opinion, there is no justification for this amendment; and I strongly urge the defeat.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this amendment. I would just like to know from Senator Regner, when you say they reneged, what are you talking about, Senator Regner? What... what did they do? He strikes like the invisible...get over there, 4. You're back here trying to make a deal; you're

trying to get...if I could just get that breach widened...now... now, you made a statement...what have you got to back that up? What do you mean they reneged, with the cost of living and everything rising today, are you trying to say that... that...when you say they reneged, what are you talking about?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Regner may respond.

SENATOR REGNER:

The...the deal they made, Senator Hall, was if they received the prevailing wage rate, that they would be satisfied with that amount, as long as they got full-time work. Now they are wanting to have extra increases, and that is reneging on your word from...not your word, but their word, from several years ago.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Hall.

SENATOR HALL:

Well, I rise in support. All they are asking is the prevailing wage. Now, to stand here and say, today when the cost of living, when everything else has risen, we have given a raise to everybody; we even...we took a raise. Everybody needs a raise today. To say that you want them to stay at a wage that they agreed to some years back; it's just not right. This amendment should go on, and I hope that everybody supports this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further...Senator Regner.

SENATOR REGNER:

Just...just to point out to Senator Hall that they are receiving a raise, but they're under...under this amendment, they are receiving an extra raise, and they don't deserve it.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I rise as one who is opposed to the notion of prevailing wages. What it does is protect a very few laborers at the expense of a very many, as Senator Keats said, and he's right there. The problem, of course, is that we're doing it all over the city, and all over the State; and to exclude this group, seems to be just patently unfair. The Governor came out and made a big speech in favor of prevailing wages; we ought to wipe it out completely, but if we don't wipe it out, we certainly ought not penalize a group that...that is not making prevailing wages where others are making that scale. I rise in support of your amendment, Senator. It's a good amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think that we have taken enough away from the administrators. We've taken away their power to negotiate for salaries, and has been pointed out, they are going to participate in this increase in appropriations; there will be more money for the universities, whether it be Southern or whatever to negotiate, and I think they should be allowed to have that privilege. So I would urge a defeat of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Johns may close.

SENATOR JOHNS:

Mr. President, these people have suffered long enough. I would like for the Democratic Party to stand up and show that they really care about the laboring class of people. We've heard all kinds of...speeches today about administration,

staff, secretaries, everything else. Here's...here's the downtrodden. We need to take care of them. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is shall Amendment No. 3 be adopted. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 26. Amendment No. 3 fails. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1574, Senator Shapiro. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1574.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 reduces the Board of Regents funding request to the Governor's allocation level; a reduction of five hundred fifty-nine thousand dollars in General Revenue, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 4 to Senate Bill 1574 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Just a moment...it's Amendment No. 1, the board...didn't display that number. It is Amendment No. 1 to

Senate Bill 1574. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment...increases the Personal Services appropriations for the Board of Regents system by eight hundred seventy-five thousand dollars, to provide additional funds for salary increases, equal to eight and a half percent of one hundred percent of the Personal Services base. This is doing, for the Board of Regents, what we have just done for the University of Illinois and for Southern Illinois University, and I would move its adoption; and I understand, to save time and debate, if I just ask for a roll call, at this point, that we can go ahead and make our points with our electronic voting marvel.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 2 be adopted. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 13. Amendment No. 2 to Senate Bill 1574 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1571, Senator Buzbee. Do you wish to call 1571? Senator Buzbee?

SENATOR BUZBEE:

Yes, but I would prefer to go ahead and get 1575 dealt with first, then back to 1571.

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right. Senate Bill 1575. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1575.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment...Amendment No. 1, reduces the Board of Governor's funding request to the Governor's allocation level; a reduction of four hundred eighteen thousand three hundred dollars, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 1 to Senate Bill 1575 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 2 increases the Personal Services appropriation for the Board of Governors' system by seven hundred ninety-four thousand one hundred dollars, to provide additional funds for salary increases...equal to eight and a half percent of one hundred percent of the Personal Services base. This is the amendment that does for the Board of Governors, exactly what we have done for the University of Illinois, Southern Illinois University and the Board of Regents. I would move its adoption and ask for the roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 2 be adopted. Those in favor indicate by saying Aye. Those opposed. There is a request for a roll call. The question is shall Amendment No. 2 to Senate Bill 1575 be adopted. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 16. Amendment No. 2 to Senate Bill 1575 is adopted. Are there further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senator Buzbee, do you wish to return Senate Bill 1571? Do we have leave? Leave is granted.

SECRETARY:

Senate Bill 1571.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment makes the following changes, as per the Governor's allocation: reduction from eleven million dollars to ten million nine hundred thousand for the private higher education; a reduction of a total of one hundred thousand dollars, educational T.V., a reduction of two hundred fifty thousand dollars,

fifth pathway medical grants, a reduction of six hundred dollars, and the health education grants, a reduction of two hundred ten thousand nine hundred dollars; for a total reduction of five hundred sixty-one thousand five hundred dollars to reflect the Governor's allocation, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 1 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 2 increases the Personal Services appropriation of the Board of Higher Education by nine thousand three hundred dollars, to provide additional funds for salary increases equal to eight and a half percent of one hundred percent of the Personal Services base. This is doing exactly, for the Board, what we have done for the four systems so far, and I would move its adoption and ask for a roll call to save time.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Sommer doesn't want to save time. Senator Sommer.

SENATOR SOMMER:

Senator Buzbee, we hear a great deal of concern about pay for faculty members; my mail is full of it. How many faculty members and teachers work for the Board of Higher Education?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Senator, it's my understanding that...that all of them are either...are previous faculty members or administrators.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator Sommer.

SENATOR SOMMER:

Did you say "previous faculty members?" Are they faculty members today? Of course they're not faculty members. You're rewarding the bureaucrats again. Take a look at their salary schedules, those of you who don't know, they're all high. They are really high, and he's doing the same thing that he did before with the universities; but in this case, it's not at all defensible.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Kenneth Hall.

SENATOR HALL:

I would just like to relinquish my time to Senator Sommer. I love this going on between the Big 4. I relinquish my time.

PRESIDING OFFICER: (SENATOR DONNEWALD)

He doesn't want anymore. Is there further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

Thank you, Mr. President. I would say that...that in rebuttal, these are the folks that we are going to give ninety-three hundred dollars, total, for the salary increases that we're talking about. These are the folks that protect us from all of those moneygrabbers that you folks are concerned about in the higher education field. These are the folks that... that...that protect us from the taxeaters. These are the folks...these are the folks that cut forty-two million dollars out of higher education requests this year, and since they

are not under the Personnel Code as are other State employees, what's good for the goose is good for the gander; or whatever. So, I am asking for ninety-three hundred dollars and would ask for a roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is shall Amendment No. 2 to Senate Bill 1571 be adopted. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 23. Amendment No. 2 to Senate Bill 1571...there is a request for a verification, by Senator Sommer. Will the members please be in their seats...and I assume it's for the affirmative vote. Will the members please be in their seats. The Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bruce, Buzbee, Carroll, Collins, D'Arco, Davidson, Donnewald, Egan, Hall, Joyce...Jerome Joyce, Maragos, McClendon, McMillan, Merlo, Nash, Netsch, Sangmeister, Savickas, Vadalabene, Washington, Weaver, Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Sommer.

SENATOR SOMMER:

Senator Egan?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is Senator...Senator Egan is in the aisle. On that question, the Ayes are 24, the Nays are 23. Amendment No. 2 to Senate Bill 1571 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 3 is a good amendment. I...I just now found it. I know it's a good amendment. This is a two hundred fifty thousand dollar... allocation to match Federal funds for transportation centers, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Regner.

SENATOR REGNER:

What is it really?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm jumping in, Senator Buzbee. It is my... my recall is that this is a consortium of all of the higher ed institutions doing a transportation grant...a study...of... Federally funded study of public transportation that has been allowed even with the cuts proposed by Congress. And this consortium would be of all the institutions of higher ed, and this is a match that is necessary in order for us to obtain this program.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

I would just expand on that, it is...it is matching funds to a consortium of all of the institutions of higher education in the City of Chicago, including the privates; and this is our match for that, and it's a good amendment, Senator Egan.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Just a question of the sponsor. What is a transportation center? That's what you said this was for.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Thank you, Senator Berning. It is a consortium, Senator, that's the only thing I can tell you, because that's all that I know. It's a consortium, all of the institutions of higher education in the City of Chicago, to be able to...to pick up funds from the Feds that would allow for the transportation of students among the various universities in the City of Chicago.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Mr...Mr. President, I don't want to challenge the integrity of the sponsor; but now, we have been told that this is for a transportation center, and I was interested in what a transportation center is. It seems to me that could be a garage, or it could be an RTA Terminal; but to say that it's a consortium, now, to study transportation; and perhaps, provide transportation for students, I think, is begging the issue. I don't really know how much money is involved here; but whether it's Federal money as bait again, or not, the inevitable course of these things is to increase year after year after year. Now I notice, that in this Senate Bill 1571, we have in Section 1, fifty-eight thousand two hundred dollars for travel. And, in Section 7, for travel, we have another five thousand dollars; and in Section 8, we have another travel, six thousand dollars, and another one for six hundred seventy dollars. What I am attempting to point out is, that we seem to be appropriating an inordinate amount of money for travel, which is essentially transportation. And I am

curious as to how we dovetail what we are already considering in this appropriation bill, with the concept that we ought to be funding along with Uncle Sam and his doling out of our dollars, a consortium or transportation center study; the objectives, of which, I'm not just sure that anybody has... given us at this point.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Sommer.

SENATOR SOMMER:

Just a brief question for Senator Carroll. Have you gotten your instructions right from the gallery?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

He reminded me to respond to Senator Berning, that this is not for transportation of people; it has nothing to do with physical operations, it is strictly a research project; and those are the instructions from the gallery.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Regner.

SENATOR REGNER:

Yes, Mr. President, just to finish the question that I had asked prior to this, before I was interrupted. Did the Board of Higher Education request this project, Senator Carroll?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

They generally don't speak to me, right now. They had approved...my understanding is that they had approved it, and it was not in the Governor's budget; we don't bother with Dr. Bob's fiction book that often. It was not in the fiction book, but it has...my understanding is, it has met with the approval of all approving bodies.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Regner.

SENATOR REGNER:

Well, my understanding B.H.E. cut it out themselves before they even presented it. Your answer...your first part, was right...or wrong; your second part was probably right that you're never sure what's in the green book. But this request was not asked for by the Board of Higher Education in their final request; they cut it themselves before they even presented it to the Bureau of the Budget. My understanding is that it's the same as a subsidy to mass transportation. Now, last fall, as you all know, we took away all subsidies for the RTA; so, if we are going to do this, where it really belongs is in the Department of Transportation as a subsidy to mass transit to the RTA area going back to where we were before. I objected to the Governor's position, as you know, last fall allowing subsidies to stand for downstate; taking them all away from the RTA area and having that area pay for it themselves. I think it's wrong and I think, if, Senator Carroll, you are persistent in this, I think what you should do is withdraw it from this particular bill and add it to the Department of Transportation bill as a subsidy to the RTA.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

Senator Regner, just to ease your mind and misapprehensions, this was not, as I am informed, this was not turned down by B.H.E. In fact, the potential grant came in after the submission of the budget, which is why it was not included with the budget. The potential for the grant came in much later in date, and that's why it was presented direct to us, and met with approval. It has nothing to do with the RTA. It

is not a grant to the RTA, nor to my knowledge to any employee of the RTA. It is a consortium of the institutes of higher learning to do research on transportation, which could go within or without the RTA area. There is no coordination of the two.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Martin.

SENATOR MARTIN:

Good staff work over here is going to come to the rescue of Senator Carroll and Senator Buzbee. The staff is now aware of what this is for. It's for Medley Moving.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads.

SENATOR RHOADS:

Well, Senator Carroll the...Senator Carroll, the key question is do we have a letter from Dr. Bob on this amount?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

We have letters from Dr. Bob on any subject at any time.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads...Senator Rhoads.

SENATOR RHOADS:

Let's...let's not evade the question, here...has the Bureau of the Budget signed off on this? You made the representation that Board of Higher Ed has reversed itself on this, is that correct?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Buzbee.

SENATOR BUZBEE:

We do not have a letter from Dr. Bob on this particular issue, Senator. This is...is Federal funds that came in;

the B.H.E. became aware of, after the budget proposal had been submitted; and this is simply...and this is simply their attempt to capture those Federal funds for this study, which is needed. And, so, that's why the...the funds are being requested with this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads.

SENATOR RHOADS:

I thought you were using two hundred and fifty-two thousand of State dollars here to match...to recapture a like amount of Federal funds; but there is an expenditure of State dollars, and you do not have a letter from Mandeville, right?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

You are correct, Senator.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr...President...this may be my last speech. I am going to support the Scholarship Funds that have been much more controversial than this, but we've got Chicago Area Transportation Study Committee, we've got the Commission on Transportation, we've got the Northwestern University Transportation Center, the University of Illinois Transportation. It's just like the Energy Department; everybody studies it, and nobody does anything about it. We are throwing millions of Illinois taxpayers'dollars down the sewer already, on impossible studies that they mail out to us and nothing ever happens on. I just regret that the proponents of this bill happen to be good friends of mine, because I am going to vote No, and I would urge everybody else to vote No. If there's one thing

we don't need, it's another study on transportation.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Buzbee may close... or do you wish a roll call?

SENATOR BUZBEE:

I would ask for a favorable vote. No, Sir, I don't wish a roll call. I would just like to have a favorable voice vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

There is a request for a roll call. The question is shall Amendment No. 3 be adopted...on Senate Bill 1571. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 28. Amendment No. 3 to Senate Bill 1571 fails. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1576, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1576.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 reduces the Community College Board Funding request to the Governor's allocation level; a reduction of two million twelve thousand eight hundred dollars in General Revenue, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 1 to Senate Bill 1576 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 2 increases the appropriations to the Illinois Community College Board by one million six hundred sixty-seven thousand two hundred dollars, to provide additional funds for salary increases equal to eight and a half percent of one hundred percent of the Personal Services base. This does for the Community Colleges exactly what we have done for the four senior... four senior systems, and I would ask for a roll call and save the debate.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Keats.

SENATOR KEATS:

Senator Buzbee, I am asking a question, this is not debate. You are saying that Community College instructors are getting eight and a half percent. We are being told that they are getting twelve and a half percent, where the fact...example U of I will get, call it nine percent or...we want. It is my understanding the Community Colleges are, in reality, getting twelve and in some cases twelve and a half percent. Have you, in this amendment, cut them back to the eight and a half-nine percent bracket, or is there from some other mischievous manner, a way that they are going to come up with a three percent above the members of the senior universities?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Well, I would respond, Senator...you'll recall the funding formula for Community Colleges, they get their revenue from three sources; State dollars, tuition and local property taxes, as opposed to the senior institutions which only get State dollars and tuition. So, as a result, approximately fifty percent of their funds come from...or maybe, I guess it's somewhat less than fifty percent, but anyhow, a significant portion of the Community Colleges' funds come from local property taxes. This allows...whatever the local board decides, and I know in the case right here in Springfield, as an example, two people that we know pretty well in this Chamber, serve on that Community College Board; and they can allocate those dollars as they see fit. The only thing we're saying is, we're putting the same...restriction, or the same increase, whichever way you look at it; the glass is half full or half empty; we're putting the same...rules as far as the State dollars are concerned on the Community Colleges that we put on the senior institutions, and if there is any difference that they can add on for the Community College professor, it is due to their local property tax revenue.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. In other words, to...to put that in plain English, yes, the Community College teachers are getting twelve and a half and thirteen percent where U of I is in reality, going to get nine percent. In other words, by supporting this particular amendment, we are giving Community College teachers, with less credentials and a slightly different job, substantially more pay than the faculty at the U of I, who

have higher credentials and a substantially tougher job. I think, perhaps, we should reconsider that amendment. Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator De Angelis.

SENATOR DE ANGELIS:

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

He indicates he will respond.

SENATOR DE ANGELIS:

I guess I should really direct this to Senator Buzbee rather than Senator Bruce. Senator Buzbee, are the TRE grants still in this, or have they been diminished, or have they been eliminated completely?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bruce indicates that he will respond.

SENATOR BRUCE:

Senator, those will be taken out on the next bill, 1577, and the amendment will be offered by Senator Nimrod, which I plan to support and that will take out the...Tax Rate Equalization. That is not in the appropriation. Oh...I'm...I'm sorry, but the appropriation was eliminated in Amendment 1, not this amendment. So, it is out, right now. The substantive language will be taken care of by Senator Nimrod on 1577, the next bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator...Senator Buzbee requests a roll call. The question is shall Amendment No. 2 to Senate Bill 1576 be adopted. Those in favor indicate... those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 16. Amendment No. 2 to Senate Bill 1576 is

adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1577, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1577.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bruce.

SENATOR BRUCE:

Either I or Senator Nimrod can explain...Senator Nimrod, do you wish to explain it?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nimrod. Would the doorkeeper please keep the door closed to avoid all that clatter.

SENATOR NIMROD:

Yes, it...thank you...thank you, Mr. President. We would like to move, at this time, to Table Committee Amendment No. 1 for replacing it with a amendment...that's technically incorrect.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Nimrod moves to Table Amendment No. 1 to Senate Bill 1577. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Now, Senator Nimrod...

SENATOR NIMROD:

Thank you, Mr. President. I think this amendment...

PRESIDING OFFICER: (SENATOR DONNEWALD)

...just...just a moment. There is...are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. This is a clarification of Amendment No. 1, and it technically was incorrect; and I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 2 to Senate Bill 1577 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3, offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bruce.

SENATOR BRUCE:

Yes, thank you, Mr. President. This amendment changes the rates to reflect the...the credit grants, to reflect the increase made by Senator Buzbee in 1576. They were drawn up by the Board of Higher Education, I believe they meet the approval of every member. I'd move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment

No. 3 to Senate Bill 1577 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1578, Senator De Angelis. Senate Bill 1579, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1579.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Weaver. I'm sorry, Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 decreases the General Revenue Appropriation by two million three hundred seventeen thousand two hundred dollars. This amendment decreases the appropriation down to the Governor's recommended budget allocation, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 1 to Senate Bill 1579 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment is the amendment which has been offered by Senator Weaver. He and I

have been working together on...on this idea for several years, and we have been doing it the last few years. But we are finally bringing everybody who is connected with universities...into where their pension allocations...their pension dollar allocations, are made into one...one amount, and this is the...into one system; taking it out of the universitys' system, and this is the amendment that would do that for the University Civil Service Merit Board, the State Geological Survey, the State Natural History Survey and the State Water Survey, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 2 to Senate Bill 1579 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading.

(End of reel)

Senate Bill 1614, Senator Berning. 1614. Senate Bill 1622, Senator Geo-Karis. Senate Bill 1623, Senator Mitchler. Senate Bill 1627, Senator Nimrod. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

For a point of personal privilege, Mr. President and Ladies...

PRESIDING OFFICER: (SENATOR DONNEWALD)

State your point.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. I'm happy to tell you that we have three of our constituents who are realtors in the Realtors Association from Lake County, Illinois, Mona Awick, Leonna Boris...four rather, Mona Boris... Mona Awick, Leonna Boris, Dorothy...Fedinger and Barbara Drone. They happen to be sitting on this side of the aisle, up there.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Please rise and be recognized. Senator Nimrod...as to 1627. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1627.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1, Committee Amendment No. 1 is the eight percent solution with a phase-in of the new employees. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is shall Amendment No. 1 be adopted to Senate Bill 1627. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is to eliminate three vacancies from the budget. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...discussion? If not, Senator Carroll moves adoption of Amendment No. 2 to Senate Bill 1627. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor Amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1628, Senator Regner.

SECRETARY:

Senate Bill 1628.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR CARROLL:

Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. This is the elimination of some unnecessary positions at this time. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1628. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you. This is an add-back of two positions we erroneously deleted in the committee amendment. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1628. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1631, Senator Rupp. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1631.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers four amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Committee Amendment No. 1 is a transfer requested by the department. It has no dollar impact. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1631. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is the eight percent solution and additionally some cuts of a new position, a State's share of audit costs and some monies for trauma missions that appropriately belongs in another agency. I would move adoption of Amendment No. 2. There may have to be a corrective amendment later.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1631. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This reduces telecommunication lines for the Civil Preparedness Administration, which is now in the Supplemental and does not have to be in the FY '81. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1631. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to reduce the appropriation for...Federal Civil Preparedness Administration to half the amount requested. We're not sure what the budgetary figures will be as they come out of Congress and at that time we would make the correction. I would move adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further discussion? If not, Senator Carroll moves

the adoption of Amendment No. 4 to Senate Bill 1631. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 5 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rhoads, if he's within hearing, we are awaiting a letter from Doctor Mandeville about this. We...it has been indicated that it is swiftly on its way. It changes the funding source for the Radiological Accidents Unit and I would move adoption of Amendment No. 5. I understand that we will have to have the bill brought back at a later time for another amendment that the department has asked for, but I would move adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further discussion? If not, Senator Carroll moves the adoption of Amendment No. 5 to Senate Bill 1631. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER:

3rd reading. Senate Bill 1634, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1634.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment provides for the appropriation to the Governor's Purchase Care Review Board, that is fifty percent from the General Revenue Fund and fifty percent from the Elementary and Secondary Education Act Fund, Public Law 94-142. And the request came in that all of the money come from General Revenue. We have reallocated, saying that we'll put our half in, but we're going to get the other half from the Feds as they owe us and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Buzbee moves the adoption of Amendment No. 1 to Senate Bill 1634. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Do we have leave to go back to Senate Bill 1623? Senator Mitchler is on the Floor now. ...Read the bill, Mr. Secretary. For what purpose does Senator D'Arco arise?

SENATOR D'ARCO:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR D'ARCO:

We have in the gallery the students and staff from Jesse Spaulding School for the physically handicapped and it's in my district and I would ask, would they stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1623.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 adds one hundred, fifty thousand dollar...one hundred, fifty thousand and five dollars to the Military and Naval Departments FY '81 budget. The money is the unspent portion of the department's FY '80 appropriation for rehabilitation and minor construction at armories and camps and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Buzbee moves the adoption of Amendment No. 1 to Senate Bill 1623. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 2 reduces the

FY '81 appropriation to the Military and Naval Department by four hundred and eleven thousand, three hundred dollars, by applying the eight percent formula and phasing new positions. When we put this amendment on, we suspected that perhaps we'd gone a little bit too deep, in their case, but that is going to be corrected with an amendment that Senator Regner is going to offer next. So,I would the adoption of this with the understanding that a little bit of it will be put back with the next amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Buzbee moves the adoption of Amendment No. 2 to Senate Bill 1623. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR REGNER:

Yes, Mr. President and members. As Senator Buzbee explained, we did put the Amendment No. 2 on which went pretty deep. It eliminated about two hundred and sixty thousand dollars in personal services from those people that will be one hundred percent State funded. We also took a hundred and twenty-four thousand and some odd dollars of those positions that we phased on a twenty-five, seventy-five ratio. That is the part where we have the problem. So, what this amendment does, it puts seventy-five thousand back into Personal Services,

eighty-one hundred into Retirement and thirty-one hundred into Social Security, for a total of eighty-six thousand, two hundred dollars, the money put back in on the seventy-five, twenty-five...five percent ratio of Federal State Funds for payment and I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Regner moves the adoption of Amendment No. 3 to Senate Bill 1623. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We will go on page 5 to Senate Bill 1642. Senator Regner. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1642.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an eight percent solution reduction as well as elimination of certain grants that it was felt were not necessary to expend the funds for at this time. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1642. Those in favor indicate by saying Aye. Those opposed. The

SB 1726
2nd reading
5/14/88

Ayes have it, Amendment No. 1 is adopted. Any further amendments?
SECRETARY:
No further committee amendments.
PRESIDING OFFICER: (SENATOR SAVICKAS)
Any amendments from the Floor?
SECRETARY:
No Floor amendments.
PRESIDING OFFICER: (SENATOR SAVICKAS)
3rd reading. Senate Bill 1643, Senator Joyce. Senate Bill 1662, Senator Grotberg. Read the bill, Mr. Secretary. Senate Bill 1678, Senator Gitz. Senate Bill 1709, Senator Coffey. Senate Bill 1726, Senator Donnewald. Senate Bill 1726. Read the bill, Mr. Secretary.
SECRETARY:
Senate Bill 1726.
(Secretary reads title of bill)
2nd reading of the bill. The Committee on Labor and Commerce offers two amendments.
PRESIDING OFFICER: (SENATOR SAVICKAS)
Senator Donnewald.
SENATOR DONNEWALD:
Mr. President and members of the Body. I would ask leave that those two amendments be considered in my discussion because they are...the purpose of the two, the No. 2 Amendment is to make additions that were inadvertently omitted in Amendment No. 1. Do I have leave?
PRESIDING OFFICER: (SENATOR SAVICKAS)
You heard the motion. Is leave granted? Leave is granted.
SENATOR DONNEWALD:
All right. Well, Mr. President and members of the Body, for some six months in a bipartisan effort, we have attempted to tighten up the Unemployment Insurance Laws in this State. We began this study and work, I think some seven months ago,

and this is part of the product, the next two bills were also a part of that effort. We...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Excuse me, Senator. Gentlemen, Ladies, could we have some attention, these are the bills that you've been getting a lot of mail about, it's the Unemployment Insurance and the Workmen's Comp. bills that are coming up now. So, could we have some attention, some quiet back there, break up those conferences.

SENATOR DONNEWALD:

To give some background to what has transpired, there was and is a...an agreed bill process and that agreed bill process came forth with a bill subsequent to the time that we instituted the effort that produced the bill that I'm about to discuss. We went through and Amendment No. 1 and 2 amends the so-called agreed bill process to where I believe and many of us in this Chamber believe, will be effective and will be meaningful. The present law of the Unemployment Insurance...Statutes that we have today imposes a disqualification for benefits upon one who voluntarily leaves his work without good cause. And it also charges an employer for benefit wages received by an employee who has voluntarily left that employer without good cause. Very briefly, what this does, when an employee...when an employee, quits an employer, after twelve weeks, he is then eligible for Unemployment Compensation, chargeable against the employer, whom he quit. What this does is alleviate that burden on employer number one. That, I think, is about as brief as I could state what...what the meat of the bill is. I know there will be a lot of discussions. There are exceptions to this. Our particular bill restricts good cause for voluntary leaving work for reasons attributable to the employing unit with the following exceptions; leaves work to accept other employment and works at that job for at

least two weeks or earns at least two times his weekly benefit amount; leaves work upon the advice of a licensed and practicing physician because of illness or illness of a spouse, child or parent and notifies the employer in writing of the reasons for his absence and returns to find his regular work or comparable and suitable work unavailable; leaves work rather than bumping another employee. Those are the exceptions that we have included in this legislation. It is somewhat tighter than the so-called agreed bill and I might add here, Mr. President and members of the Body, the so-called agreed bill was allegedly represented by all facets, unions, labor, management and so on, who...stated that they were represented by small business. This is really aimed to assist the small businessman. But, when I asked the question of one of the members of the agreed...so-called agreed bill process, asked what they considered small business, the answer was around a hundred and fifty employees. Well, now down where I live, that's a big employer. I'm trying to give relief and assistance to those small employers and I'm talking about ten or twelve or fifteen employees. And, Mr. President and members of this Body, there are far, far, many...far more employees of the small businesses than all of the large employers combined in this State. That's who I'm trying to give relief to, we are trying to give relief to. I would urge adoption of Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If there...Senator Donnewald moves the adoption of Amendment No. 1 and No. 2 to Senate Bill 1726. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 1 is adopted. Senator Donnewald now moves the adoption of Amendment No. 2 to Senate Bill 1726. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Donnewald.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donnewald.

SENATOR DONNEWALD:

Yes, Mr. President. This is...this is language that was requested by the department and I've already alluded to it in my main address, but it is language that they requested that we include in the...proposed legislation. I...I would therefore move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Donnewald moves the adoption of Amendment No. 3 to Senate Bill 1726. Those in favor indicate by saying Aye. Those opposed. The Ayes have it, Amendment No. 3 is adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Further Floor amendments?

SECRETARY:

Amendment No. 4 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized on Amendment No. 4.

SENATOR GROTBERG:

Thank you, Mr. Chairman, members. Senator Donnewald alluded to the alleged agreed bill process, we have all alluded to the agreed bill process, the alleged agreed bill process. I've been in the Legislature eight years and every year, it's an alleged agreed bill process. And it hasn't worked very well and it hasn't worked at all. I am here to submit then, Ladies and Gentlemen of this Senate, that

the best representatives are the people who reside in these fifty-nine seats, we don't have to cut a deal with management and labor and sit around the table with unelected, appointed officials to write the laws of Illinois. I am sick and tired of the agreed bill process because it's lousy. This amendment merely strikes, for once and for all, out of the Unemployment Compensation Act, the agreed bill process so that we can go on with the business of the people as elected officials and work as we always have to work, till midnight on June the 30th, the morning of July 1st and still find out that there is no such thing as an agreed bill. Let's rip it off, get it out of the Statutes and get back to legislating a fair and just program for both the employee and the employer as the elected representatives of the people. I would ask that you vote in favor of this good amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Donnewald.

SENATOR DONNEWALD:

Mr. President and members of the Body. I understand the feelings of my colleague, Senator Grotberg. I...I do agree that the alleged agreed process in this particular instance didn't function at all, but I do believe in an effort by everyone concerned and representing all facets, small, big and middle businesses, I think we should keep the agreed bill process, subject to our approval. I would...I would...therefore resist this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen. I am in basic support of this piece of legislation with Senator Donnewald, but on this amendment we differ slightly. One of the reasons I feel it's important we do away with the

agreed bill process is because the agreed bill process, if there ...ever was such a term,is probably what caused ninety percent of the problems we have today. To give you historical perspective when you think about it, that agreed bill process over the year, kept coming out with bills that, to put it mildly, were one-sided, but due to certain majorities in the Legislature, we just ram those bills through anyway. And one side in that agreed bill process just said you wait, and one of these years we're going to get the majority and we're going to stick it right back to you. Well guess what happened in 1974, and so what happened, we got stuck with a series of bills, when I say, we, I'm saying the entire Legislature, and even the people who supported the bills at a time admitted that perhaps they're a little too much but they're making up for the excesses of thirty years in the past. By allowing an outside group to decide on legislation and then having the Legislature just simply ratify this program, led to legislation that has caused serious problems for Illinois. Now, regardless of what side you are on prior to '74 or after '74, it doesn't make any difference, you only have to realize that half the reason we had the fights we had after the '74 election was because of the inability of the agreed bill process to fairly deal with everyone. Now, this does not prohibit business, the leaders of business or labor, the leaders of labor, from sitting down and talking to us, talking to independent groups, talking to themselves, Lord knows it's harder to get them to talk to each other than to talk to us, but, this does not prohibit that in any way. So what we're saying is, let's do away with the process that has caused a great deal of problems and say to the parties involved, if you want to talk to each other, great, go ahead, but there is no Legislative mandate and we will deal with legislation in what is in best interests...in the best interest of the people

of the State of Illinois, not simply what is in the best interests of a certain special interest groups in the State of Illinois. I would ask you to support this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Washington.

SENATOR WASHINGTON:

Mr. President, I can agree with Senator Keats and Grotberg that the agreed bill process has been extremely frustrating in the past. I can recall any number of hours when I was on a subcommittee waiting for the agreed process to trigger so that we could be released and go on about our business. It has been frustrating. But I think the agreed bill process is the culmination of some rather sound wisdom. We're dealing with two powerful competing institutions in our community and often times we can't really...really resolve those questions. I think with the agreed bill process, even though it may be a misnomer in many cases, it's a useful tool to at least bring the parties together and try to resolve what might take us an interminable period of time to resolve. I don't think we should throw, as they say, the baby out with the bathwater and the fact that it may have failed six out of ten times, doesn't necessarily mean it should be discarded. I think it...it's a good process. But in our frustration, Senator Grotberg, I don't think we should just throw the thing out and say...a plague on both your houses, because it's not going to resolve the basic and fundamental conflict between these two powerful institutions, we got to deal with it. And I think if they can go through the preliminary stages, even though sometimes it may be a sham, I think on balance, we're best maintaining this posture. And so I would oppose the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maragos.

SENATOR MARAGOS:

Mr. President and members of the Senate. I was not intending to talk on this amendment until I heard some misconceived reports ...or statements made, especially on the other side of the aisle about the agreed bill process. You would not have had the "abuses" that management has been saying for the last five years if...the agreed bill process had been working. The agreed bill process had broken down several years before '75, Senator Keats, and that's why you went overboard in the passage of the bills of '75 to which everybody has been smarting since. Who...what is the agreed bill process? It's a process which has been asked for by the Governor, it's been asked for by the leaders of the Legislature and...asks these parties on both sides of the aisle to come in and sit down between management and labor and say to them, okay, you come with agreed bills so we will not have the tugging and fighting year in and year out. That was the original purpose of the agreed bill process. And what concerns me this year, is the fact that now we say, please have an agreed bill come out of management and labor and then once it arrives on our desks, we say, we don't like this point, we don't like that point, therefore, we're not going to support it. I think we are...not ask...saying that we should forego our legislative functions or delegate any authority to anybody else, but when we ask these economic interests on both sides of the aisle to come down and sit down and come out with an agreed bill process, then we should honor that commitment once we asked them on behalf of our leadership and of the Governor of this State. And let's not try to state that we...there's many things I didn't like in the agreed bills in the past when they were...when the...when the system was working effectively. But I voted for it because I said, well this was what we could get and this is what should be worked out.

I think we're going to make a big mistake if we scuttle this process because it's going...in your...to the detriment of everyone, not only this Legislature, but the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Wooten.

SENATOR WOOTEN:

Thank you, Mr. President. I...I've been trying to figure out...first of all, I've been looking for the amendment...Senator Maragos, I can't find it. I'm...but more than that, I've been trying to figure out what useful purpose this serves. One of our problems in dealing with unemployment and Worker's Comp. is that we really don't know that much about it. Even our staff members who analyze this, do not have the benefit of experience in actually dealing with cases. And so, I imagine most of the members are like me, you go around and talk to Comp. lawyers, to businessmen, to people in labor, trying to figure out, point by point, what makes sense. And I find that what people say publicly often differs with what they say privately. This is one of those things, I think, that keeps us captives, Republicans and Democrats, that we are characterized as being strictly pro business or pro labor. We don't have quite the technical experience, a few of our members do, but most of us don't. And I think the important thing about the agreed bill process is that we want some people who involved in the give and take to deal with a subject before we do, that will give us some indication. Now, it's true, there are times when we have gone right straight through with what has been recommended. And that's because I think we generally don't want to get involved in a labor-management dispute. We have recognized, I think, the flaws in that approach and that

is quite often, special segments, particularly small businesses are not represented. I don't think the State Chamber accurately reflects the concerns of small business, but that's an awareness that dawns on you after awhile. To jettison the whole process, will put us all in the position of that Agreed Bill Committee and I think just in the interest of doing our job here, we can't spend all of our time on these subjects. We really need to have that kind of input. Staff input is essential, but it will not do the whole job. The advice of those who are practiced in this kind of law is helpful, but even that does not do the whole job. It just seems to me that maybe, you know, if you think that the Chamber is all going to be one way next year and we want to do away with any attempt at some kind of objective dealing with it, maybe it would make sense in that way, but even that supposition may be premature. I...I just don't think this is a well-advised move.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nimrod. I have Senator DeAngelis and Rock on my list.

SENATOR NIMROD:

Mr. President and Ladies and Gentlemen of the Senate. I would call your attention to what we're really voting on here in this amendment, it is not on the agreed bill process. The agreed bill process has absolutely nothing to do with what we're talking about with this amendment. All we're doing here is striking the words that apply to the Employment Security Advisory Board and that Advisory Board is made up of nine members, recommended, three of the employee class, three of the employer class and three not either...associated with the employers or employees. I would call your attention to the fact that we are still leaving...the Department of Labor makes these appointments...

we're still leaving the Advisory Board to the Department of Labor of five members, intact. So, I think that...although I am one who supports the agreed bill process, that when labor and management can get together and come with us with suggestions, this particular board is an advisory board to the Department of Labor, which is in conflict with the agreed bill process. I think that's what we have to remember, if, in fact, we want the agreed bill process to succeed, then we don't need another advisory board in the Employment Security Advisory Board that's appointed by the Department of Labor by the Director, to be in conflict with the...with the agreed bill process. So, the agreed bill process has nothing to do with what we're doing here. I think it's about time that we strike these provisions that do, in fact, delete the provisions here that call for this advisory board which has been unable to come up with any effective answers and which, in fact, has been a hindrance to the agreed bill system. So, I would think that those of us who are talking about this and what this amendment does, Senator Grotberg, I do commend you for it and I do whenever ...however, point out the fact that it is not the agreed bill process or the agreed bill system, it has nothing to do with it, it is only a Employment Security Advisory Board to the Department of Labor, which has been unable to come up with any effective answers and 1726 would certainly not be effective or be involved. This fine piece of legislation would not even be before us if we did nothing but refer to this advisory board. It's come as a result of efforts within the Legislature and within efforts of independence between business and labor that have come about and made some reports. So I would hope that you would not conflict the two and certainly support this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis.

SENATOR DE ANGELIS:

Thank you, Mr. President. My comments are not designed to influence any members of this General Assembly on how to vote. But I do want to point out that in the process, in the process, of trying to develop a bill along with Senator Donnewald, it was implied that he and I had both broke the intent of the agreed bill process by doing this. I would like to point out that there was no intention on our part to, in fact, violate that process or to, in fact, subvert it. And I think therein lies the evil of the agreed bill process. It is automatically assumed that nine people, acting outside of this General Assembly, can, in fact, come up with suggestions and then mandate that we, in the General Assembly, accept these and those who, in fact, either want to embellish them, delete or expound, are, in fact, in violation of that particular agreement. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 4 and, frankly, I'm surprised it was even offered. This is the age of open government. We have sunset laws and sunrise laws and open air and open meetings and everything else and what we are suggesting here is a matter of public policy, as we have done, I might add, with respect to virtually every Cabinet Department in the Executive Branch of Government, as we have afforded the citizenry who are directly involved, a role in the operation of government, namely, as an Advisory Council. Now, I, for one, sure don't want to be recorded on a roll call voting against the advice of the citizenry of Illinois. There's no mandate that we accept their advice, but the fact of the matter is that

they have a right to be heard. And we have provided for that, Statutorily and to take it out at this point simply doesn't make any sense. I urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Senator Grotberg may close...Senator Keats, a second time.

SENATOR KEATS:

I apologize for speaking a second time, but the President has raised...raised some interesting points. You have to remember we're talking about open government. The Advisory Board we're referring to, attempted to close their meetings, and only through pressure were they forced to open the meetings. So when you talk about open government, I'm afraid you're...probably should be voting No...I mean your No vote is inaccurate, you should vote Yes if you're...open government because people have far better access to us than this particular group who attempted to close their meetings from any outside interference, whatsoever. And not simply from the Legislature, I mean from everyone. So in that sense..in that sense I would say to you, while I praise your laudatory comments, they are sort of irrevelant to this particular amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg may close.

SENATOR GROTBERG:

Thank you again, Mr. President and members. There's no malice in this amendment, whatever. If the Agreed Bill Committee or the Advisory Committee wants to answer my mail from labor and from industry, let them come down and sit down and write and answer the letters. We take all of the heat, very little of the light, Ladies and Gentlemen, but all of the heat on these issues. I am reminded of Senator Donnewald's remarks about small business, we're the only ones left in Illinois that represent small business and we represent them one at a time. The Advisory Board has never been replete with small

business advisors. It's a heavy weight group, the heavy weight groups can get to all of us individually and it's about time they did. Nobody will miss this Advisory Council, including business and labor. The only thing that will be missed is a bad idea that's never had anything going for it and let's kill it before it has little ones again. Please vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Those in favor say Aye. Opposed Nay. It's the opinion of the Chair, the Nays have it, the amendment is lost. There's been a request for a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 26, the Nays are 31, the amendment is lost. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas on Amendment No. 5.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate. I've talked to the sponsor of the bill regarding Amendment No. 5 and it tries to rectify a condition that's been caused when in 1977, the municipalities and local government units were brought in under the Unemployment Act. We have a problem where people that have been under suspension for disciplinary reasons are able, under the provisions of the Act, to collect unemployment benefits while they are under suspension and through this amendment we're hoping to rectify that problem. I would urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Senator Geo-Karis.

Senator Donnewald.

SENATOR DONNEWALD:

Yes, Mr. President, I have no objection to this amendment. We've...I...I would move that we support it.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it, Amendment No. 5 is adopted. Further committee amendments? Or further Floor amendments?

SECRETARY:

Amendment No. 6 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Senator Bruce, I rise on a point of...personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I'd like to introduce to you ninety students from the Central Junior High School fromZion, Illinois with Bill Velarugo,Elaine Collins, Brenda Hatch,Karen Cambaras, Kathy Miller, Jerry Zofil their instructors. We're welcoming them here to Springfield today on a very auspicious day.

PRESIDING OFFICER: (SENATOR BRUCE)

Would you please rise and be recognized by the State Senate, please. Senator Collins, on Amendment No. 6.

SENATOR COLLINS:

Thank you, Mr. President. Amendment...No. 6 adds three provisions that was deleted in the Senate and the Labor Committee that had been worked out after careful deliberations through the agreed process. Although we've heard much debate here about the need for continuation of the agreed process, we

still recognize that it is, maybe with all of its faults, it is the best approach that we have to deal with the problem. Some of us may feel that it does not do the job that it was intended to do, but at the same time, the 59 bodies here that I heard someone mention, have not come up with a solution to address the problem. One of the problems with the agreed process and one of the reasons why it does not work and we cannot expect it to work, if in fact, after long hours of deliberation and we go into committee without having looked at or carefully evaluating the content of its work and then we criticize it, I think that is...we're undermining the whole idea behind the agreed process itself. And this is what exactly happened in committee. Because I think three of those provisions dealing with the volunteer quit leave in this bill that had been worked out through the agreed process is necessary. And the deletions that was made in the additions by Senator Donnewald in committee does not make sense, good sense. And for that reason Senate...Amendment No. 6 is an attempt to put back into that bill those three provisions dealing with the volunteer quit section of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Donnewald.

SENATOR DONNEWALD:

Well, yes, Mr. President. Of course, if we were to adopt this amendment it completely guts the...or the bill as introduced and amended on this Floor. Senator Collins, I might say that what you're attempting to do is charge an innocent employer with the burden of Unemployment Insurance of one employee that quit...that quit him. And I don't think that most ...most of us here want that to happen and I would strongly urge that this...amendment be...defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 6 and let me explain for a couple of reasons. There is a bill pending in the House sponsored...cosponsored by Representative Lechowicz and others that does, in fact, contain the so-called agreed bill. What Senators Donnewald and DeAngelis have done, and I think rightfully so, is take the major provisions of that agreed bill and then they've gone a step or two further and we, I think, have an obligation on behalf of this Senate, to send that bill over to House for its consideration. I am sure that the agreed bill will come to this Chamber for our consideration. But I think we have made a dramatic step forward, and the adoption of Amendment No. 6, in my judgment, would be a step backward and I urge its defeat.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Maitland. Senator DeAngelis.

SENATOR DE ANGELIS:

Thank you, Mr. President. I, too, stand in opposition on Amendment No. 6 and I would like to point out to members of the Body that the sponsor of this amendment did, in fact, vote for Senate Bill 1726 in committee in the form that it was when it hit this Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Washington.

SENATOR WASHINGTON:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Washington.

SENATOR WASHINGTON:

What are the three leaving categories which were summarily deleted in which you wish to return...restore?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

First of all, Senate...in...in the Senate Committee on... one of the amendments required that the...that the employee state in writing to the employer the reasons for quitting. It was negotiated, I understand, then...through the agreed process and in...and agreed and, as well as in other states that this was not a necessary provision. It was also agreed that the employee in case of illness, had to return to that employer first to apply for suitable work. Now, quite frankly, that does not even make sense because if you have a condition by which you...if you're ill, you cannot return or if someone is critically ill in your family and there is no available suitable work at your current employer to meet that schedule, then it...it doesn't make sense for you to have to return back there to seek work. But it does make sense, however, if, in fact, that someone is ill in your family, for example, and you work one shift and someone else in the family come in and take care of that person and you can go out and seek employment at another shift, that makes sense and you are ...able and...and available for work. So, under the Donnewald amendment, that person then, would...would not...would be disqualified from benefits simply because that particular employee did not have a nine to five shift of which that person had to take care...an ill person in the family.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Washington.

SENATOR WASHINGTON:

Was there another category which...provided for leaving because of sexual harrassment known to the employee unit?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, this amendment also adds back that provision also. Because under the Donnewald amendment, it simply...it says that if the employee harrass...sexual harrassment, based on the part of the employer. However, there are many instances where other employees, can, in fact, or even salesman, people connected with doing services with that employer, can in fact, ...sexually harrass the person and under the Donnewald Amendment that person would be disqualified for benefits.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Washington.

SENATOR WASHINGTON:

Well, very briefly, what the opponents of this amendment are saying is that a person who is leaving because of illness or illness in the family or who has been the victim of sexual harrassment, should bear the burden of lack of income for that intermit period. It seems to me to be somewhat ludicrous. What's the purpose of this Act, anyway. It is designed to protect a gainfully employed employee who, for reasons beyond their control, are an unemployed. And it seems to me that if one cannot accept the very simple fact that a woman who has been the result of sexual harrassment and forced to leave her employment, if she can't be protected, it seems to me that that is running afoul of the entire purpose of the Act. I support the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Martin.

SENATOR MARTIN:

Just...just to relieve almost...Congressmen over there, there is a bill that has come over from the House that discusses the area over which you have some concern, the area of sexual harrassment on the job and those, either men or women who have to endure that. That bill is in the Senate, I'm sure it will

be heard by the Senate and Senator Collins' amendment destroys an otherwise good bill in the area of concern that you say you are concerned about is covered in a full new bill that will be coming before you soon.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Washington.

SENATOR WASHINGTON:

I...I assume that was a question. And I'll respond to the...about to be Congresslady. I've waited in vain many a day for a bill to come over to solve a problem, which an amendment I had would solve right then and there and oftentimes I've been extremely frustrated. And when you've been here as long as I have been, you will never accept that as an adequate excuse for not voting for the issue before you. I think it's irrelevant. If the Body feels this is important, we should put it on here. If we vote out a bill which has that category in it and it goes to the Governor's Desk we can have the House take it off.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. I don't care whether you support or not support a...a agreed bill system. I do think that there is a bill here before us that they're attempting to change somewhat from what was presented by the agreed bill process. And we in the Legislature have the right to do that and for that basis I think that we ought to support Senator Donnewald on this particular bill and oppose this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Thank you, Mr. President. I agree it doesn't matter

whether we support the agreed bill process or not the agreed process in reference to this particular amendment. It is whether or not we believe in basic fairness in the protection of the unemployed, who have to leave their work for...for good cause. And that's what this amendment is trying to provide. The other provision of this amendment which was deleted from the Donnewald amendment, which I think is very significant, and that is the incentive for people who are unemployed or laid off to go out and seek lesser employment or undesirable employment as a need for, you know, continue to be employed. But under the Donnewald amendment, it actually discourages that person from going out, taking a lesser pay job, if they get laid off, and they are penalized under the Donnewald amendment. I think this is a good amendment, it does not make any real...other drastic changes in the Donnewald bill and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. All in favor say Aye. Opposed Nay. The opinion of the Chair...the opinion of the Chair, the negatives prevail. The amendment is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Oh, for what purpose does Senator Keats arise?

SENATOR KEATS:

Thank you, Mr. President. I rise on a point of personal privilege. On behalf of Senator Berman and myself, on the pause between bills, we often pass birthday resolutions for constituents of some of ours who are friends or people we think very highly of. And at this time, I wanted to take one second while we pause to say that for a change, someone who is having a birthday and we passed a resolution for, happens to be sitting in the balcony. So, I'd like to introduce, Mrs.

Joan Levy, who is the President of our New Trier School Board and Art Berman and I have worked with for many years in the education area. We'll wish her a happy birthday and then back to the business of the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Will...will Miss Levy please rise and be recognized by the Senate. What purpose does Senator Nash arise? 3rd reading. Senate Bill...1739, Senator DeAngelis. Are there any amendments, Mr. Secretary? Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1739.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers three amendments.

End of Reel

PRESIDING OFFICER: (SENATOR BRUCE)

Who will be explaining the committee amendments? Committee Amendment No. 1, Senator Maragos.

SENATOR MARAGOS:

Mr. President, and members of the Senate. Committee Amendment No. 1 was adopted by the Senate Labor and Commerce Committee for the purpose of removing one item from the bill as it was presented in that it would make a more equitable approach and leave the discretion of the medical...oh...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maragos.

SENATOR MARAGOS:

I stand corrected. That was the wrong...this is the...Senate Amendment No. 1 is the amendment which the sponsors of the bill have introduced ...have presented to change...which is really the bill itself, because it takes everything from the enacting clause and...and changes it around. This is the bill, itself, which should be adopted, and it was unanimously adopted by the Senate Labor and Commerce Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Senator De Angelis.

SENATOR DE ANGELIS:

Thank you, Mr. President. What Senator Maragos says is correct. The bill was seventy-four pages long, and the process of drafting rather than correcting all the things in it, we decided to rewrite the bill, and amendment No. 1 is the bill, and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maragos on Amendment No. 2.

SENATOR MARAGOS:

Yes, this is also an amendment which was sponsored by the...Senator De Angelis and Senator Donnewald in that it had the question of...subsequent injuries because the language was rather ambiguous. It had brought some problems as it was in the bill...in Senate Amendment No. 1 and...at the sponsor's request,we adopted Senate Amendment No. 2 and ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator De Angelis.

SENATOR DE ANGELIS:

Thank you, Mr. President. That is correct. There was one other part that was added to it, and that was the areas that dealt with standards were expanded to include hearings by the affected interest involved, and standards which were the lawyers, the insurance companies, the unions, and business.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The motion is to adopt. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maragos on Amendment No. 3.

SENATOR MARAGOS:

Mr. President, and members of the Senate. Senate Amendment No. 3 was adopted by the committee,not a unanimous vote but it was adopted, with the understanding that the standards which were set in the bill as amended be removed, because it was

felt by many that it's very difficult to keep standards on certain issues, and especially when people differ in their employment, they differ in their thresholds of pain, they differ in many other actions, and therefore we felt...and I may also state that many who are in the Workmen's Comp. field themselves, including the arbitrators, including even some members of the commission feel that standards are not the best way to approach this problem, that's why this amendment was adopted by the Senate Labor and Commerce Committee, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator De Angelis.

SENATOR DE ANGELIS:

I have a question of the sponsor. Senator Maragos, is this your Amendment No. 3 or Amendment No. 4?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR MARAGOS:

Mr. President. Senator De Angelis, Amendment No. 3 was withdrawn because you...you had problems with it, and therefore this is Amendment No. 3. This is Amendment No. 4 which is now Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. All the Secretary has would be...are three amendments from the committee and I think Senator Maragos has indicated that evidently 3 was offered and withdrawn and this, in fact, is 3. Senator De Angelis.

SENATOR DE ANGELIS:

Anybody else want to talk?

PRESIDING OFFICER: (SENATOR BRUCE)

No, not that I know of. Discussion of the motion to adopt.

SENATOR DE ANGELIS:

Thank you, Mr. President. I stand in opposition of what is now Amendment No. 3, which was Amendment No. 4 in committee, offered by Senator Maragos, which removes from the bill...which removes from the bill, the adoption of standards by the Industrial Commission. Both Senate Bills...1739 and 1740, which will follow very shortly are an attempt on a bipartisan basis...Senator Netsch, this is not merit selection but I think it's important. You know I'm on that one, too.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator De Angelis.

SENATOR DE ANGELIS:

Senate Bill 1739 and 1740 are an attempt on a bipartisan effort to deal with the problems and abuses of the Worker's Compensation Act. In the process of dealing with this problem and abuse for about eight months, it was determined that they lie in the inconsistency and the litigious nature of the Act itself. The standards are a critical length in the development of consistency and in a diminution of the adversarial processes that lead to litigation. Written decisions which are part of this bill, limitations of attorney fees which are all part of this bill as well, and measuring the reserves of insurance companies which is part of 1740, are, in fact...or have little value when the standards are, in fact, taken from this bill. The abuses which is the concern that labor and industry should both have, the abuses of overpayment, and underpayment would continue to occue as well. However, my strongest opposition to Senator Maragos' amendment comes from the fact that it really strikes at the heart of the legislavtive process. The contents of this bill were carefully thought out and the subject of long and continuous discussions and research for many, many months, in fact, since last Ocotber. At the eleventh hour...at the eleventh hour prior to the third committee meeting, in the thirteenth hour of hearing on a single bill, an affected and special interest group appeared and was successful in imposing its

will on the members of the General Assembly. Thus...thus violating both the intent of the bipartisan process and more important the intent for recognizing the issue for what it was, and that is, that the issue is not political but economic in nature. Even the Chairman of Labor and Commerce had to shelve his own amendment which was amendment No. 3, on behalf of this particular group. The people who worked on this bill continuously are against the changes and intrusion of special interest groups,that we should let the amendment prevail, prevoke strong resentment on my part and should on your's as well. Now, it will be said at some point by those who vote in support of this amendment that they are, in fact, voting for the little people. Well, I would submit that when you go back to your district, and you walk in the Fourth of July Parades, and go to the picnics as I do, and you go back and talk to little people, I just hope, I just hope that the shadow of the big people who force you into this decision will not blur the faces of those little people. I stand in oppostion to Amendment No. 4...or No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Wooten.

SENATOR WOOTEN:

Thank you, Mr. President. This is another one of those extemely difficult matters to deal with, and even Senator De Angelis is couching it in little people, big people. You tend to deal in the contrast here, when we discuss...the plain fact is, we're not quite sure of what this will amount to. I have talked to people once again on both sides, because when you deal in a bill of this complexity you necessarily begin dealing in shorthand, and standards quickly has become the phrase about this bill, and whether or not standards are adopted suddenly becomes the key element. I understand that we are to be rated on the vote on this amendment, simply because

it is mostly likely, most Republicans will support it and most Democrats will oppose it, and thus it becomes a handy barometer that yields an effect that you can predict. But really this ought not to be that partisan a consideration. I have talked to lawyers who deal on both sides of the issue, and believing those people with whom I have discussed the issue in private, to be honorable, this is what they have told me, and I hope you listen carefully to this. One of the...the Commerce Commission has always had it within its power to establish some kind of standards. The simplest way would be through case law. I'm advised that that's what the commission is now doing. It is releasing its findings in a timely manner. It is publishing the reasons for overturning some decisions, and the...we are having built up standards that are based on actual experience in the State of Illinois, and thus the adoption of standards becomes more a symbolic victory than something that is really needed. I ask business does this really save you money, and their answer is, well it cuts both ways. It would seem in some states the experience is, it doesn't save us money. Why then do you want it? I think the only honest answer I got is it gives us something to deal on in the House. Well, I think I've stated bluntly and publicly what I've been told in private on both sides, that the Commerce Commission is doing its work now finally. We are obviously developing standards now that are based on something real in the State. The question then comes to be, why do we need standards in the bill? Because it has been adopted as some kind of symbol. I really don't think the symbol merits adoption. I think we ought to take standards out. Let the Commerce Commission keep...pardon me, the Industrial Commission keep right on doing what it is, in fact, doing, and that is developing standards that have some real meaning in the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. When the bill arrived in Labor and Commerce, we decided at that point, I think, that it deserved some type of revision, because all of the provisions in the bill seem to be pro-business, and anti-labor, and in order to accommodate both sides, business and labor, we thought that we would give a little and take a little, and I think that's what we've done in this bill. We've...we've given business the...precondition, injury provision,..preexisting...condition provision. We've given them a very important piece in this bill, the impartial panel of doctors, and labor was accused of doctor shopping, by having the defendant go around to various doctors and pick the one of his choosing, that would accommodate him best, and the impartial panel of doctors, which is one provision in the bill took away that right of the claimant, and that was a pro-business position in the bill. The only provision that labor seemed not to be able to accommodate business on was the standards, and it seemed that everyone in the committee, at least on the Democratic side was in accord with that. So, we want to send the bill out as it presently is constituted, and I would ask that we vote against this amendment.

PRESIDING OFFICER:(SENATOR BRUCE)

Further discussion?

SENATOR D'ARCO:

I'm in favor of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco,have you concluded? Senator Washington.

SENATOR WASHINGTON:

Yes, very briefly, Mr. President. I want to assure Senator Wooten that my determination is not based on party, but on plain experience. It was my pleasure to be an arbitrator with the Industrial Commission for four years, and I agree with

Senator Maragos and Senator Wooten, that if you're chasing the illusive thing called standards you're simply wasting your time. These cases have to be resolved on a case by case basis and they are resolved on a case by case basis, and I don't see any useful or meaningful substitute for that. I'd like to see the standards you're talking about. I've looked at some prototypes from other states, I wasn't impressed. I think the Industrial Commission, the arbitrators, and the commissioners on appeal are doing a very admirable job under the circumstances, but fundamentally what they're dealing with is a plethora of cases, dealing with a tremendous ramification of different types of injuries. I don't see how you could draft meaningful standards which in the final analysis would do justice to the injured employee. I think you're...chasing a mirage at best it's a political boondoggle, and I would suggest we support the amendment, and strike that part of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank...thank you, Mr. President, and Ladies and Gentlemen of the Senate. I might read from a letter from the Governor so, you might know that his concerns are those which have the Department of the Industrial Commission under his jurisdiction and I might tell you that this is from his letter and it's written to the Leadership and the sponsors of this bill says, "standards to guide the determination of disability can be a useful tool for both the employer and the injured worker." It goes on to say that,"but reasonable standards can be developed to take into account the expected residuals, and many states have done so. Illinois must join the ranks. Standards can go a long way toward assuring that similar cases are decided similarly by arbitrators and the commissioners to bring greater equity to the system." Now, I think that that

pretty well defines what the need is. I think it gives pretty well...guidance for the department. If, in fact, the Industrial Commission had authority to do this...since it doesn't have funds, and doesn't have the other thing, I think they're looking for guidance from the Legislature and I would think that we ought to stand by and support them.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 3 and would piously hope that there will be thirty-two, at least, affirmative Democratic votes. So, that that way it seems to me the roll call can be perfectly plain. We engage from time to time around here in an exercise called demagoguery, and I suggest to you that the buzz word standards is now such an exercise. I would like to point out that when the pro-business bills, as they are known, were introduced into this Chamber under the sponsorship of six members of the other side of the aisle, standards were not included in those bills. All of a sudden this has become a monumental issue, and I suggest to you, the reason it has become an issue is so that the issue will remain alive. I am suggesting to you that some who are engaging in this form of demagoguery really don't want to have any meaningful change, and if we are to effect some meaningful change on behalf of the business community of this State, and at the same time protect the rights of the working people and organized labor, we have a bill by which we can do that, but this amendment has to go on, otherwise it's an exercise in futility. I urge an Aye vote on Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Shapiro.

SENATOR SHAPIRO:

Well, Mr. President, and Ladies and Gentlemen of the Senate. Notwithstanding the high regard in which I hold the President of the Senate, it's been my opinion, the information that has been presented to me by experts in this field, and I'll grant to you that in this Chamber there are fifty-eight people who know more about this subject than I do, that any Workmen's Comp. bill without standards in it is meaningless, and on that basis, just on that one basis alone that we ought to send the strongest bill out of here that is possible. I would urge everyone to resist this committee amendment, get the bill to 3rd reading so we can pass it over to the House in good shape.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

There's just one last comment I wanted to make here, and I don't want to take a strong stand one way or the other. Specifically to say, in committee when we talked about this everyone keeps talking about labor and the standards and working men, that is sort of a misrepresentation, we're talking about what was pro-business, what was pro-labor. That's not really what happened. What we have is a provision here that has little to do with...with labor, certainly has nothing to do with business, tends to be the trial lawyer's amendment. Now, I'm not saying good, bad, or indifferent. You judge it however you want, but don't say this is the working man's amendment, because it's unrelated. This happens to be the trial lawyer's amendment, and if you feel that the trial lawyer should have the right to make a substantial amount of money in this particular area, fine, but don't claim you're protecting the working man when you're protecting the trial lawyers. Now, in terms of what the amendment does, it is that plain and that simple. This is not a business/labor issue. This is a trial lawyers

issue, and that is it, and there is no other relationship. If you exclude standards from this bill, you have simply said that the trial lawyers may continue to run the Industrial Commission as they do today, and you will simply say that the working men...and women of Illinois are going to get no particular improvement. The working men and women of Illinois will not be getting better benefits or worse benefits, but I'll say one thing, the trial lawyers will live well on this deal.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you Mr. President. I thought the last Senator's comments require some rebuttal. We happen to have a system in this country which is called advocacy, and the problem with standards is not for the trial lawyers or against the defense lawyers. It happens to be that you want to try to have people on equal footing, and give everyone a fair break. We're dealing with injuries, and one person's injury may differ from another person's injury even though on a chart it looks the same, and you have to take into consideration the individual and how that charted injury has, in fact, affected that person's ability to operate and function. When you put in standards, you are trying to substitute the subjective problems of an individual for a chart. That is not the American system, we have a system of advocacy, and if you allow standards you're going to put the person who is injured at a considerable disadvantage, because he doesn't understand it, and the people that represent the people in opposition to him, the insurance companies and the businesses that are trying to pay him as little as possible, you're putting him in...that injured person at a disadvantage because the people are opposing him are experts and the injured person has no expert. Don't try to substitute an individual's frailties, an individual's injuries for what is printed on a chart. It doesn't work, it has never

been adopted in this country. We have an advocacy system, and it has worked. I urge an Aye vote on Amendment 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, and fellow Senators. I think the points made by the previous speaker really underscored the fundamental differences and approach. What he is advocating is, administrative tort law, and that was not, repeat not, the purpose of the Worker's Compensation Act. It was to remove advocacy, and it was to provide quick and easy payments to the injured worker, and in return for, in return for giving up certain tort rights, the injured worker would get money quickly by some kind of standards, and I think that really this is at the heart of the question, and that what we need are an amendment that puts in meaningful standards and stops this crazy quilt, administrative tort law, which really has turned into a monster and a drag on the economy. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator...Senator Maragos....or Senator Wooten.

SENATOR WOOTEN:

Thank you, Mr. President. I'm sorry to rise a second time, but I've...I've found the previous speakers to be very instructive and I think I see something coming into focus that probably ought to be highlighted. The statement is made that...Senator Shapiro repeated what I've heard other people say, usually people not conversant with the law, that without standards any bill is meaningless. The more I talk to people the more I realize that, it seems to me that standards really aren't that relevant, and as I said the commission is developing its standards. Why then,would we bandy about that statement and I've heard it many places, that without standards which I don't think will be

on the bill when it comes out, the law is meaningless. I think that perhaps relates to insurance premiums. We are leading people down a garden path perhaps to let them think that with or without standards premiums are going to go down. On Mars maybe, but not in Illinois, and by putting up something that is not altogether reasonable to keep in the bill, standards, and when that goes out the premiums stay, and if you can say, see,it's the fault of keeping standards out of the bill. That's why your premiums don't drop, that will not be true. With or without the standards, the premiums are going to stay up there until we get competition into the insurance industry or until we perhaps set up some kind of pool in this State that they have in other states that have dropped those premiums thirty percent plus paying dividends. It's not a bad approach for the little businessman. I think we ought to seriously consider that, but that may be what the talk of standards is about, to let people think that maybe the premiums will go down with standards knowing full well that we're probably not going to adopt them. That's simply not true. With or without premiums they're going to stay up there until we take some direct action.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Just a point to my colleagues on the other side of the aisle. I read over two bills which was sponsored for you, and which were drawn up by business, 1795 and 96. When those bills were originally filed,there was no standards in those bills. So, apparently business don't want standards, and standards is usually a type of word that we're using as a political thing, because now we are trying to do something in Illinois to help business on the Democratic side and now we've got to keep a political issue and call it standards. Whatever we would do would be wrong. If...if standards were so

important, then why wasn't it in your bill, 1795 and 96? It wasn't in there, it's just a political ploy. You...I don't think the Republican party wants to help business, they want to keep this as a political issue so they can contact business and say, let's...let's get money and we're...we're going to fight those terrible Democrats who put these...these ...these Workmen's Comp. laws and everything else...but we do nothing to regulate insurance companies, we do nothing to regulate anybody, and that's the culprits. It's not business or labor, it's...the culprit is the insurance industry and when you get that in your mind, standards is an insurance industry tool. So, they can put their computers up and save money in the administration of laws, but still keep the premiums and keep raising them higher. I...I ask you to go along with Senator Maragos on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Several lights have come on, and if I can just...Senator Regner, and then De Angelis and then Maragos. Senator Regner.

SENATOR REGNER:

Yes, Mr. President, and members. Just to throw a little light on the debate on 1795, which never did get out of committee. Unfortunately as the chief sponsor, I filed the wrong bill. On the day, I did have the one in there with standards in it, but I put the wrong package in for filing. I...I admit it, but any of the other fifty-eight that have never made an error raise their hand, but...but...you're all liars. But as 1795 exists right now in the Labor and Industry Committee, it does have standards in it. The amendment was put on in committee. So, if you want to let that bill out and we'll debate that bill, I'd be delighted.

PRESIDING OFFICER: (SENATOR BRUCE)

...discussion? Senator De Angelis.

SENATOR DE ANGELIS:

I guess when Senator Lemke talks, it does turn on a lot of lights. Let me clear up one thing, either by application or by my thin skin it's implied that I'm acting on behalf of the business community in this particular bill. The bill, the reason that standards are in it, is because on a bipartisan basis, after eight months of conversation and after looking at the total thrust of the bill, it was determined through that process that standards be in it, and might I remind you that you might look at Senate Bill 1740 along with this and you cannot, in fact, reconcile the fact of the validity of written decisions, limitation of attorneys fees on noncontested cases and the review of insurance reserves for losses without standards and that was the reason standards were in the bill. It had nothing to do with business, it had nothing to do with the trial lawyers, as far as I was concerned. It was designed to put the bill in its proper form, and there was no regard for any affected interest other than getting the bill in the form that would, in fact, significantly reduce the abuse and bring about reform, and that's how it was introduced.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Maragos may close.

SENATOR MARAGOS:

Mr. President, and members of the Senate. I like to say to Senator De Angelis, who I respect as a outstanding Senator, and he represents his district well, that it took me many times four and five years to get a bill after joint...and consultations with both sides of the aisle before a bill succeeds. So, do not mock the legislative process, and don't think that eight months itself makes it...the product worthy, when our constitutional fathers took...almost took them twenty years to get the Constitution, and we still have problems with it, and we amend it today. The thing that I'm trying to bring out to you Ladies and

Gentlemen, is the main reason why the howling has been throughout the State for the last five years is that the costs of premiums and insurance, costs in the Workmen's Compensation area have increased so much that the average businessman is suffering an undue burden, and through all these hearings we had on these bills, and other bills, not only this year but last year as well, in the Labor and Commerce Committee, no time, at no time was there any guarantee given, concomitant guarantee that if we took this item out there would be reduction in the costs of the policies, or the costs of Workmen's Compensation Coverage. Each case, and...before the commission stands on its own. I agree with Senator Bloom that it is not a tort case like with the jury trial. You don't try the issues there of guilt or not guilt, you try the issues of the extentive injury, but when you say to the commission, or to the commissioner, you...you're going to adopt the AMA standards or any other standards which in themselves have a...a variable of thirty-five percent in many cases, you are just putting on a figment and a lie and a myth that these are going to be the standards ...by which all the answers can be solved. I say to you, that if you notice the commission today, in the last three or four years that it's a commission under your Governor on that side of the aisle, not a Governor elected by our side of the aisle, that they have been more consistent in their decisions, there's been less vacillation among the various arbitrators, and therefore, it has also been admitted by members of that commission that they can today adopt similar types of status without legislation if they thought they were necessary. But evidently they, who are the experts in the field, on the front line everyday don't feel that these standards are necessary, and I say to you let us not give up something that the worker or the injured party may enjoy for a myth on the other... of the cut costs, and I ask for the support of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. All in favor...is there a request for a roll call? There's been a request for a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26. None Voting Present. Amendment No. 3 is adopted. All right, there's been a request for a verification of those who voted in the affirmative. Would the members please be in their seats, and answer when the Secretary calls your name.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Daley, Demuzio, Donnewald, Egan, Hall, Jeremiah Joyce, Jerome Joyce, Lemke, Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch, Newhouse, Rupp, Sangmeister, Savickas, Vadalabene, Washington, Wooten, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Do you...do you question the presence of any member? Is Senator Daley on the Floor? Strike his name. Is Senator Nash on the Floor? Senator Nash. He's at Senator Lemke's desk. Do you question the presence of any other member? On a verified roll call, 29 Ayes, 26 Nays. Amendment No. 3 is adopted. Further amendments? Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator De Angelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator De Angelis on Amendment No. 4. Senator De Angelis on Amendment No. 4.

SENATOR DE ANGELIS:

Thank you, Mr. President. Senate Amendment No. 4... Senator D'Arco, doctor shopping or the elimination was not in the bill, but it was an excellant suggestion, and you will have an opportunity to vote for it in Senate Amendment No. 4. Senate Amendment No. 4 limits the amount of free choices to two for a physician and in addition to that,exempts from the Act the following areas: activities, including but not limited to athletics, hobbies, picnics, and parties, rest and relaxation of traveling employees, use of employer owned or operated parking lots and transportation arrangements,and alcoholic and drug treatment programs offered by the employer to the employee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion?

SENATOR DE ANGELIS:

I...I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Now, as I understand the amendment, you're limiting the choice of doctors that the claimant can go to. Is that what you're saying in part of the amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis.

SENATOR DE ANGELIS:

The free choices.

SENATOR D'ARCO:

You're...limiting to two doctors. He has the free choice of going to two doctors.

SENATOR DE ANGELIS:

Yes, subsequent referrals are not included, but two free choices.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Okay, and the other part of the amendment has to do with work related injuries, and you're trying to exclude areas that the Supreme Court of Illinois has, either by way of interpretation or otherwise, decided are or are not considered to be work related injuries, and they, in fact, have interpreted those activities one way or the other. Is that correct? You're nodding in agreement...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis.

SENATOR DE ANGELIS:

I would think you're...basically correct, Senator D'Arco. There has been indicated and, although labor might not agree with the expansion of the exemption, they have, in fact, expressed concern for the abuse in that particular area , and they, in fact, have also indicated that they are not really in favor of doctor shopping.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

There's no question about that, but that was the reason why we put in the...the impartial panel of doctors to avoid doctor shopping. That's exactly why we did that. In fact, I had the amendment that would do what you wanted, in lieu of the impartial panel of doctors amendment that was put in the bill. Now, you can't have your cake and eat it too, and let's vote down the amendment, and go home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donnewald.

SENATOR DONNEWALD:

Well, Mr. President, and members of the Body. I certainly agree almost to the point of voting for it, but I think we're

going a little bit too far. Now, I have an Amendment No. 5 that's next in line, if we defeat this, we will adopt an amendment that was agreeable on the part of all parties concerned earlier. This expands the exemptions to areas that Senator De Angelis had described, and the Drug Abuse Program and all...which are under the direct supervision of the employer. I would...I would state that we can go as far as saying accidental injuries incurred, which is in my amendment by the way, so I won't have to explain it again, "while participating in voluntary recreational programs including, but not limited to athletic events, parties, and picnics, that do not arise out of, and in the course of the employment even though the employer pays for some of the cost thereof. This exclusion shall not apply in the event that the injured employee was ordered or assigned by his employer to participate in the program." I would urge that we adopt...that we defeat this amendment, and adopt the amendment forthcoming.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

There's so many amendments here. Is your LRB number...does it end up in JDVAM 09? 09. Good, that's all I wanted to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The concept of limiting free choice of medical is a good concept, but the only problem I can see with it is we have a problem with a man that's injured, if you limit it to two, sometimes he has to go to two or three specialists for treatment. I mean a guy could get injured on the job, go to a general practitioner, want to go to an eye doctor, want to go to a hearing expert, and you get into specialists. So, if you're limited to two,

he's stuck, he can't go...keep going to a specialist. So, I think that the concept is good, but I don't think this amendment is any good, and I think we should resist it.

PRESIDING OFFICER:(SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

My concern, I think, would be taken care of in Senator Donnewald's amendment. Senate...question of the sponsor, please. Senator De Angelis, could you just run through on your...this amendment now, those exempt areas that you're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis.

SENATOR DE ANGELIS:

Yes, Senator Collins. Before I do that, let me just address myself to Senator Lemke, I know he's busy passing out his own amendments, and probably doesn't have enough time to read this one, but the specialist is a referral and would, in fact, be eligible under this bill, Senator Lemke. You're really wrong on where you're going with it, okay. Now, to address myself to yours, Senator Collins. What you're exempting is risks related to...recreational programs and activities including but not limited to athletics, hobbies, picnics and parties, rest and relaxation of traveling employees, use of employer owned or operated parking lots, and transportation arrangements, which by the way, are covered by different forms of law, and alcoholic and drug treatment programs offered by the employer, and I want to mention something here. You know, all through this we've heard about how employers are reluctant to engage in rehabilitation how insurance companies don't, in fact, encourage rehabilitation and now you're saying...or the courts are saying that if you, in fact, attempt to rehabilitate somebody, but during the course of that rehabilitation something should happen to them, you become responsible under Worker's Comp. Well, you can't have it both

ways either John, you can't have your cake and eat it, too.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, but Senator De Angelis, I think Senator Donnewald's amendment addressed that issue in a more reasonable way. The other thing that bothers me about your...this amendment that you exclude employee...employer owned parking lot. Supposing there's some hazards out there and a person gets hurt, you exempt that person that gets hurt into...to...to a parking lot that's owned by the employer?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis.

SENATOR DE ANGELIS:

Senator Collins, that would be covered under liability insurance, anyhow. We're not exempting them from all forms of insurance, we're only exempting them from Worker's Compensation under that particular situation. It's not a work related injury, and I want to differ with you. Senator Donnewald's is much more restricted than this, it only covers recreational and amusement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

The...the other concern is the...the alcoholic treatment program. If it's totally operated and provided by the employer then why wouldn't that employer be liable for whatever disabilities occur to that person as a result of treatment there, at least partially responsible?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis.

SENATOR DE ANGELIS:

Senator Collins, those centers are not operated by the

employer, they're generally hospital or rehabilitation facilities so, he has no control over that facility. But I guess if you're really concerned about that, the better alternative would probably be not to take the risk and attempt to rehabilitate the person, and then we don't have any problem at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I disagree, and I'm opposed to your amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Wooten.

SENATOR WOOTEN:

Thank you, Mr. President. I am sorry to contribute to this all taking time, but this may be the most important thing we do this Session, and I'd hope we'll get it right this time. I talked also about doctor shopping, and I think both sides agree that that is a problem. I just...Senator De Angelis, and Senator Donnewald both, just a rhetorical question, but I hope you hear it, Senator De Angelis. No, I say this is... I don't expect a precise answer, but I want to put a thought in your mind as well as Senator Donnewald's, and I'm trying to read both amendments. What do you do about doctor shopping on the other side? I've talked to lawyers on both sides and they both freely admit that in some cases the employer shop around for doctors, just the way the employees do, and I don't see any restriction on that. Maybe we can count on good faith to take care of it, but I just noticed it...I don't think it's covered in either one. Secondly, I believe that Senator Donnewald may have taken care of a problem that could arise with a single choice in just saying there are going to be two because it will occur that a man will go to a doctor, be referred to a specialist who will refer him to Mayo's, and so on. I just want to be sure that that is all covered, and I...I don't

see a precise addressment of a specific case where an employee, I believe,was required to take alcoholic treatment as a condition of continuing to be employed, a tremendous award was made because he was injured in that treatment, and I believe that your expression says if it's voluntary, and I don't think Senator Donnewald addresses that at all. So, quite frankly, I don't know which is the best option to go here. I...I'm not sure that either amendment completely addresses all of the concerns that I have heard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a question, Senator? Do you expect an answer? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 4, and would strongly suggest to the members on this side and to the members in the Chamber, that Amendment No. 5 is a better approach. It is...admittedly does not go as far as does Amendment No. 4, however, again, I think we are back to the real world. We are attempting to do something meaningful, but let's do what is doable, and let's not play games. I urge the defeat of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Washington.

SENATOR WASHINGTON:

Yes, Mr. President. I concur with Senators Donnewald and Rock for a change. Senator De Angelis, you place a limitation on the concept of arising out of...in the course of employment, and you deal with voluntary recreational programs, and I won't quarrel with that part, but you say that...in your amendment, that unless these activities arise out of the principal activities of the employee, then he would not be covered under the Act, and I think that's an unnecessary restriction and burden. Senator

Donnewald's amendment, however, on lines 18 and 19 of Amendment 5, state that if one is ordered or assigned by the employer to do that, then that...any injury which he had would arise out of...in the course of employment. Well, clearly a lot of these recreational activities are strictly promotional...or promotional and designed to enhance the image of the employer and there's nothing wrong with that, but if they order someone to do so, or if that's part of their function to do so, then it seems to me that they should certainly come under the coverage of the Act, and your bill precludes that, in other words it's too restrictive even assuming that that's a good amendment. I think it's a fatal flaw in your amendment, Sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco for the second time.

SENATOR D'ARCO:

No, I don't want to speak.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm not on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you were, I put your name down on the list. Is there further discussion? If not, Senator De Angelis moves for the adoption of Amendment No. 4 to Senate Bill 1739. Senator, do you wish to close debate?

SENATOR DE ANGELIS:

Just a...thank you, Mr. President. Just to narrow down the decision to an easier basis. The provisions for doctor shopping are identical...this amendment and the next amendment. So, Senator Wooten, your decision is limited to only fifty percent of this particular amendment. Now, the reason...and I would agree, that it is quite more expansive than Senator Donnewald's but we, in fact, have to address ourselves to the

abuses in this particular area. An employee who walks through a parking lot, and slips and falls in the snow, will, in fact, be compensated by another form of insurance. Why should he, in fact, be compensated by Worker's Comp. as well, or instead of? The other thing is, and I go back to the point. We're trying to encourage people to rehabilitate people, and I might point out, that the person that you referred to that died did not die because something was done to him while he was rehabilitated. He died because he happened to be there while he was being rehabilitated, and given the three hundred thousand dollars. I urge your support for Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Amendment No. 4 be adopted. Those in favor will indicate by saying Aye. Those opposed No. Roll call has been requested. Those who wish to adopt Amendment No. 4 to Senate Bill 1739 will vote Aye. Those opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 30. None Voting Present. Amendment No. 4 having failed to receive a majority vote is declared failed. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Donnewald.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donnewald.

SENATOR DONNEWALD:

Yes, Mr. President. I...I think that we've really discussed the amendment in the previous debate on Amendment No. 4, and I would urge that Amendment No. 5 be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nimrod.

SENATOR NIMROD:

Yes, I...question of the sponsor, in that area pertaining to where we're defining recreational areas. Are we not falling

into a very serious pitfall by describing, in fact, picking on one or two things and saying that they're exempt and then the employers become liable for everything else? And this is one of the big problems of the whole area that we're talking about, and that's why I'm afraid that your...your particular bill is going to make the employer really be responsible and involved in a lot more liability than I think that even exists today. So, that's one reason I cannot support your bill. Don't you feel that that's the same problem, Senator Donnewald?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donnewald.

SENATOR DONNEWALD:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Donnewald moves the adoption of Amendment No. 5 to Senate Bill 1739. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. For those of you that have the amendments there, you'll look at...Amendment No. A is on your desks, this addresses itself to loss...the standard...loss of hearing standards. It concerns itself with the subject where we presently have no definitions today. Whereas the result of the changes in the Workmen's Compensation Act that in most cases in loss of hearing there were no cases or maybe one case inside of a year, and one company alone in Caterpillar there were over three hundred cases involved in the loss of hearing. Now, the Industrial Commission has held some hearings, and they

have put those hearings aside...before they make any decisions, and what's happening is that, in fact, on this very basis, the Governor has, in fact, instructed the department...the Industrial Commission to not make any decisions on that and looking for some direction from the Legislature, and it says here, the determination of the hearing loss has provoked considerable debate. The General Assembly may wish to clear guidance of the commission on that issue. I've instructed the commission to place the question of casual connection of hearing loss and determination of percent liablity on a holding...to hold pending legislative action. I think what we need to do is to give them some direction and seeing that this is a vital...of concern, it does affect the premium costs to employers. I think it's something where we need a definition and some standards to be set. Since we've turned down the medical standards, we should, at, least, adopt and accept...that...the hearing loss standards which is a serious problem, become a part of this particular bill. I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Again, Mr. President, we're trying to adopt standards in a bill that we have discussed over and over again, and it ...and just because it's hearing loss standards, it's just as much standards as medical standards, and I would oppose the adoption of Amendment No. 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I rise in opposition to Amedment No. 6, and I will rise in opposition to the succeeding thirty or so amendments that have been filed. I think the bill with amendments that have

been considered and adopted, frankly, is in the shape it should be in. I congratulate publicly both Senators DeAngelis and Donnewald, for their untiring efforts in this regard, but I think it was fully discussed in committee. It has been fully discussed in enumerable conferences held in this building, and I think the bill is now in final form, as we should send it to the House, and we ought to resist just out of hand every single amendment including No. 6, and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Wooten.

SENATOR WOOTEN:

Serious point of order. I know you want a roll call on each and every one of these, can't we do them all at once? Oh, come on guys. Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod, you may close debate.

SENATOR NIMROD:

Well, it seems to me that what we're doing is saying look, here's your package, you take it the way we're giving it to you or you don't get it at all, and if you want some meaningful change, and you want something to happen here that's not demagoguery, Mr. President, then I think that what we have to do is to address ourselves to the increasing costs of premiums. I tell you outside of preexisting conditions, you have basically done nothing with the proposal in the bill that's been presented to us today. It's vital, in fact, if we're going to have any kind of relief for business, or address the business climate that we adopt some of these changes. Now, in one fell swoop in 1975, you, on that side of the aisle, made one hundred and twenty one changes in the Workmen's Compensation Act, and all we're trying to do is to provide something reasonable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Rhoads arise?

SENATOR RHOADS:

Just...just to call for a little order, Mr. President.

PRESIDING OFFICER:(SENATOR SAVICKAS)

Could we have a little order in the Chamber. Could we break up those conferences, Senator Keats, Senator Philip, Senator...DiPrima, if you'll take your conference off the Floor. Senator Nimrod, you may close.

SENATOR NIMROD:

I would move for adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod moves for the adoption of Amendment No. 6 to Senate Bill 1739. Those in favor indicate by saying Aye. Those opposed. The Nays have it. A roll call has been requested. Those in favor of adopting Amendment No. 6 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29. None Voting Present. Amendment No. 6 having failed to receive a majority vote is declared failed. For what purpose does Senator Rhoads arise?

SENATOR RHOADS:

Yes, on a point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR RHOADS:

You know, the remarks just made a minute ago by the President of the Senate border on being almost a little irresponsible. Now, this is a Legislative Body, it's a deliberative Body, I'm hearing cat calls from the Democratic side of the aisle, well, we're wasting time, it's all cut and dried, it may be. It may be that every single roll call on every single amendment may be the same numbers, I don't know, but these sponsors deserve a hearing. They've drafted these amendments. As members of this

Senate, they have a right to present these amendments, and we owe them the courtesy, any sponsor of any amendment at time on any bill, members of the committee or not members of the committee, whether they've been involved in prior deliberations or not, they are owed the courtesy of a hearing on this Floor and a roll call on this Floor and they deserve that courtesy without any undue harassment by Leadership on either side.

(END OF REEL)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donnewald, for what purpose do you arise?

SENATOR DONNEWALD:

A point of personal privilege. I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DONNEWALD:

...I've been here...second in...in time, and I think, that Senator Rhoads was here at one time when a fine man on the opposite side of the aisle, he is now deceased, Russell W. Arrington; and I remember, vividly, when it was about nineteen to thirty-seven or thirty-eight or watever it was. We're not trying to take away the right of debate at all; I think we all know what the outcome will be. If you want a roll call, we'll have one on each bill, but I do remember, so very well, 1966, 67, 68...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Since we are on the order of publicly expressing concerns, let me express a concern that I heard given by Senator Nimrod that he had personally contacted the Industrial Commission and ask them to put on hold their consideration of hearing standards until we had taken action. I don't know what the Governmental Ethics Act says about involvement of Legislative people in the Executive Branch, but I, frankly, bristle at the fact that people in this Chamber call up the Industrial Commission and say don't do anything on hearing standards, or don't do this on something else depending on what we do. They are the Executive Branch of Government; they have the right to operate; and to direct them from here, depending what we want to get done on the Legislative Floor, frankly, just rubbed me the wrong way a little bit, too. Just so we

can express, publicly, all of our concerns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Regner arise?

SENATOR REGNER:

I was just wondering if Senator Bruce thinks that applies to the IEA, also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

Mr. President, I just wondered if this is the time for us to all stand up and say who we are mad at. I'm mad at Senator Regner because he opposed me this morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod, for what purpose do you arise?

SENATOR NIMROD:

Yeah, Mr. President, just to clarify the record, if... if Senator Bruce had been paying attention, he would have known that I was reading from a letter from the Governor; and it was the Governor of this State that asked the Department... Industrial Commission to hold aside, and put aside those hearings standards; not Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Then I publicly apologize, Senator, I...I did not hear the fact that you were reading a letter. I thought that that was from you, and that would have been improper. I apologize for the misunderstanding. There is a little disorder on the Floor, but I should have paid closer attention.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

I remember when I first came to this Senate, and Senator

Graham was on the other side, and I gave a prayer; and it was bordered on being sacrilegious, and he got up and... he said, "you know, you shouldn't do that; it's wrong." And I got up and I apologized to him, and I really think that...President Rock's remarks...were very understandable, and very precise and President Rock has always done a fine job as President. And I think Senator Rhoads' remarks, concerning President Rock's remarks, bordered on being irresponsible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Shapiro.

SENATOR SHAPIRO:

Mr. President, let's move on with Amendment 8.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 7, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

This is No. 7?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. 7.

SENATOR NIMROD:

No. 7, really gets to the core of what we adopted, partly in No. 5, Senator Donnewald; and it addresses, also, what Senator De Angelis was attempting to be done. And in all seriousness, I do know that we are all attempting to come up with a solution that will affect the whole climate...the business climate in this State. It seems to me, for a long time, what we have been crying about are definitions in an attitude. And this amendment, in fact, goes into the crux of the very thing, and it says that what we need to do is to define and

let the insurance companies and let the public know the whole attitude...the Industrial Commission and everyone know about what we mean by accidental injury, arising out of and in the course of...and risks peculiar to the employment. I think if we were to be able to address ourselves to define these particular problems, I think we would go a long way in solving the problems with the present Act that addresses us in the Workmen's Compensation Act. I would move for the adoption of this particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in opposition to Amendment No. 7. As I indicated, I think, in a general way, I intend to oppose each succeeding amendment, having gone over most of them, if not all of them. I think an attempt, like this, although it is certainly within the members'right; these bills have been subject of a great deal of negotiation. I think they are and should remain in the form in which they are currently, and I oppose Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Nimrod moves the...Senator Nimrod, do you wish to close debate? Senator Nimrod moves the adoption of Amendment No. 7 to Senate Bill 1739. All those in favor indicate...roll call has been requested. All right, is there going to be a roll call requested on the rest of these, too? All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30, none Voting Present. Amendment No. 7, having failed to receive a majority, is declared failed. Any further amendments?

SECRETARY:

Amendment No. 8, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Briefly, Amendment No. 8 addresses the Selection Medical Panel...was attempted to address this. I think we need a much a broader definition to it, and I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

I think this subject matter has been discussed in both Amendments No. 4, and we have adopted Amendment No. 5. I, therefore, rise in opposition to Amendment No. 8.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, the question is shall Senate...shall Amendment No. 8 be adopted to Senate Bill 1739. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29, none Voting Present. Amendment No. 8, having failed to receive a majority, is declared...failed. Any further amendments?

SECRETARY:

Amendment No. 9, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD.

Yeah...Amendment No. 9, basically, covers medical standards. It's in a different form. We've discussed it very effectively. I would call for a roll call in the vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I rise..thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 9. It seems to me, we are at this point, really engaging in a form of demagoguery. This horse has already been whopped.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there is no further discussion, those in favor of adopting Amendment No. 9 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30, none Voting Present. Amendment No. 9, having failed to receive the majority, is declared failed. Any further amendments?

SECRETARY:

Amendment No. 10, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Amendment No. 10, changes the time limitation that you have time to file a claim. It changes it from three years to two years, to make it similar to the Civil Law. I would move for the adoption of this very simple amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Although the amendment is simple in terms of changes; it, in fact, has a great deal of impact, and it was the subject of some lengthy negotiation. I would urge the defeat of Amendment No. 10.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, those in favor of adopting Amendment No. 10 will vote Aye. Those opposed will vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays had 29, none Voting Present. Amendment No. 10, having failed to receive the majority, is declared failed. Any further amendments?

SECRETARY:

Amendment No. 11, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

This...this amendment, probably addresses itself to the premium charge...or change, probably the most effectively. It's the one area, I think, that does deserve some thought, on most of our parts. What it is, it addresses the permanent-partial part, where it changes the present basis from six and two-thirds to fifty percent of the average weekly wage. What that means is when a person goes back to work, and he is getting fully paid for his disability...for his employment, on a full pay; then he will not be continuing getting sixty-six and two-thirds percent of his money, for the time he is working...for the number of weeks that he has been awarded. It seems to me that this ought to be a more reasonable kind of approach; and it's an area, I think, that really affects the premium costs, and I would ask the adoption of this particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No...No. 11. I think any attempt, at this point in time, on this bill to drastically reduce the benefits to the injured party, simply is going nowhere; and I would urge the defeat of Amendment No. 11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question...Senator Nimrod.

SENATOR NIMROD:

Just...just in closing. This would still leave Illinois probably No. 1 in the country in benefits to the employees on the basis of permanent-partial.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is shall Senate...Senate Amendment No. 11 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 33, none Voting Present. Amendment No. 11, having failed to receive a majority, is declared failed. Any further amendments?

SECRETARY:

Amendment No. 12, offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Senator Lemke has graciously offered to Table all his amendments. I think that was ten in number.

SECRETARY:

Amendment...Amendment No. 12, offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR REGNER:

Mr. President, I think that first amendment I have offered is in conflict with the amendment of Senator Donnewald's, as adopted; I would suggest it just be pulled from the record.

SECRETARY:

Amendment No. 12, offered by Senator Regner...It's Number 2.

SENATOR REGNER:

Yes, Mr. President, what this amendment does, it

eliminates automatic awards, such as not less than sixty weeks for each fractured vertebrae or a hundred weeks for a loss of spleen; provides that they be covered under the man-as-a-whole provision. Presently, an individual may have five fractured vertebrae; at under this section, it would constitute three hundred weeks of compensation, yet have no lasting disability. This amendment would not deprive any disabled individual from compensation; but would just eliminate the present mandate for unwarranted benefit payments, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 12, and wish to relate to the Body, that this subject matter, in specific terms was discussed by both Senators Donnewald and De Angelis. It was decided, at this point, that it was not a good idea. It is still not a good idea, and I would urge the defeat of Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is shall...do you request a roll call? Shall Senate Amendment No. 12 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 30. Amendment No. 12, having failed to receive a majority, is declared failed. Any further amendments?

SECRETARY:

Amendment No. 13, offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Berning arise?

SENATOR BERNING:

On a point of personal privilege. I would like someone, hopefully, to explain to me whether or not the statement made by Senator Regner in reference to the previous amendment is correct. Does a person with two fractured ribs qualify for a hundred and twenty weeks? Something has to be absolutely wrong, if we are going to say that because a person has one fractured rib, there is...I don't care if it's vertebrae, rib or what it is. If one qualifies for sixty weeks; two, the same injury, is going to make it a hundred and twenty and on up, that is totally unrealistic. Is that the explanation, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well...evidentally, no one wishes to answer your question, Senator.

SENATOR BERNING:

Well, then I have to assume that my assumption is correct; and I think we are, really, demagogues.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there any further amendments?

SECRETARY:

Amendment No. 13, offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR REGNER:

Yes, Mr. President and members. This amendment eliminates optional methods of recovery by stipulating that the injury must be compensated for under the provisions of the applicable... subsection, rather than allow a choice between that and man-as-a-whole. The problem has been the interference with equitable settlements. The Act originally provided for recovery under the specific section, based on the nature of the disability. Now, the law permits a choice between the man-as-a-whole; so,

litigation has increased and the settlement process impeded. For example, a mangled leg used to be covered under the Specific Loss Schedule; but, now, the employee can choose to be considered under the man...as-a-whole. This amendment eliminates that choice by limiting coverage to the designated section. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment 13. This matter, also, was specifically discussed. There is no way to reach any kind of an agreement on this subject matter at this time, in this bill; and I would urge the defeat of Amendment No. 13.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is shall Amendment No. 13 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29, none Voting Present. Amendment No. 13 having failed to receive a majority is declared failed. Any further amendments?

SECRETARY:

Amendment No. 14, offered by Senator Regner.

PRESIDING OFFICER:

Senator Regner. For what...

SENATOR REGNER:

Yes, Mr. President and members. This amendment lowers the cap on permanent and partial awards from one hundred per cent of the State-wide average weekly wage, now two hundred and sixty-five dollars to sixty-six and two-thirds...percent of the State-wide average weekly wage, which would be

approximately a hundred and...which is a hundred and seventy-seven dollars at present. Persons whose earnings are less than the State-wide average weekly wage will still receive two-thirds of their prior weekly wage. Under this amendment, the rate for permanent-partial awards would stay at sixty-six and two-thirds percent of the...individual's pay, but we...would be capped at sixty-six and two-thirds percent of the State average weekly wage, and instead of the present one hundred percent of the State weekly...average weekly wage. I move for adoption of Amendment No. 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 14. This, again, is an attempt to cut back on existing benefits to the injured party. It simply should not go anywhere and I would urge the defeat of Amendment No. 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is shall Amendment No. 14 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. For what purpose does Senator Grotberg arise? You're in the middle of a roll call, Senator. On that question, the Ayes are 23, the Nays are 32, none Voting Present. Amendment No. 14 having failed to receive a majority is declared failed. Any further amendments?

SECRETARY:

Amendment No. 15, offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR REGNER:

Yes, Mr. President. This is in conflict with the amendment

of Senator Donnewald's, and I just ask that it be withdrawn. And, also, the next one is standards, and we have debated that earlier. So, that one should also be withdrawn. So, it would be actually No. 7 of mine that I do want to talk about.

SECRETARY:

Amendment No. 15, offered by Senator Regner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Regner.

SENATOR REGNER:

Mr. President, this amendment simply redefines the average weekly wage for the...purposes of computing compensation, to make the section less confusing and to provide that a part-time or casual worker would be compensated on the base of actual part-time earnings instead of assuming that the individual is working full-time. And, I don't think anything could be more fair than that and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 15. I can readily assume, I think, correctly, that the redefinition of the average weekly wage would result, ultimately, in a lowering, again, of the benefits available under the existing law to the injured party. I just don't think it should go anywhere and I would urge the defeat of Amendment No. 15.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, those in favor of adopting Amendment No. 15 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 29, none Voting Present. Amendment No. 15 having failed to receive the majority is declared failed. For what purpose does Senator Grotberg arise?

SENATOR GROTBERG:

To verify the negative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been a request for a verification of the negative vote. Will all the members please be in their seats, and answer as your name is called. Mr. Secretary, call the roll.

SECRETARY:

The following voted in the negative: Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Demuzio, Donnewald, Egan, Gitz, Jeremiah Joyce, Jerome Joyce, Lemke, Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch, Newhouse, Sangmeister, Savickas, Vadalabene, Washington, Wooten, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there any questions of the negative roll call?

SENATOR GROTBERG:

Is Jeremiah Joyce...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Joyce...Jeremiah Joyce on the Floor? There he is.

SENATOR GROTBERG:

Senator Netsch?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Netsch on the Floor? Senator Netsch? Strike her name.

SENATOR GROTBERG:

Senator Savickas. Sorry. Great compliment to you, Mr. President, I'm sorry. Senator Maragos. I don't know, you multiplied awful fast there, folks. Thank you very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The roll call is verified and the roll call is 26 Ayes, 28 Nays. Amendment No. 15 is failed. Any further amendments?

SECRETARY:

Amendment No. 16, offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Yeah, thank you, Mr. President. One...one question I wanted to ask. I think we have skipped an amendment; not that I'm going to call it, but I think it's among the group there. My number H...I'm sorry, G, which is LRB 311 SJDAM 08. And I don't think it was called, but that's okay. It has to do with Occupational Diseases. I won't bother with that. The...this amendment is a clarifying amendment, because of a Senate Bill 1541, which involved us in the conservation of energy pertaining to employees and car pooling and left us with the problem of van pooling, with the employer being liable and the employees not. And, what this does is just clarifies the situation; it says that if you're going to participate in ridership or car pooling or van pooling, or arrangement operated by any employee, whether it's an employee or an employer, or any other person between his or her home and the place of residence, that it gives them the exemption. And, I think it's only fair to clarify the law under that basis, and I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 16, having just received a copy of it. We have a series of bills that directly address this problem, and I...do not think that the proper vehicle, at this point, is 1739. There are a series of four or five bills that were sponsored by Senator Lemke, that directly address this problem on

behalf of the business community. They have, I am told, been agreed to and we should stay with that agreement; and I would urge the defeat of Amendment No. 16.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. In closing, I don't know who the bills have been agreed to by; and, number two, is those bills are no longer in the Senate. So, it seems to me, that we don't have an opportunity to amend those bills; and, certainly, there is no agreement with anyone that I know of, and this is certainly a flagrant violation of saying that it's okay for employees, but certainly bringing out the fact that employers are, in fact, liable. I think this is a very fair and...amendment, and it certainly should be included...if we are going to have any consideration of conservation of energy. Otherwise, we will find that employers will be discontinuing those particular services. Right after that bill...Senate Bill 1541 left this Chamber, and it was voted down, I had a call from several companies, and, in fact, I did get a direct telegram from Zenith Corporation who said, for example, they would have to discontinue their van pooling if Senate Bill 1541 passes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lemke, for what purpose do you arise? That was closing arguments.

SENATOR LEMKE:

Forget it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is shall Amendment No. 16 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

SB 1740 3rd reading 5-14-80

25, the Nays are 29, none Voting Present. Amendment No. 16 having failed to receive a majority is declared failed. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1740, Senator De Angelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1740.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator De Angelis. Senator Maragos.

SENATOR MARAGOS:

Mr. President and members of the Senate. I am offering this...Committee Amendment No. 1 to Senate Bill 1740, which is the sponsor's wish; and it puts the bill in the shape... with the technicalities as he wishes it, and I move its... for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments...from the committee?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2, offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke, on Amendment No. 2. Senator Lemke

withdraws Amendment No. 2. Further amendments from the Floor? Senator Lemke, are you...are you withdrawing all your amendments? All right, Senator Lemke asks leave to withdraw. They're all withdrawn. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1759, Senator Jeremiah Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1759.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1764, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1764.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading...Senate Bill 1771, Senator Savickas. Read...Senate Bill 1777, Senator Lemke. Senate Bill 1781, Senator Nedza. Senate Bill 1810, Senator...Davidson. Read

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1810.

(Secretary reads title of bill)

2nd reading of the bill. Oh, by the way, this had a request for a fiscal note which has been answered. 2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1, offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Yes, Mr. President and members of the Senate. Amendment No. 1...puts this bill into the phase-out of the distilling equipment...alchohol distilling equipment on the same basis... it's already in the Law on Machinery and Equipment Sales, on sales tax exemption that's being phased-in. I'd move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further...further Floor amendments?

SECRETARY:

Amendment No. 2, offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate. Amendment No. 2 is an amendment that was drawn in relation to what was raised, that the possibility that cities, counties or

the RTA would not be able levy their one-cent sales tax on this distillery equipment if, in the future, whatever needed to be done by those governmental bodies...this was the language that was requested. We had to adopt all three different areas, city, county and RTA tax...this just says, that if any one of those three governmental bodies do want to levy that one-cent sales tax, they have the option to do it. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Senator McMillan.

SENATOR MC MILLAN:

Mr. President and members of the Senate. I...I rise in opposition to this amendment. I don't believe it is either necessary or wise. In the first place, Senator Davidson's bill is designed to deal with only those instances in which a farmer, for instance, is purchasing distilling equipment in order to produce gasohol, which he can...can produce for his own use and not for resale. It has already been established that the equipment is going to be exempt under the regular Machinery and Exemption Tax for any... distilling equipment that's...that's purchased to produce gasohol for sale. So, we're really talking about a farmer who is using this kind of a still on his own operation to produce gasohol for his own use. So, that person's likely to be out in the country. It's not going to be in the RTA area or in a municipality or anywhere else. Secondarily, I think we're getting into a real serious problem when we eliminate this particular tax and then say that the local unit of government can go ahead and collect it, when in fact, the local...the local tax is a piggyback tax; and we are eliminating that upon which they piggyback, and would impossible for anybody to collect. I really don't think

that there is going to be any loss to the municipalities; there's no need for this particular amendment, and it creates a...an administrative problem to which there is no good answer. I would ask that it be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Regner.

SENATOR REGNER:

Yes, just a question of the sponsor. I'm not sure what he said. Senator Davidson, did you say that your...your bill originally was to eliminate the tax on this kind of equipment, Statewide? Your amendment says that in the RTA area it can be added back on.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

No, there was some debate as to whether it could be added back on, and this amendment applies to city, county or RTA area, if they voluntarily...if they chose to put it back on. This amendment was drafted at the request, last week, from representatives from those different governmental bodies.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Regner.

SENATOR REGNER:

So...so, in other words, what your amendment says is Cook County could levy it again if they wanted to?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Yes, if...by action of their County Board.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Regner.

SENATOR REGNER:

I, then, urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Senator Davidson, do you wish to close? The motion is...the motion is to adopt. Those in favor say Aye. Opposed Nay. In the opinion of the Chair, the Noes have it. The amendment is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1814, Senator Rupp. Insurable Risks. Okay. 1815, Senator Grotberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1815.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1, offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized.

SENATOR GROTBERG:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Grotberg.

SENATOR GROTBERG:

For...for those...for those of you who recall the discharge motion on the...terminally ill subject matter bills of mine, this is the one regarding the creation of... within the Department of Health a concern for and the ability to deal with the...hospice concept. The amendment is now

the bill, and it simply gives the power to the Director of the Public Health Department to adopt minimum standards for the development and operation of hospices and the training of the hospice personnel. They think they have such powers now, this simply clarifies it; and goes on to describe that a hospice means a facility, any part of a facility where we need a few hospital beds, or a program, and that's the homecare portion of it, that provides specialized care for the terminally ill. I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1827, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1827.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan to explain Amendment No. 1.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. The...the homestead improvement exemption for certain multiple dwelling units, in its present condition, is...is not clear as to the...the number of the dwelling units that we are intending this to apply to. In counties with one million inhabitants and more, the exemption for the homestead improvements will apply to residential buildings having more than six dwelling

units and fewer than fifty-five. The original bill simply states less than fifty-five; it's a clarifying amendment in that respect.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1831, Senator Maragos. Senator Maragos, 1831. Senate Bill 1834, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1834.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Washington on the Floor? Who will be explaining the committee amendments? Senator Berman? Oh, all right, are these Senator Chew's amendments? Senator Chew is recognized on Committee Amendment No. 1.

SENATOR CHEW:

Thank you, Mr. President. No. 1, Committee Amendment, is an amendment to take out the language of the bill as it was structured; that deleted Canadian nurses...

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Berman offered Amendment No. 1 in

committee. Senator Berman to explain Amendment No. 1.

SENATOR BERMAN:

That was a...an amendment that made some...technical changes as to the way the bill was originally drafted, to indicate the changes in accordance with some requests from the Department of Registration and Education, primarily dealing with the force that the opinions of the board would have. There was no controversy regarding Amendment 1; I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further...committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew is recognized on Amendment No. 2.

SENATOR CHEW:

Amendment No. 2, Mr. President, deletes the language that provided for Canadian nurses to practice in the State of Illinois, without a competitive examination. I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Senator Berman.

SENATOR BERMAN:

Because this was adopted in committee, Amendment 3, that I will offer next, addresses the same subject. I have no... objection, at this time, to adopting Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? All in favor say Aye. Senator Washington.

SENATOR WASHINGTON:

I think some explanation is in order, because the two do bear upon each other. 2 which is pending, and 3 which Mr. Berman is going to offer. Unfortunately, Senator Collins is not here. She wants to address herself to this amendment. But, this amendment was thoroughly discussed in the Health, Welfare Committee; both sides had exhaustive hearings, the Committee and its wisdom, decided that, as Senator Chew stated, that section giving exemption to Canadian nurses to have to comply in a manner and form with nurses examinations in the State of Illinois, that section was deleted after thorough debate. I think it's a good amendment, and I think it bears upon the whole question of...this State's treatment toward licensed nurses in foreign countries. As you know, the State has reciprocity with other States, which permits them to come in and practice nursing if they are certified in other states. That exemption has never been extended to foreign nurses. The problem the committee was confronted with is what reason would Illinois depart from a longstanding tradition of not permitting foreign nurses to come in without going through the requisite exam like every other citizen of the State, and the committee decided that was not a good policy; and, therefore, adopted Senator Chew's amendment, which struck that language from 1834. I think it's a good amendment, and should stay on.

PRESIDING OFFICER: (SENATOR BRUCE)

I...just would...there are several other people who wish to speak, but the sponsor's suggestion was that this one be...adopted, and he would offer a conflicting amendment, I think, which is Amendment No. 3. That was his wish. Is there further discussion on Amendment No. 2? The motion is to adopt. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Now, Senator Berman on Amendment No. 3.

SENATOR BERMAN:

All right, thank you, Mr. President and Ladies and Gentlemen of the Senate. In accordance with some of the discussion that was held in Committee, Amendment No. 3 is being offered. Let me explain what Amendment No. 3 does. No...Amendment No. 3 allows Canadian nurses, who have passed the Canadian Nurse Association Testing Service examination in the English language, to be granted a license as a... Registered Professional Nurse, and to practice in Illinois. The amendment further provides that that grant of authority is only effective until June 30th of 1983. It has a self-destruct clause on there. The reason for this amendment was because of the scarcity that exists throughout Illinois in the availability of nurses in our hospitals. We have distributed, on behalf of the Illinois Hospital Association, on behalf of the Licensed Practical Nurse Association... material, and the opponents have also inundated all of you with material, in opposition to this. Let me say that there are debate...there is debate on both sides of whether we should allow Canadian nurses to come in and practice in Illinois. I think that it boils down to the question of whether there is going to be, immediately, some infusion of a corps of nurses to address the patients in our Illinois hospitals. This is the only way to do it immediately; I have indicated to the opponents and to all of the people

concerned that other approaches, longer range approaches, are necessary; that doesn't mean that this isn't a workable program. It is workable. There are other things that ought to be done, and I am pleased to explore those with anyone who wishes to explore them. But, this allows an immediate infusion of some qualified nurses, who have...who speak English, who have passed an exam that is substantially equivalent to the Illinois examination, and to come in and to help our patients in Illinois hospitals. I solicit your Aye vote on Amendment 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The following Senators have sought recognition. Senators Grotberg, Chew, Gitz, Collins, Becker, Hall, Schaffer and Johns. Senator Grotberg...and Senator Ozinga.

SENATOR GROTBERG:

Thank...thank you, Mr. President. Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR BRUCE)

Of the...of the amendment, Senator?

SENATOR GROTBERG:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman indicates he will yield. Senator Grotberg.

SENATOR GROTBERG:

Senator Berman, do you have any idea, numerically, how many nurses we are talking about?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

The number...you mean the number that will be coming in? Is that...is that your question?

SENATOR GROTBERG:

Yes, you know, is there one nurse somewhere that needs a job; or are there a hundred, or...some doctor...

SENATOR BERMAN:

I'm not aware of any one nurse that needs a job. What we hope to accomplish by this amendment and by the bill, is to encourage a recruiting process that will bring in Canadian nurses to address the scarcity. I don't know if that's going to be thirty, seventy, three hundred or seven hundred. That's...really impossible for me to accurately predict.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

Well, to the amendment. Thank you, Senator Berman. I rise in support of this amendment. When I think of the one hundred thousand registered nurses that are living in Illinois, that, many of whom have given up working, and mostly because of conditions in hospitals and nursing homes, and I represent, in my daily life, nursing homes; and I understand the shortages. I would also submit, that only ten thousand of those hundred thousand belong to the Illinois Nurses Association, which is, as far as I am concerned, is a very fine organization; I have tried to support them. But, when I think of what the Country of Canada has done for these United States, when I think...out the risks of the bilingual problems with our doctor and M.D. programs of the last few years, coming from all over the world who can't even speak English, with the high regard that I hold any exam, given in any Province of Canada, I don't think we need fear to open the door a crack for anybody from Canada to come and work in the State of Illinois and we should welcome them. I move the adoption...the support of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Mr. President, my problem is not a language-speaking nurse. The problem is, if you are going to open the door for one, from one country, why not open the door for all, from any country.if there is a shortage of nurses. And we, subsequently, discovered that the real reason we don't have...a complement of nurses in our hospitals is because hospitals refuse to pay nurses a decent living wage. In our committee hearing, there isn't a hospital in the City of Chicago that gives a nurse a starting pay of fourteen thousand dollars per year. And, I might add, the State of Illinois pays their nurses less than any private or public facility in the State. So, nurses are leaving the profession simply because they aren't getting paid. In the last five years, in these United States, you have had only five hundred, or approximately, five hundred nurses to migrate from Canada into the United States, with the examination. It is discriminatory to allow this to happen in the Dominion of Canada, and not to allow it to happen in the Commonwealth of the Philippines. Now, if we are so concerned about the nursing shortage, why don't we open it up and said any registered nurse, who can speak English, would have the same privilege that the registered nurses have here in our country? Why would we single out Canada? There are states bordering the Canadian border that do not have this exemption. The Hospital Association wants it, the Nursing Association do not want it. The Hospital Association has lobbied Legislators; the Nursing Association has lobbied Legislators. The Nursing Associations happen to be right. They feel that anybody that's coming into these United States ought to be subjected to an examination that is established by that sovereign state; they feel that any nurse that comes from a foreign country

into the State of Illinois, should go through the same procedure that our licensed nurses go through here. Why make the exception for Canada? There are two ways to cure the nursing shortage. If the hospitals, today, were to pay them just a fraction of what it costs a patient to be in a hospital, you would have a flood of nurses ready to go to work. But, private and public hospitals have refused to pay a nurse as most school boards have paid teachers. What they are saying, in effect, is Canadian nurses will come to this Country and work for less than American nurses will work for. Now, if we really want to cure the problem, we ought to just pay these registered nurses in this Country and that would give us necessary numbers to carry on as before; but the nurses haven't even gotten substantial raises to offset inflation. The amendment that's on, Amendment No. 2, not only should stay there; but Amendment No. 3 should be soundly defeated, because Amendment No. 3 is a discriminatory amendment, and it give...gives privileges to a few, and it takes away privileges from another. So, I would urge that the members of this Senate would vote to defeat Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Very briefly, Mr. President and members of the Senate. It seems truly unfortunate that so many times in this Body, we come up with some crazy amendment or bill in hopes that it's going to address a problem. And, quite frankly, of the many amendments that have been debated here, I can't think of one that has probably been more spurious, more crazy than this one. I can speak with some...I underscore Senator Chew's sentiments. My own Mother has been a registered nurse, she's practiced for thirty-four years; as a matter

of fact, for the last ten years she's been in Intensive Care. She doesn't make eighteen thousand dollars a year. She doesn't make fifteen thousand dollars a year. As a matter of fact, she doesn't even make Charlie's starting salary of fourteen thousand dollars a year. And the reason that hospital is understaffed, and the reason that people are leaving, is quite simple; the tension is high, the work conditions are not the best; on the night shifts there are too many people and not enough staff. And the hospital thinks that because nurses are unorganized and they can afford to try to pay them a very low wage, that somehow they are going to be able to maintain it. The idea...you can pass this amendment if you want, but don't think for one moment that there is going to be more nurses in Rockford, Illinois or in Bloomington; I'd be highly surprised if you have but one benefit come out of that. The idea that, somehow, the Canadian nurses are going to be the resolution of this problem, is just nonsense. There is one way that you're going to have nurses returning; there's many that are qualified, licensed and able to go to work today, is they are going to have to make some improvements in the wage scales and working conditions in these hospitals. And, for that reason, this amendment is just simply spurious, and I'm, quite frankly, surprised that we're even debating it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Senator Collins.

SENATOR COLLINS:

Okay. Thank you, Mr. President. I...I think Senator Gitz just capsuled what I really wanted to say. But, I do have a question of the sponsor. Senator Berman...Senator Berman, do you have any idea of how many registered nurses, in this country, who left their employment simply because of working conditions or they just couldn't put up with it

anymore?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I have no...no idea of the numbers, but I am sure that is a substantial number. This bill does not help or hurt that situation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

But...but, isn't...isn't that the whole crux of the situation that we're talking about; the need to have adequate qualified nurses in the hospitals taking care of the...the sick patients, and...and...and by bringing in the Canadian nurses, it's, most certainly, not going to resolve that problem?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I have indicated, in my opening remarks, that this is only one approach to a multifaceted problem; that the concern that you have, I share. That is not addressed by this bill. I have indicated to you, and to the Nursing Association and to the hospitals, that I'll be willing to work on those other problems which are of a much longer range solution. This can be done immediately.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

But, Senator Berman, in committee, we had considerable amount of debate; we talked about the Canadian nurses, those who come here; we talked about the similarities in qualification and even the...the tests, and that out of the nine...nineteen that had taken the test here, something like fifteen had

already passed it, I think. So, if that's...if it's a question of whether or not the Canadian nurses can, in fact, pass the Illinois test, I don't...I don't see the...necessity for the exclusion...the exemption, because; based on what we have heard in committee, and based on your argument that they do have comparable requirements and skills, then, we should not be worried about them passing the test. Maybe... the Illinois Hospital Association should just beef up their recruiting methods in...in Canada, and get more of them to come here and take the examination, because, apparently, there...there doesn't...it doesn't seem to be a real problem with whether or not they can, in fact, pass the test. But, I think more fundamental to this...this whole issue, and my principal and primary objective to this whole approach, is this is the...the usual kind of piecemeal approach that this Body seems to take when there is a crisis out there that we need to respond to. I will not debate whether or not there is a serious shortage of nurses, and there is a need for more registered nurses in the hospitals out there. At...nor, would I...feel that the...Canadian nurses should not be allowed or encouraged to come to this...to the State of Illinois and...and practice in the hospitals. But, there are more fundamental issues here, and that is the whole issue to the need of unemployment...addressing the need of unemployment, and...in the State of Illinois. Illinois probably has the highest unemployment rate in the Country. There's no question that there are qualified people out there who are willing and able to work in the hospitals; and if we're talking about addressing this problem, without trying to deal with the reason why we can't get the people in Illinois, who are on the unemployed rolls, to come back into the hospitals, or to encourage and promote the development and establishment of more nursing institutions in the State, then I think,

we are just shirking our responsibilities, and we're acting irresponsibly. If we are going to address this problem by allowing the Canadian nurses to come here, temporarily, then, simultaneously, we should be about the business of talking about opening up Cook County Nursing School...School of Nursing and other schools of nursing throughout the State of Illinois. That is, I think, a more responsible way of dealing with this problem. But, I'm afraid that if we pass this bill with this amendment on it, we're not going to do anything to...address the real problem. And, that's why I'm opposed to the bill.

(End of reel)

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? I have the following Senators so you can be ready when we call: Becker, Hall, Schaffer, Johns, Ozinga, Shapiro, Newhouse, Lemke. Senator Becker.

SENATOR BECKER:

Thank you, Mr. President, and members of the Senate. A remark was just made by the sponsor of this amendment stating that there are ninety thousand nurses in the State of Illinois,but only nine thousand belong to the Association. I want to say to all of you, they are not members of the AF of L, CIO, or any union, but if they were them galleries would be loaded with union officials hounding and pounding everyone of you, to vote against this amendment. Senator Washington brought it out beautifully when he said in committee, this bill was debated long and hard, listening to every argument, and the committee decided by a vote of 7 to 3 to not allow Canadian nurses into the United States or Illinois without taking the tests. I say to you, in 1977, '78 and '79 in the United States, twenty-one hundred and sixteen Canadian nurses took the tests, sixteen hundred and ninety passed the test, four hundred and twenty-six did not, for about a precentage of eighty percent, but let's say that we brought the four hundred and twenty-six not qualified nurses into the State of Illinois taking care of your loved ones, and not knowing the type of injection that's going into your veins that could cost their life, by not being qualified to pass our tests. In 1977, we graduated fourteen thousand three hundred and fifty-three nurses with a BA degree, an Associate degree, and a plain diploma, of serving two years in a school, and yet let me say this to you, like Senator Gitz remarked about his mother. I have three nieces who are three year graduates of nursing schools, not schools, hospitals, and they frown on the two year graduates, because they have a head full of theory and no practical knowledge of operating in a hospital. They also

frown on the four year graduates who come in with a rounded out education, and don't know too much about anything. Yet your hospital administrators, when they select managment positions, always will select the three year graduate. So, I say before we vote on an amendment such as we are going to vote on very shortly, pick up in front of you a statement made by the Philippine nurses, if the exemptions from taking the Illinois licensing examination, is affored to Canadian nurses, and made into law in Illinois, the Philippine nurses of Chicago want an amendment also, to exempt nurses from other countries, especially the Philippines, since the Philippine nurses have a long history of participating in the delivery of the education towards health care in Illinois. Philippine and other foreign nurses work in clinical areas, in leadership positions in nursing services, in service education and nursing schools as administrators, faculty members, clinical specialists, nurse practitioners, staff nurses, head nurses, supervisors, all the way on down the lines. And then let me say to the Illinois Hospital Association, last year we paid four million dollars in unemployment checks to the State of Texas, sixty percent of four million dollars went to nurses leaving Illinois and the checks being mailed to the State of Texas. Maybe we should start an investigation. It's my opinion that this bill should revert right back to the Public Health and Welfare Committee of which Senator Washington is Chairman. We should have members of the Public Health, Welfare, of the Hospital Association of the Illinois Medical Association, members of Higher Education, and members of the Illinois Association on that committee to get to the root of this problem. If we're going to continue bringing foreign nurses in to replace our children who are not afforded the opportunity of enjoying part of the taxpayers' dollars that are being paid in the State of Illinois, it's a Cardinal sin to close the school of nursing at the county hospital, to close many of our schools of nursing down in Southern Illinois,

in Cook County, in Lake County, and then we come back to the Floor and throw a bill...an amendment, such as we're witnessing today, and right up above the President I can see the big blinker discrimination, and some attorneys panting, waiting, them trial attorneys, to file a lawsuit, a Class Action suit against the Senate, against the hospitals, when we aren't doing our job. Let's get that Illinois Hospital Association together, let's get Higher Education together. If we're spending the tax dollars, as you read in the Tribune, in the Sun Times, wasting the taxpayers' dollars at the Circle Campus, in the City of Chicago, where children can't read or write, let's take them out, let's put students in there who desire to become nurses, let's educate them, let's spend our tax dollars in the right direction. I will vote in favor of Senator Berman's bill, but I will vote against this amendment and ask for a unanimous vote against it, and let's protect our American girls, and our children right here in the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

We're certainly happy to have our observers of our debate, but we would appreciate that you do not participate in it, by giving any signs of approval or disapproval. Senator...for what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

A parliamentary inquiry, Mr. President. Do we have a time limitation on debate?

PRESIDING OFFICER: (SENATOR BRUCE)

We have...we have five minutes, and Senator Becker, went over it slightly.

SENATOR BUZBEE:

I would be glad...I gave him my time also, but I just wondered if you were going to impose the time limitation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee, I started the timer, it went through and no one called it, and I thought everyone was interested enough

that we would continue with it slightly over his five minutes. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I've always been very supportive of the Hospital Association, but I think they're making a serious mistake at this time, when Senator Berman is going to try to take this amendment off. Now, what really happens if you just stop and think, when he says one of the reasons that he supports this, is that they're English speaking. Well, there are a number of other nations that speak English, and I'm going to try to be brief, but I want to tell you one thing right here and now, is that you say that you've got a shortage of nurses, and then when we look around the country and we see all these nursing schools closed. It's just unfortunate that we in the Legislature get caught in between these things. I serve on the Rules Committee and when Senator Berman be...came before the Rules Committee, the Nurses Association was also present, and they shared the concern that there is a shortage of nurses, and I voted to get this bill out of the Rules Committee, with the hope and understanding that they would reach some agreement, but to say that you are going to excuse Canadian nurses and keep all the others from coming in, is strictly discriminatory. Now, if you just stop and think, and got this from James Nolan, who is the Director of Registration and Education, and it says here in 1976, nineteen percent of hundred and thirty-four...Canadian nurses failed, and in 1977, twenty-seven percent of two hundred and thirty Canadian nurses failed on their first try as a...test pool...pool examination. Now, if this provision passes, this means that these people would be exempt and even those Canadian nurses who have failed the Licensing Examination will come in. If you stop and look around today, that other countries, and nurses from outside of the United States, other than Canada, have contributed at many things toward the health care, and if you walk into any of these

hospitals today, especially on night shifts and things, you will see other than Canadians, there are people from many of the other countries who are working, and the education, and Public Health Agencies. It's wrong, it's not right, to take Canadian nurses and give them something that you deny others, and to say that they're English speaking, we have a lot of people who are English speaking, that have just as much right to be excluded if we're going to exclude Canadian nurses. This is a bad...you should not take that amendment off.

PRESIDING OFFICER:(SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, we are, in my opinion, debating a rather small tempest in a rather small teapot, but I guess we had to do something while the other Chamber debates a more weighty issue. There were only seven hundred Canadian nurses that came into the whole country last year. We got twenty, seventeen or eighteen of them took the test and passed it. Senator Hall, it's intriguing the Canadian nurses that come over are generally people who've been in practice for a considerable amount of time, and when that percentage passes, that's the same approximate percentage that our people right out of medical school pass. I wonder how many of many friends who are lawyers here, or other professionals would like to go take the bar exam, or comparable test right now, and see if they could pass it. The simple fact of the matter is, that if the bill passes we aren't going to put that many more nurses in Illinois. The question isn't nationality, the question is, competence. No one has said here, that the Canadian test, and the Canadian schools are not comparable or perhaps even better than our programs in this country and this State. It's really a question of, can we get some good qualified nurses. Now, one other thing that hasn't been mentioned, that the best qualified, most talented, most dedicated Canadian nurse

who hits the streets in Illinois and wants to practice, may have to wait up to six months, till he or she gets a chance to even take the test, and there is the real problem. That is, in fact, the real problem. The middle ground I suggested to both sides, which was summarily rejected, I might add, was simply to allow an exemption for a Canadian nurse or frankly, if you want to stress it any...nurse from a program that is comparable in all ways to the Illinois program, a six month waiver, to practice until they get a chance to take the test. That puts the nurses in the hospital, it also guarantees us a chance to make sure they're competent. That middle ground was rejected. I honestly believe though that in my examination and the testimony I've seen, that the nurses coming from Canada are as qualified as the nurses who come from Iowa or any other place. I might add, I believe there's some number of states that already allow Canadian nurses in. This is not the best approach. Senator Berman, I think the exemption approach is best, but we do need nurses, and I think the hundred and eleven thousand Illinois nurses are hardly going to be threatened by the probably sixty or seventy additional nurses this bill will generate, but perhaps, a few people in Illinois will be helped by those sixty or seventy professionals.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I'm going to vote for this bill, but let me give you some of my thoughts. Canada is a great country, no other country shows the same and shares the same ideals as we do, I'm grateful for their support international-wise to America. One day in the future you're going to see America and Canada forget about boundaries, and be one people. The bill is one of expedience, that worries me, because we are acting rather hastily, and we're not looking back at symptoms

as to why we must act with expediency. We do not act best hastily but really it bothers me, as it should and it does other Americans who really care for others about adding competition for jobs, competition against our own people. My research shows that Charlie Chew is right, the responsibility lies on the doorsteps of one of the most profitable professions, the AMA. That's where it is, there's no question about it. I chose to check this out, administrative nurses have said our young people, now get this, they say our young people do not want to work at night, do not want to work on week-ends what an indictment of our younger generation. I cannot believe that a favorable salary, in a chosen career would still cause our people to neglect the hours and the responsibility that they have. I believe that our young people are much better stuff than that, and I don't buy any part of that indictment. I talked with our Community College president, and leaders, and they assured me as our university people have, that they can turn the nurses out, if we'll fund them properly, and therefore, we're part at fault. So, I...I accept that responsibility. They can turn these nurses out, and think about this, in a time's time. Many of them are waiting for further education as licensed practical nurses. All we need to do is fund those people, fund those colleges, put those nursing schools back into order, and bring our young people back into professions and let them stay in our country, and in our State, and in our towns. It takes as long to get one of these nurses into the United States from the Philippines, it takes as long to...to bring them from Canada as it does to train them in our colleges, something seriously wrong here. I agree with Senator Becker, we ought to have an investigation, and we ought to have some details come out of this, and tell us what's wrong. Thank you, very much, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Ozinga. Senator Shapiro.

SENATOR SHAPIRO:

Well, Mr. President, and Ladies and Gentlemen of the Senate. Some of the things that I was going to address myself to have already been spoken to, but I am in total and complete opposition to this amendment, because one of the main points that has...that is not addressed in a bill such as this, is what are the standards for the Health Care Delivery System in Canada or any other nation in the world, but in particular...particularly, in Canada, and I would suggest that they are not, not as high as they are here in the United States. There's been a sheet passed around showing how the tests in Illinois and in Canada are comparable, but what it does not address itself to, is the content of the examination. In other words, the questions asked in the Canadian examination may be a lot easier than those asked here in Illinois, and another thing that this Body ought to keep in mind, is that the graduate of any accredited medical school or professional school in this State are acceptable throughout the world, because they are the best trained and the best graduates of any school in the world. We cannot say the same about any other state in this nation, or any other...or any other nation in this world. Another problem involved in this...for many, many years, this State and every other state in the nation has accepted the standards set in the exam by the various state departments by professionals within that profession, in other words, we accept on the written exam questions that are set by nurses, not by anyone else, and this exam is merely administered by the Department of Registration and Education. If we're going to do the same...if we're going to do this for Canadian nurses, then we ought to do it for every other professional group here in the United States and I'm sure that no one is even suggesting that or would be in favor of it. I think that the problem...is...are many. Number one, we have no assurance that the Canadian nurses are...going to

want to come to this State to practice anyway. Number two, salaries in the nursing profession evidently are not high enough. Working conditions are not the best. Maybe our schools throughout the State are not producing enough graduates but certainly the numbers given here earlier sounds to me that it would be adequate. So, there are many problems and going at it in this method is not going to solve the problem and the amendment should be defeated overwhelmingly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I've got friends on all sides of this question. They're...I'm going to stay with my friends. There are several elements involved here, and as of this moment I've not heard anyone talk about patient care, and it seems to me that's the bottom line. There are three elements here, one is patient care health service, one is a question of wages, and how much people are getting paid, and the third is the question of standards, not particularly in that order, but I would say that patient care comes first. I don't know how many of you have walked through a hospital recently at night. I don't know how many of you have gone into the emergency room of a hospital at night in the City of Chicago particularly, I'll tell you what you'll find. You'll find that they're understaffed and you'll find that in many instances you will be treated by persons who cannot handle the English language. That's what's happening in hospitals in the City of Chicago. There is a problem and it's a serious one, and it's a problem that someone ought to do something about, whether it's the Legislature's job or not is another question, but we had appear before us in committee two competing interests and they were not about to compromise. How do we resolve this question? How do we get health care service delivered, at least, temporarily while we

get to the guts of the problem, that is raise the wages to the scale where they ought to be, and yes, train some people to go into the Health Care profession. Health Care is the fastest growing industry in this county, and if I understand the statistics right, the dollars spent in Health Care are third in the dollars spent in any industry in this county. That's a lot...that's a lot of dollars. It means we're going to have to train a lot of people. We're doing business with foreign medical grads all over the place. The justification for Canada is, because there is some comparability, and that's why the selection was made. I would suggest that this is a good compromise. It does put a limit on the time which we will permit to practice in our hospitals...in our medical profession, people who do not take this Illinois exam. I, like Senator Schaffer, don't envision any floodgates being opened. There are not that many people who are going to want to come, but if this is going to help the hospitals temporarily, then sobeit, but in two years time, I would hope that the competing interests which would not be competing at all, the Hospital Association, and the Nursing Association ought to be talking to each other, and we would hope that by the devise of this amendment they will have a span of time in which they can sit down and work out in a rational fashion, a solution to a problem that may...that may affect any of us at any time. We don't know sitting here when and how we'll need the service delivery about which we're speaking right now. Yes, something does have to be done; This isn't the perfect amendment, it's not a perfect bill, but it does provide a time...time factor during which we will get service delivery and at the same time can begin to address the serious underlying problems. Did someone say time? I will respect that. Did Sam...thank you, no, no, no, no. I think that...I want... this is a very serious matter. I want to keep it in a serious

vein. I would suggest that this amendment with a sunset provision is a good amendment, and the sunset provision ought to actually sunset, and two years from now, I will not talk about an extention, and I assume no one else will. Thank you, I would support this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke. Senator Lemke on the Floor? Further debate? Senator Berning. All right. Well, that...Senator Berman, you may close the debate.

SENATOR BERMAN:

Thank you, Mr. President. I think there was great debate. Let me try to summarize quickly. The problems that most of the opponents to this amendment are addressing, I agree with, but they...those problems cannot be solved overnight. You cannot solve the problem and the tragedy of the closing of Cook County School of Nursing. You cannot solve overnight whether by legislation or otherwise, the question of the levels of...of salaries and benefits, and burn-outs by nurses that can't maintain themselves in this profession. That's a tragedy but I'm not sure that's a legislative problem, and I want to correct my friend Senator Chew, when we talk about...he said that no hospital pays even fourteen thousand dollars, that's not true. Michael...starting...salary...Michael Reese is starting at seventeen. Michael Reese Hospital is starting at seventeen. North Western Memorial Hospital is at sixteen, it's closing a hundred bed unit, because they can't get enough nurses. There isn't a hospital in the State, and the Illinois Nurses Association acknowledges that there is a crisis and a shortage. There's no argument there. The question is how do we address that. I have no argument with any of the points made by my friend Senator Becker. What we are proposing here is a small compromise approach to try to get in immediately qualified nurses. Senator Newhouse is right. Senator Schaffer is right. It's the quality of patient

care that we're concerned with, or should be concerned with. This addresses that. I'm not concerned about problems of turf. I don't want to go for or against the question of who's representing who. I think it's a tradegy that perhaps the Nursing Association isn't better organized, to be able to negotiate higher levels of salaries and finges, but they aren't. Tonight, today, they aren't. We need competent care. You have received documentation that the tests are substantially equivalent. I have passed out contrary to some internal memos that were passed out on the Floor, I have a signed letter from the Director of the Department of Registration and Education, the opening sentence says, "the Department of Registration and Education supports your amendment on the subject of Licensure by endorsement of Candaian nurses." The department feels that this is a good amendment. There are people in the department that say, the examination in Canada is substantially equivalent. There is others that say it is not. The department supports this amendment. I ask you not to be short-sighted, not to look at the hole rather than the doughnut we have a crisis, and I have sat down with the nurses, last Thursday, with Senator Washington present. We offered several suggestions, several alternatives, one of which was the one regarding discrimination, that we wouldn't talk about only Canadian nurses, that we'd talk about others. That amendment was...was rejected. This is the most limited, the most conservative, the most practical approach to an immediate crisis. If we're concerned about our citizens in Illinois, and the lack of adequate nursing care, this is a fair amendment. June 30th, 1983, they're out of a job unless they can qualify. This is a fair amendment, to a crisis situation. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 23. 1 Voting Present. Amendment No. 3 to Senate Bill 1834 is adopted. For what purpose does Senator Berning arise?

SENATOR BERNING:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, let's...is it on this bill?

SENATOR BERNING:

No.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. For what purpose does Senator Berning arise?

SENATOR BERNING:

Again, Mr. President, on a point of personal privilege. Seated behind me on the gallery to the right side here, is the student...a group of students from St. Francis School of Lake Zurich, along with their advisors, observing their government in action, and I would like to have them rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests please rise and be recognized by the Senate. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President, and Ladies and Gentlemen of the Senate. I'm happy to tell you that two of my constituents are here. Bob McCullough, the President of the Lake County Board of Realtors, and Jack Forney, he was the past President of the Lake County Board of Realtors, and I believe Mr. Blazer is here who is Senator Friedland's

constituent, but I don't see Senator Friedland here. Mr. Blazer, is the President of the North Suburban Realtors, he's here with my constituents. And they're back here in the back, so let's give them a welcome.

PRESIDING OFFICER: (SENATOR BRUCE)

We're happy to have them join us today in Springfield.

PRESIDENT:

All right, Senator Maragos asks leave to go back to 1831 for the purpose of moving. Is leave granted? On the Order of Senate Bills 2nd reading, Senate Bill 1831. Read the bill, please, Mr. Secretary.

SECRETARY:

Senate Bill 1831.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Maragos.

SENATOR MARAGOS:

Yes, Mr. President, and members of the Senate. I move for the adoption of Amendment No. 1 to Senate Bill 1831. It exempts, in this bill, the delinquent taxes that were assessed under Personal Property. If there's any collections for them they would not be covered by this bill, but on...on other areas they would be, and I think it's a good amendment, and I ask for its adoption.

PRESIDENT:

All right, Senator Maragos has moved the adoption of Committee Amendment No. 1 to Senate Bill 1831. Any further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1832. On the Order of Senate Bills 2nd reading, is Senate Bill 1832. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1832.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1859, Senator Egan. 1881, Senator Daley. 1884. 1902, Senator D'Arco. 1933, Senator Bloom. 1935, Senator Nimrod. On the Order of Senate Bills 2nd reading, is Senate Bill 1935. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1935.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation, and Energy offers one amendment.

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. The amendment that was offered in committee was an amendment that clarified the Act, instead of having it for thirty months, it's separated to a five month period...I mean a five year period for sixty months on pollution

...control equipment, and instead of having an Income Tax deduction,it provides for a credit against that so that there can be a write-off. I did...did put a fiscal note up on the Secretary's Desk and I have discussed it with Senator McMillan.

PRESIDENT:

Senator Nimrod had moved the adoption of Committee Amendment No. 1 to Senate Bill 1935. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1957, Senator Demuzio. 1990. 2019, Senator DeAngelis. The top of page 8, Senate Bills 2nd. Okay. Any other member have a bill on 2nd he wishes moved at this point? If not, with...with leave of the Body we'll move to the top of page 16, there are some supplemental appropriations on the Order of House Bills 3rd reading. Senator DeAngelis, are you readyon the top of page 16? On the Order of House Bills 3rd reading, is House Bill 3040. 3040. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 3040.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I think Senator Carroll...Ken Carroll can handle this one.

PRESIDENT:

All right, Senator Carroll.

SENATOR CARROLL:

I just request a favorable roll call. This is a supplemental for the Department of Revenue dealing with both the deficit in the monies necessary to fund Income Tax refunds, some monies for operations and contractual, and I would ask for a favorable roll call.

PRESIDENT:

Any further discussion? If not, the question is, shall House Bill 3040 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none. 1 Voting Present. House Bill 3040, 3040, having received the required constitutional majority is declared passed. On the Order of House Bills 3rd reading, is House Bill 3042. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3042.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

This is a very non-controversial...it flew out of the House. It's a bill that appropriates an additional two hundred and sixty-five thousand dollars to INR for matching funds for the institute building grants program. I urge a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall House Bill 3042 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4. None Voting Present.

House Bill 3042, having received the required constitutional majority is declared passed. All right, with leave of the Body we will move to the Order of Senate Bills 3rd reading, there are four supplemental appropriation bills that should move today, and they are, if you will lend your ear, Senate Bills 1841, 1980, 1982, and 1985. If you turn to page 12...if you'll turn to page 12, on the Order of Senate Bills 3rd reading, is Senate Bill 1841. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1841.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, and Senators. This is the State Scholarship Commission appropriation for grant awards for college students, it's a supplementary. The commission ran out of money again this year. I won't be back before you again asking you for supplementaries on this Scholarship ...Committee, but the monies are needed, and I would ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you...thank you, Mr. President. I would like to point out to the members of the Senate, in case you're not aware, which I'm sure you are, that this is the second supplemental appropriation for the Illinois State Scholarship Commission during this fiscal year, and I can assure you that if there were fourteen months in a fiscal year instead of twelve we would have a third supplemental appropriation coming in to us. Because this is an agency that is so incompetent that they have absolutely no idea how to project the amount of money

that is needed for scholarships for students that are institutions of higher education. Their incompetency shows through time after time after time. They ignore the Legislative intent, time after time after time after time. The Executive director is leaving after many year of our telling him that we think his agency is incompetent, but he's not leaving till June the 30th. When we asked him the other day for...to tell us what kind of model he's based his projections on, he said well, we sit down and we look at the figures, we look at what happened last year and the year before, and so on and so on and so and so forth. They have no computer model, they have no internal controls. This is one of the highest paid bureaucracies in the State Government. Senators Regner and Sommer and Carroll and myself are sponsoring an amendment to bill that Senator Rhoads has, which will require this outfit to report through the Illinois Board of Higher Education, like all other systems in higher education have to report through. I am led to believe by one member of the State Scholarship Commission that in their meeting yesterday, and I'm...I'm reporting without knowing whether it, in fact, happened, but he told me he had the votes to get the commission to go on record as saying that they favored this same concept, where they would have to report through the Higher Board of Education. I talked yesterday with the gentlemen who is being interviewed to be the Executive Director of the Scholarship Commission. I don't know if he's going to take the job or not, but things can get no...can go no way but up with this organization. They commit us, they commit our dollars to students, then the universities and the private colleges, admit the students on the basis of betting on the...betting that the Legislature will once again pick up the tab for the scholarships which they have committed. They make pay raises, by the way, on the same basis. They make huge pay raises...give huge pay raises, then

they come back to us and ask for transfer bills or whatever to pay the tab. Now, I started out being opposed to this bill, and I'm probably going to end up voting for it, against my better judgment, but the problem is that you don't...by voting No, you don't hurt Joe Boyd and his group of incompentents. You...you hurt students that are already in universities and private colleges, and you hurt those universities and those private colleges. So, that's why I'm going to end up voting for this bill, but we expressed for one final time in the Appropriations II Committee, in the strongest of terms that this is it fellows, this is the last time. In the future this General Assembly is going to appropriate the dollars for scholarships for a whole fiscal year, and that's it. That's absolutely all you're going to get, and the only way we can back that up obviously, is with support of this Body and the support of the House of Representatives. But if we give them an outside dollar figure for the future and say that's all you're going to get, then that's all they're going to get. This is beyond ridiculous, that we have to come in and after voting some eighty-five or a hundred million dollars for scholarships that we've got to come in twice more during a year to vote supplemental scholarships. Incompetency, be damned, let's get rid of the incompetents, let's fire the whole agency if we have to, that would probably be the best thing we could do, and start afresh, put them in Springfield where they belong in the State Capitol...

PRESIDENT:

Will you conclude your remarks.

SENATOR BUZBEE:

I was just getting started.

PRESIDENT:

That's what I was afraid of.

SENATOR BUZBEE:

And this will be...this will be the last time we have to put up with this kind of nonsense.

PRESIDENT:

Further discussion? Senator Gitz.

SENATOR GITZ:

Mr. President, I have a question of the sponsor or perhaps Senator Buzbee. My question is this, this is a supplemental for Fiscal Year '80. Most of the colleges and universities are about to adjourn. What gives? It seems to me by the time this bill goes through the process, it's going to be hitting the Governor's Desk in June. Have they made awards and the universities are waiting for the money, or how does this work?

PRESIDENT:

Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Yes, Senator, you answered your own question. They...they have made the awards, and the colleges are waiting for the money.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

One last question then. If we were not to pass this bill for any reason, then what happens to people who have completed their academic year, and the money is not in the institution's hand. What occurs then?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

There's a problem, Senator, and I'm not sure how they'll get it resolved. The...the...the students have gone in on the supposition that those dollars are there, and they aren't. So, either the college takes a bath or the student takes a bath.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

I did say it was...I do have one further question. Is it true, as I have heard,'cause I'm not on Appropriations II that they have made awards, and said this award is contingent upon the General Assembly appropriating the funds necessary for it? Has that been done by the Scholarship Commission?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

I have no knowledge of that. Do you...perhaps Senator Buzbee can answer that question.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

You are correct, Senator, except that the way the letter was worded was, you have been awarded an Illinois State Scholarship Commission scholarship. However, if the Legislature doesn't appropriate the money, why we won't be able to give you this, but those letters went out after the...after a lot of these kids had been admitted to universities and private colleges on the basis that...and the admission was made on the basis that they were going to get the scholarship.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. Senator Gitz asked two of my three questions. A question of the sponsor.

PRESIDENT:

Yes, indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Newhouse, how much money is involved in this particular sup.?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Four million dollars.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

And is it correct we started out originally at eighty-two, is that...was that the figure in the original appropriation?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Senator, my...my figures indicate that with...we're going from seventy-five and a half million to seventy-nine and three quarter million with this appropriation.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

All right, we will now then, be at seventy-nine?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

That's correct. Seventy-nine and three quarter million.

PRESIDENT:

All right. Senator Maitland.

SENATOR MAITLAND:

Thank you, I would just...you know with a university in my district too...I...I guess this is the agency that I have the most problem with,too. Repeatedly I get calls from...from students and from the university and...and calls by me then to that agency usually aren't answered and the call doesn't come back, and I would agree, Senator Buzbee,there needs to be a house cleaning, and I hope we can get about the business.

PRESIDENT:

Further discussion? Senator Martin.

SENATOR MARTIN:

Yes, Senator Buzbee was indeed correct, but he said something even more. Why this has been said in both the House and Senate every year and why, even with that mope who now heads it, when he goes it will be continued to be said. They don't have to clean up, they can keep doing this because then you've got kids in your own district, and you say good grief, how do I punish the kid? But guess what, until we finally say no, until the Legislators again gain control of these bureaucracies through pursestrings by once saying no, you're going to have them doing it again and again and again.

PRESIDENT:

Further discussion? Senator Regner.

SENATOR REGNER:

Yes, Mr. President, and members. Just a brief comment. I would like to commend Senator Buzbee on the statements he made, they're absolutely true, and I urge him to join Senator Martin and Senator Sommer and myself and have the guts to vote No.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

I think there's just maybe one other point to...another finger to point to, is some of the universities in their financial aids office have not instructed their students properly. Incomplete applications have been submitted to the Scholarship Commission, they've bounced back and forth. And part of that is the reason for the supplemental. They were in the pipe line, but due to bad applications, and I think sometimes the institution has some responsibility for helping

those students complete those applications properly.

PRESIDENT:

Any further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I hold...certainly hold no brief for the commission. I think it has not done the job in the past. I would hope that the housekeeping is successful. I don't intend to come back before this Legislature again and ask for this kind of supplemental money, but...voting No on this bill is not going to punish Joe Boyd, it's not going to do the internal job. What it will do is punish some students, and some institutions that...relying upon the word of a State agency to...to advance the credit for the...for those students who are in...I would ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1841 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 12. None Voting Present. Senate Bill 1841, having received the required constitutional majority is declared passed. If you'll turn to page 14 on your Calendar. Yes, Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point, Sir.

SENATOR DeANGELIS:

In the gallery behind the opposite side of the room, we have some very nice people from our district. Miss Ann Dicket, who's President of School Board 161, and fellow boardperson, Dick Smith and his wife Judy. Please stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome. All right, on top of page 14, Senator Grotberg. On the Order of Senate Bills 3rd reading, Senate Bill 1980. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1980.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President, and fellow members. This is a transfer bill for the Department of Corrections, no new added General Revenue dollars at all, in the amount of three million one hundred and six thousand one hundred dollars. I would move for a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Maragos. Any discussion? If not, the question is, shall Senate Bill 1980 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none. None Voting Present. Senate Bill 1980, having received the required constitutional majority is declared passed. Senator Regner, on 1982. On the Order of Senate Bills 3rd reading, is Senate Bill 1982. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1982.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Regner.

SENATOR REGNER:

Mr. President, and members. This bill transfers nine hundred thousand dollars of Personal Services between various institutions within the Department of Mental Health, primarily to provide for deficits in Manteno and Lincoln. There are no new dollars in the bill, and I ask for a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall Senate Bill 1982 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none. None Voting Present. Senate Bill 1982, having received the required constitutional majority is declared passed. Senator Becker on 1985. On the Order of Senate Bills 3rd reading, is Senate Bill 1985. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Becker.

SENATOR BECKER:

Thank you, Mr. President, and members of the Senate. Senate Bill 1985, is a transfer bill. Eight hundred and twenty-one thousand forty-one dollars are transferred within the FY'80 appropriations to provide for a three month funding of rental expenses for the facility located at 910 S. Michigan Avenue, in Chicago. Senate Bill 1985 was amended in committee to make technical changes as well as to correct the Bureau of the Budget's drafting errors. I ask for a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall Senate Bill 1985 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none. None Voting Present. Senate Bill 1985, having received the required constitutional majority is declared passed. Resolutions.

SECRETARY:

Senate Resolution 493, offered by Senator Johns, it is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 494, offered by Senators Mitchler, Chew, Maitland, and Coffey.

PRESIDENT:

Senator Mitchler.

SENATOR MITCHLER:

Senator Maitland and I are offering this jointly. So, Mr. President, and members of the Senate, this resolution is one that I've spoken to Senator Chew and Senator Coffey, the Chairman and Minority Spokesman for the Senate Transportation Committee,to which this resolution would ordinarily be forwarded, and they have agreed to bypass the committee and have immediate consideration of this resolution. It has to do with the Department of Transportation conducting a study to improve the Amtrak stop at Normal, Illinois State University,for the purpose of discharging and receiving passengers, and I would at this time,ask for suspension of the rules for the immediate consideration and adoption of this resolution.

PRESIDENT:

Senator Mitchler has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 494.

Is there any discussion? Senator Wooten.

SENATOR WOOTEN:

Just a technical matter. Shouldn't that be discharged from Executive? It's a resolution.

PRESIDENT:

Well, it was just introduced. It has not yet been assigned to Executive.

SENATOR WOOTEN:

No, he...well he mentioned something about transportation. I thought he was taking it from a committee, all right.

PRESIDENT:

All right, Senator Mitchler has moved to suspend the rules for the immediate consideration of Senate Resolution 494. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the question of the adoption of Senate Resolution 494, is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution 496, offered by Senators Rock, Donnewald, Hall, Nash, Carroll, and others, it is a congratulatory resolution.

PRESIDENT:

Senator Donnewald.

SENATOR DONNEWALD:

Yes, Mr. President. I've...I've been advised that one of our colleagues is about to celebrate an anniversary of his birth, and what I...what I'm going to do is read portions of a resolution that I would hope that the Body would adopt.

(Senator Donnewald reads SR 496)

So, why don't we all join together and sing Happy Birthday.

(Senator Donnewald sings Happy Birthday)

PRESIDENT:

All right, Senator Donnewald has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 495. All in favor signify by saying Aye. All opposed. The Ayes have it. The rules are suspended. Now, on the question of adoption of Senate Resolution 495, a roll call has been requested. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 11. None Voting Present. Senate Resolution 495 is adopted. Congratulations.

(END OF REEL)

Senator Mitchler, for what purpose do you arise?

SENATOR MITCHLER:

Mr. President and members of the Senate. On the Order of Resolutions, last week we did adopt Senate Resolution 398. And inadvertently, there was an amendment that was to be put on as suggested by the Senate Executive Committee when the bill was heard in the committee and that was inadvertently not put on. Therefore, I would like at this time to move, having voted on the prevailing side, to reconsider the vote by which Senate Resolution 398 was considered last week.

PRESIDENT:

All right. Senator Mitchler has moved to reconsider the vote by which Senate Resolution 398 was adopted. All in favor signify by saying Aye. All opposed. The Ayes have it, the vote is now reconsidered. Now under consideration is Senate Resolution 398. Senator Mitchler.

SENATOR MITCHLER:

Mr. President and members of the Senate. The Secretary has on his Desk an Amendment No. 1 to Senate Resolution 398, which merely clarifies the resolution to update it, inasmuch as it's congratulating...Canada and the former Prime Minister, Joe Clarke and the Canadian people who are assisting in the six U. S. Embassy staff members in Tehran to escape from the possibility of being held hostage by the Iranian Government and we had to change that to the former Prime Minister because there was a change there since the introduction of the amendment. I move for adoption of the Amendment No. 1 to Senate Resolution 398.

PRESIDENT:

All right. Senator Mitchler has moved the adoption of Amendment No. 1 to Senate Resolution 398. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Senator Mitchler, you wish to consider...

SENATOR MITCHLER:

Move for...

PRESIDENT:

...all right. Senator Mitchler now moves the adoption of Senate Resolution 398 as amended. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted...I mean the resolution is adopted. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

Since it appears we've nearly concluded the business today, I would move that we adjourn until nine o'clock tomorrow morning.

PRESIDENT:

All right. You've heard the motion. 9:00 a. m. in the morning, we'll hopefully get out of here early tomorrow afternoon or right...shortly around noon. But nine o'clock in the morning. I urge everyone to...appear bright and early. Senator Bruce has moved that the Senate stand adjourned until 9:00 a. m. on Thursday, May the 15th. Senate...Senator Nash, for what purpose do you arise?

SENATOR NASH:

Purpose of an announcement, Mr. President. Baseball practice has been suspended for today, we'll have it next week.

PRESIDENT:

All right. Senator Bruce has moved to adjourn till nine o'clock tomorrow morning. Senate stands adjourned.