

81st GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1980

1. PRESIDENT:

2. The Senate will come to order. Will the members please  
3. be at their desks. Will our guests in the gallery please  
4. rise. Prayer this afternoon by Father Joseph Havey, St.  
5. Agnes' Church, Springfield, Illinois. Father.

6. FATHER JOSEPH HAVEY:

7. (Prayer given by Father Joseph Havey)

8. PRESIDENT:

9. Thank you, Father. Reading of the Journal. Senator  
10. Nega.

11. SENATOR NEGA:

12. Mr. President, I move that reading and approval of the  
13. Journals of Tuesday, June the 17th, Wednesday, June the 18th,  
14. Thursday, June the 19th, and Friday, June the 20th in the  
15. year 1980 be postponed pending arrival of the printed Journal?

16. PRESIDENT:

17. You have heard the motion as placed by Senator Nega.  
18. Is there any discussion? If not, all in favor signify by  
19. saying Aye. All opposed. The Ayes have it. So ordered.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. May I have the attention of the Senate. While we have a  
22. lull, we have with us the Championship Double AA Team of the  
23. State of Illinois baseball, and I'm happy to say that they're  
24. from Collinsville and...and the great 55th District. And we  
25. have Coach Keene. Russ Keene has done a splendid job in  
26. bringing them to that position. We also have Mark Campbell,  
27. who was the pitcher. Where's Mark? Mark won all of his games,  
28. and probably didn't allow too many runs, if any in the last  
29. three games; and what I'm going to try to do is have him signed  
30. by the Cardinals as a relief pitcher right away. Coach, did  
31. you wish to say a word?

32. COACH RUSS KEENE:

33. (Remarks by Coach Russ Keene)

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Thank you very much, Coach, and we'll expect you to  
3. be back up here next year. Thank you so very much. Senator  
4. Geo-Karis.

5. SENATOR GEO-KARIS:

6. Mr. President and Ladies and Gentlemen of the Senate,  
7. we have been advised by the Aeronautical Department that  
8. the weather is going to be rather inclement today...and it's  
9. going to rain, stop, rain, stop. So, in order to insure that  
10. we don't have to wear high boots, we're moving Greek Night at  
11. the Mansion to the adopted Mansion tonight at the State Fair  
12. Grounds in the big auditorium. I might tell you that I...if...  
13. on a point of personal privilege, I'd like to introduce Bess  
14. Tsansis who just left, and she's one of the...the baklava  
15. pastry makers that is coming in from Lake County, Illinois  
16. for...to do their share. It's the Illinois Building at the Fair  
17. Grounds. The big auditorium, and we look forward to having...  
18. Senator you here.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Thank you, Senator. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. Mr. President and Ladies and Gentlemen of the Senate,  
23. another point of personal privilege. We're very happy to  
24. tell you that the Senate secretaries and staff vindicated  
25. the honor of the Senate by beating the House secretaries  
26. and staff by 19 to 18; the ballgame last week, when they  
27. were six runs behind and made up the difference, so I guess  
28. the Governor does not have to declare the Illinois Senate  
29. a disaster area. We were vindicated by our secretaries and  
30. our staff and I think they deserve a good round of applause  
31. for their great work.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The girls were in good shape.

HB 2710  
2nd Reading  
6-23-80

- 1. PRESIDENT:
- 2. As I'm sure everyone is aware, it is...Monday, June
- 3. 23rd. We will begin on House Bills 2nd reading 821, Senator
- 4. Hall. 891, Senator Nash. 1009, Senator Bruce. 1221, Senator
- 5. Gitz. 1473, Senator Weaver. 2710, Senator Nedza. 2723,
- 6. Senator Bowers. 29...2793, Senator McLendon. Did you wish...
- 7. wait a minute, Senator McLendon. Did you wish 2710 called,
- 8. Senator Nedza? On the Order of House Bills 2nd reading is
- 9. House Bill 2710. Read the bill, Mr. Secretary.
- 10. SECRETARY:
- 11. House Bill 2710.
- 12. (Secretary reads title of bill)
- 13. 2nd reading of the bill. The Committee on Insurance and
- 14. Licensed Activities offers one amendment.
- 15. PRESIDENT:
- 16. Senator Nedza.
- 17. SENATOR NEDZA:
- 18. Yes, thank you, Mr. President. What the amendment does
- 19. is literally changes a great context of the bill that...technical
- 20. in the sense that based on the direction are the Pharmaceutical
- 21. Society and the Illinois Medical Society. I move its adoption.
- 22. PRESIDENT:
- 23. Senator Nedza has moved the adoption of Committee Amend-
- 24. ment No. 1 to House Bill 2710. Is there any discussion?
- 25. If not, all in favor signify by saying Aye. All opposed.
- 26. The Ayes have it. The amendment is adopted. Further amend-
- 27. ments?
- 28. SECRETARY:
- 29. No further committee amendments.
- 30. PRESIDENT:
- 31. Are there amendments from the Floor?
- 32. SECRETARY:
- 33. Amendment No. 2, offered by Senator Nedza.

1. PRESIDENT:  
2. Senator Nedza.  
3. SENATOR NEDZA:  
4. I'm sorry it's...that was the amendment. The amendment  
5. I just spoke to.  
6. SECRETARY:  
7. Different LIB numbers.  
8. SENATOR NEDZA:  
9. Oh, I'm sorry. Let me...committee amendment...now we got  
10. it. The committee amendment...I wish to Table the committee  
11. amendment and Amendment No. 2.  
12. PRESIDENT:  
13. All right. Let's reconsider Amendment No. 1. Senator  
14. Nedza moves to reconsider the vote by which Committee Amend-  
15. ment No. 1 to House Bill 2710 was adopted. Is there any  
16. discussion? If not, all in favor signify by saying Aye.  
17. All opposed. The Ayes have it. The vote is now reconsidered.  
18. Senator Nedza now moves to Table Committee Amendment No. 1  
19. to House Bill 2710. Is there any discussion? If not, all  
20. in favor signify by saying Aye. All opposed. The Ayes have  
21. it. The amendment is Tabled. Further amendments?  
22. SECRETARY:  
23. Floor Amendment No. 2, offered by Senator Nedza.  
24. PRESIDENT:  
25. Senator Nedza.  
26. SENATOR NEDZA:  
27. The amendment I just spoke to, Mr. President.  
28. PRESIDENT:  
29. Senator Nedza moves the adoption of Amendment No. 2 to  
30. House Bill 2710. Is there any discussion? If not, all in  
31. favor signify by saying Aye. All opposed. The Ayes have it.  
32. The amendment is adopted. Are there further amendments?  
33. SECRETARY:

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1. No further amendments.
2. PRESIDENT:
3. 3rd reading. 2723, Senator Bowers. On the Order of
4. House Bills 2nd reading is House Bill 2723. Read the bill,
5. Mr. Secretary.
6. SECRETARY:
7. House Bill 2723.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. PRESIDENT:
11. Are there amendments from the Floor?
12. SECRETARY:
13. Amendment No. 1, offered by Senator Bloom.
14. PRESIDENT:
15. Senator Bloom.
16. SENATOR BLOOM:
17. Yes, would you withdraw that amendment?
18. PRESIDENT:
19. The amendment has been withdrawn. Further amendments?
20. SECRETARY:
21. Amendment No. 1, offered by Senators Wooten and Bloom.
22. PRESIDENT:
23. Senator Wooten.
24. SENATOR WOOTEN:
25. Thank you, Mr. President. This is really just a technically
26. correct version of the amendment that Senator Bloom withdrew.
27. This places in the bill, the concept of the investment tax
28. credit. One half, of which, credit should be allowed against
29. the Personal Property Tax Replacement Income Tax and one half
30. of such credit should be allowed against the Income Tax. I
31. would move the adoption of the amendment.
32. PRESIDENT:
33. Senator Wooten has moved the adoption...all right, Senator

1. Wooten has moved the adoption of Amendment No. 1 to House  
2. Bill 2723. Is there any discussion? Senator Bruce.

3. SENATOR BRUCE:

4. Thank you, Mr. President and members of the Senate.  
5. Senator Wooten has explained this amendment. I rise in  
6. opposition to it. This amendment went out of here when we  
7. talked about investment tax credit; it went out of here on  
8. another bill, in which the State of Illinois was going to  
9. be the ultimate payer of this benefit. Anyone who has a  
10. city or county government, or a school district or any  
11. other unit of local government in their districts ought to  
12. take a very close look at this, because what it says,  
13. is a...as a State of Illinois, local, cities, counties,  
14. townships, school districts and other people ought to be  
15. paying credit. In the State of Illinois there are approximately  
16. twenty counties that will benefit from this amendment. The  
17. other eighty counties will pay it in two ways; first of all,  
18. it comes out of the Replacement Tax, so the City of Spring-  
19. field, Chicago, Rockford and everyone else loses that amount  
20. of the Investment Tax credit, because it is taken out of  
21. precisely, the fund that makes them full and completely re-  
22. stored when we took off the Corporate Personal Property Tax.  
23. They get hit a second time on the Distributive Fund for the  
24. one-twelfth of the Income Tax, because the county that has  
25. benefited from this does not share that with those eighty  
26. counties that gave the money; they keep it, and one-twelfth  
27. of the Income Tax goes directly back to that home county.  
28. So, every county, city, school district in the State of  
29. Illinois is going to pay for this. The eighty of us in  
30. downstate and upstate are going to pay for this, and the  
31. twenty counties that benefit, benefit twice. I think it's a  
32. bad idea that it comes out of the Replacement Fund, this  
33. is the first raid on that fund; the fund will drop in

1. January from 2.85 to 2.5 percent. It's raising just six million  
2. dollars more this year...this year in high inflationary times...  
3. than we anticipated a year ago. I think that is pretty good  
4. guessing, when we came within six million dollars. But next  
5. January the 1st, this rate will drop thirty-five hundredths  
6. of a percentage point. I think that's a significant pro-  
7. blem and I think that tax relief ought not to come on the backs  
8. of cities and counties and townships and school districts.

9. PRESIDENT:

10. Further discussion? Senator Bloom.

11. SENATOR BLOOM:

12. Well, thank you, Mr. President and fellow Senators. I  
13. rise in support of this amendment. And contrary to the assertions  
14. put forth by the previous speaker, the Corporate Personal  
15. Property Replacement Tax resulted in substantial overkill,  
16. and the other line of argument involving the alleged loss to  
17. units of local government is just that, because unless you  
18. can encourage...unless you can encourage local expansion and  
19. make this kind of attempt to increase and enhance your local  
20. real estate taxing base, I think that all the rhetoric that  
21. would surround the opposition to this amendment is precisely  
22. just that; rhetoric. Thank you. I'd urge support of this  
23. amendment.

24. PRESIDENT:

25. Further discussion? Senator Maragos.

26. SENATOR MARAGOS:

27. I wanted to ask the...sponsor of the amendment the information;  
28. but I'm getting it from the aide here, so, you know, I won't  
29. take up...

30. PRESIDENT:

31. Further discussion? Senator Egan.

32. SENATOR EGAN:

33. Yes, I...if I may, Mr. President, I would like to ask

1. Senator Bloom a question; and as long as it's all rhetoric,  
2. Senator Bloom, well, I'd like to find out in the rhetoric  
3. is how much this is going to cost, for example the Chicago  
4. School Board and the RTA and the City of Chicago.

5. PRESIDENT:  
6. Senator Bloom.

7. SENATOR BLOOM:  
8. No. I don't have my fact sheet with me, Senator Wooten.

9. PRESIDENT:  
10. Senator...

11. SENATOR BLOOM:  
12. Do you know, Senator Egan?

13. PRESIDENT:  
14. Senator Egan.

15. SENATOR EGAN:  
16. Well, I am informed that it's going to cost...them a  
17. substantial sum of money, Senator Bloom. I can't support  
18. this unless I know what I'm doing. I...I hate to oppose it  
19. without knowing what I'm doing, but that's the position that I'm  
20. in.

21. PRESIDENT:  
22. Any further discussion? Is there any further discussion?  
23. Senator Bruce, for the second time.

24. SENATOR BRUCE:  
25. Well, I just don't want a comment that what I said is  
26. mere rhetoric to go unchallenged. This tax relief proposal  
27. that is before this Body is going to come out of the local  
28. government Distributive Fund that goes back to cities...town-  
29. ships, school districts throughout the State of Illinois,  
30. including the RTA. Now if that's the way you want tax relief,  
31. go ahead and vote for this; but this comes right out of every  
32. city's share, every school districts' share of that proposal  
33. that we passed last year. I don't know of a time we've passed



1. tax relief of a Statewide nature, that is paid for by the  
2. City of Springfield or the County of Richland. Now if we're  
3. going to give tax relief to businesses throughout the State  
4. of Illinois it ought to most fairly come out of the State  
5. coffers, not out of the RTA's share, not out of my city's share,  
6. and not out of my school district's share. And that...it just  
7. seems to me that that is not rhetoric; it comes precisely from  
8. those people.

9. PRESIDENT:

10. Further discussion? Senator Bloom for the second time.

11. SENATOR BLOOM:

12. In response to Senator Egan's question. I am informed  
13. that it would cost forty million; so half and half, it would  
14. be twenty million spread over those jurisdictions to which  
15. you referred; and I think in light of, at least the RTA seeking  
16. a hundred million dollar working cash fund, that's not that  
17. significant.

18. PRESIDENT:

19. Any further discussion? Senator Egan for the second time.

20. SENATOR EGAN:

21. Well, I...I beg your pardon, Mr. President, for asking  
22. permission one more time, but I...I would seem...it would seem  
23. to me that this amendment has never been offered before; it's  
24. the first time that we've looked at it. We haven't seen this  
25. amendment in the Revenue Committee, I haven't seen it on the  
26. Floor of the Senate before; it's brand new, because it...it...  
27. it doubles the...the Investment Tax credit, not only from the  
28. Income Tax, but also from the Replacement Tax; and consequently,  
29. now you're giving twice as much relief as...anything that's  
30. ever been discussed in the past. And...and the reasons that  
31. this is low on the totem pole is because there's not enough  
32. money to pay for that which we have already budgeted.  
33. Consequently, if we vote for this amendment, we're asking

1. that we go deeper into the hole. I...I...it...it's...I think  
2. it's unreasonable; and, consequently, I'm going to oppose it.

3. PRESIDENT:

4. Any further discussion? Senator Wooten may close.

5. SENATOR WOOTEN:

6. Thank you, Mr. President. There's several points that  
7. ought to be made, and I would like to make them as carefully  
8. as I can. First of all, I have had this concept before this  
9. Body several times. At one time, I think, I had four  
10. amendments prepared for four different bills, which would  
11. take it all out of the Corporate Personal Property Tax  
12. Replacement Fund. Then, we passed out of here Senate Bill  
13. 1946, which took it all out of the Income Tax. This is  
14. middle ground; half from one, half from the other. I have  
15. a second amendment to follow this, to effectively delay the  
16. collection of this...or the granting of this; I don't know  
17. if anyone cares to know the details, but the second amendment  
18. will effectively delay this for three years. Now, that's  
19. important and that's after we drop to the 2.5 figure, because  
20. I think we all want to see exactly what the impact of this  
21. would be. Now, I've taken an awful lot of heat, preserving  
22. the integrity of our units of local government, in this Chamber  
23. as recently as within the last year. I believe that this is  
24. the kind of investment we ought to take, and those units ought  
25. to be willing to stand their share of it. Let's face it; no  
26. tax is fair, not one; the Corporate Personal Property Tax...  
27. Replacement Tax itself is not fair. And some of our largest  
28. businesses have gotten completely out from under tax obligations.  
29. What we desperately need is a business that will generate wealth  
30. produce more of a tax base throughout the State and in various  
31. communities. There are all too many businesses that don't  
32. generate real wealth. This particular Investment Tax credit  
33. addresses that very problem; it will attract the kind of industry

1. that generates wealth. It is a clear signal to all those  
2. people seeking to locate, that there is a real advantage to  
3. locating in Illinois. I move the adoption of Amendment No.  
4. 1 to House Bill 2723.

5. PRESIDENT:

6. Senator Wooten has moved the adoption of Amendment No.  
7. 1 to House Bill 2723. Those in favor of the amendment will  
8. vote Aye. Those opposed will vote Nay. The voting is open.  
9. Have all voted who wish? Have all voted who wish? Have all  
10. voted who wish? Take the record. On that question, the Ayes  
11. are 25, the Nays are 24, none Voting Present. Amendment No. 1  
12. is adopted. Further amendments?

13. SECRETARY:

14. ...Amendment No. 2, offered by Senators Wooten and Bloom.

15. PRESIDENT:

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Yes, Mr. President, this is the amendment to which I  
19. referred earlier; it delays the effectiveness of this whole  
20. process for about three years, changes one date from '84 to  
21. '85, the other from '83 to '84. I move the adoption of  
22. the amendment.

23. PRESIDENT:

24. Senator Wooten has moved the adoption of Amendment No. 2  
25. to House Bill 2723. Is there any discussion? If not, all  
26. in favor signify by saying Aye. All opposed. The Ayes have  
27. it. The amendment is adopted. Are there further amendments?

28. SECRETARY:

29. Amendment No. 3, offered by Senator Bloom.

30. PRESIDENT:

31. Senator Bloom.

32. SENATOR BLOOM:

33. Thank you, Mr. President and fellow Senators. This includes

1. language to allow those retailing operations that would make  
2. a substantial investment in the State of Illinois to get the  
3. same kind of credit. I would seek a favorable response, and  
4. add further, that they have to make the investment in order  
5. to get the credit. Thank you.

6. PRESIDENT:

7. Senator Bloom has moved the adoption of Amendment No. 3  
8. to House Bill 2723. Any discussion? Senator Wooten.

9. SENATOR WOOTEN:

10. Yes, Mr. President. I would like to part company with  
11. Senator Bloom at this point. While we...agree in the concept  
12. of the Investment Tax credit, I'm afraid that this would simply  
13. broaden the base of that just too far; and simply would...  
14. would make the...the whole thing unworkable. I...I sympathize  
15. with the...IRMA, and I've talked to them about it, but I  
16. just don't think we ought to take quite that big a step in  
17. the first move, and so I would resist the amendment.

18. PRESIDENT:

19. Further discussion? Senator Bruce.

20. SENATOR BRUCE:

21. Yes, thank you, Mr. President and members of the Senate.  
22. I rise in support of this amendment. I see no reason that  
23. the retailers ought not to benefit from the proposal now  
24. before the Body which allows Investment Tax credit. They  
25. are major supporters of local communities, they...they in-  
26. crease the tax base. I did not support this idea when it  
27. first came before the Senate a month or so ago, but I've had a  
28. chance to talk to them in some detail. It is not going to  
29. mean that shopping centers are going to be built outside  
30. communities; they are convinced that this will insure the  
31. health and vitality of downtown development, and based on  
32. their assurance that this is not going to mean a...a vacation  
33. of downtowns, but a rebuilding thereof, I plan to support

1. this amendment.

2. PRESIDENT:

3. Senator Bloom has moved the adoption of Amendment No. 3  
4. to House Bill 2723. Any further discussion? If not, all in  
5. favor signify by saying Aye. All opposed. The Ayes have it.  
6. The amendment is adopted. Further amendments?

7. SECRETARY:

8. Amendment No. 4, offered by Senator Bowers.

9. PRESIDENT:

10. Senator Bowers.

11. SENATOR BOWERS:

12. Thank you, Mr. President. This...this vehicle is fast  
13. becoming a bus, but this is merely a technical amendment  
14. that I agreed to put on in committee. The Department...the  
15. original bill, the Department of Revenue had some concern  
16. about the interpretation; I don't think it changes the  
17. fundamental aspects of the original bill, and unless there  
18. are any questions, I move the adoption of the amendment.

19. PRESIDENT:

20. Senator Bowers has moved the adoption of Amendment No.  
21. 4 to House Bill 2723. Is there any discussion? If not,  
22. all in favor signify by saying Aye. All opposed. The Ayes  
23. have it. The amendment is adopted. Further amendments?

24. SECRETARY:

25. Amendment No. 5, offered by Senator Bruce.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President and members of the Senate.  
30. This proposal which has been widely discussed, I think, by  
31. many members, will restore the full deductibility of the  
32. Corporate Personal Property Tax. That was in another bill  
33. which went out of here; it was our position, I think, it went

1. out of here fifty something to nothing. It got on a bill  
2. over in the House, and inadvertently, the House forgot to  
3. pass our Senate Bill. I'd like to put this back on, and  
4. it would cost about 2.6 million dollars, but it would allow,  
5. given the fact that we now know the income from the Corporate  
6. Personal Property Tax, it will allow every corporation in  
7. the State of Illinois full deductibility of their payments.  
8. I move the adoption of Amendment No. 5.

9. PRESIDENT:

10. Senator Bruce has moved the adoption of Amendment No. 5  
11. to House Bill 2723. Any discussion? Senator Berning.

12. SENATOR BERNING:

13. Well, Mr. President, I suppose what I am doing is rising  
14. on a point of personal privilege, because I don't have the  
15. amendments that are being discussed, and I don't know that  
16. it would do me much good if I did have them since they are  
17. coming so thick and fast, and we don't have a chance to read  
18. them, much less comprehend them before we are called upon  
19. to cast a vote. What I think I am saying, Mr. President,  
20. is that, admirable as it may be for the members of the General  
21. Assembly, and the Senate, particularly, to attempt to improve  
22. legislation pending before us, it is at the same time a  
23. disservice to the members of this Body, and to the public  
24. which we attempt to serve in a sensible and rational manner,  
25. when we are called upon to cast votes on issues and items  
26. that we don't have in front of us, and therefore, do not  
27. understand.

28. PRESIDENT:

29. Senator Bruce has moved the adoption of Amendment No. 5  
30. to House Bill 2723. Is there any discussion? If not, all  
31. in favor signify by saying Aye. All opposed. The Ayes have  
32. it. The amendment is adopted. Are there further amendments?

33. SECRETARY:

1. Amendment No. 6, offered by Senator Bloom.

2. PRESIDENT:

3. ...Senator Bloom seeks leave to withdraw that amendment.

4. Amendment is withdrawn. Further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. 3rd reading. 2793, Senator McLendon. Yes. 2822, Senator

9. Nash. On the Order of House Bills 2nd reading, the bottom of

10. page twelve, is House Bill 2822. Read the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 2822.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDENT:

16. Are there amendments from the Floor?

17. SECRETARY:

18. Amendment No. 1, offered by Senator Regner.

19. PRESIDENT:

20. Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members, this amendment does the

23. thing that Senator Grotberg and I have been trying to do to

24. really help the taxpayers and to help the businessmen that

25. do collect the Retailer's Occupational Tax for the State.

26. There is no dollar change in total tax relief from the

27. original bill; but what it does, it restores everything back

28. to the four percent level, and then...that's the food and

29. drugs, and then it reduces everything to 3.8 percent. Each

30. one-tenth of a percent is worth about seventy-four million

31. dollars in tax relief. What this would mean, there would be

32. no additional cost for administering this on the businessman's

33. part; and therefore, he would not have to pass those costs on to

1. the taxpayers. It means the taxpayers would keep the entire  
2. portion of that tax relief. It's a better system; it's a  
3. more equitable system, and I move the adoption of Amendment  
4. No. 1.

5. PRESIDENT:

6. All right. Senator Regner has moved the adoption of  
7. Amendment No. 1 to House Bill 2822. Any discussion?  
8. Senator Nash.

9. SENATOR NASH:

10. Mr. President and Ladies and Gentlemen of the Senate,  
11. I rise in opposition to this amendment. The House sponsor  
12. is not in favor of it; the original sponsor of this bill,  
13. and we oppose it, and I ask for a No vote on it.

14. PRESIDENT:

15. Further discussion? Senator Netsch.

16. SENATOR NETSCH:

17. Thank you, Mr. President. I would call attention to the  
18. members to the fact that we are...back at this difference...  
19. basic difference in philosophy about what Sales Tax Relief  
20. ought to do. We have voted on this, I believe, two or three  
21. other times this Session on the same issue, and we are about  
22. to do it again. This is the provision which...which takes the  
23. Sales Tax off one cent across the board on everything; luxury  
24. items, food, automobiles, et cetera, et cetera. It does not  
25. give the relief, specifically, on food and medicine, which  
26. was, at least for many of us, the whole point and purpose of  
27. the original proposal last year. It's nice; it would be lovely.  
28. Everyone would like to vote for it; but if we cannot afford  
29. an extensive tax relief, then it ought to go where it really  
30. does some good, and where it most does good is with respect  
31. to food and medicine. It seems to me this is contrary to that  
32. philosophy and ought to be resisted.

33. PRESIDENT:



1. PRESIDENT:

2. Further discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. Well, thank you, Mr. President and fellow members.

5. I just can't tell you how much I appreciate the tenacity of  
6. Senator Regner, who upon my advice, has offered this amend-  
7. ment again, because everyday in the State of Illinois it  
8. gets better. What would be wrong with lowering the price of  
9. automobiles right now, one percent? Wouldn't that be a shame  
10. if we stimulated the total economy? I think it would be  
11. just great. I think the Governor should get all three of  
12. these bills on his desk, because I'm sure in his sleep, if  
13. he's got any sleep left in him after some of these bills  
14. that are headed his way, that he's hoping and wishing for  
15. something like this that actually makes sense; which none  
16. of the others do. Wouldn't it be a shame if we sent him  
17. something that makes sense, and dollars for the total  
18. economy and tax savings for everybody in the State of Illinois?  
19. I urge the adoption of this amendment.

20. PRESIDENT:

21. Further discussion? Senator Daley.

22. SENATOR DALEY:

23. Mr. President and fellow Senators, I oppose the amendment. It  
24. is not in the spirit of the bill to give Sales Tax relief to  
25. those that need it the most on food and medicine. I think I  
26. would agree with Senator Regner, maybe to amend another bill.  
27. Thank you very much.

28. PRESIDENT:

29. Further discussion? Senator Savickas.

30. SENATOR SAVICKAS:

31. Yes, Mr. President, would Senator Regner yield to a question?

32. PRESIDENT:

33. He indicates he will yield, Senator Savickas.

1. SENATOR SAVICKAS:  
2. Senator, it's my indication here that we would lose in  
3. the Motor Fuel Tax Fund about thirteen million dollars through the  
4. imposition of this amendment, is that correct?  
5. PRESIDENT:  
6. Senator Regner.  
7. SENATOR REGNER:  
8. It has nothing to do with Motor Fuel Taxes.  
9. PRESIDENT:  
10. Further discussion? Senator Berning.  
11. SENATOR BERNING:  
12. Thank you, Mr. President. I want to echo my support for  
13. this amendment and point out to the membership that, laudable  
14. as it may appear on the surface to be providing special tax  
15. benefits for certain groups of our citizens, namely the senior  
16. citizens, I want to remind you that we have already authorized,  
17. or will be authorizing, increases in the homestead exemption,  
18. increases in the circuit breaker exemption; all of which  
19. benefit the senior citizens. While with a two-level Sales  
20. Tax, we have and will continue if we do not make this change,  
21. place an undue burden on our retail merchants. They deserve  
22. better treatment than a two-level Sales Tax. I think this  
23. amendment is most desirable and we ought to support it.  
24. PRESIDENT:  
25. Any further discussion? If not, Senator Regner may close.  
26. SENATOR REGNER:  
27. Well, just very shortly. Some of the argument was that  
28. this isn't the best tax relief, because it doesn't go where  
29. it's supposed to go. Actually, it does go where it's supposed  
30. to go. It goes to the taxpayers, not the taxtakers; and I'd  
31. urge the adoption.  
32. PRESIDENT:  
33. Senator Regner has moved the adoption of Amendment No. 1

1. to House Bill 2822. Those in favor of the amendment will vote  
2. Aye. Those opposed will vote Nay. The voting is open.  
3. Have all voted who wish? Have all voted who wish? Have all  
4. voted who wish? Take the record. On that question, the Ayes  
5. are 26, the Nays are 31, none Voting Present. The amendment  
6. fails. Are there further amendments?  
7. SECRETARY:  
8. Amendment No. 2, offered by Senator Nash.  
9. PRESIDENT:  
10. Senator Nash.  
11. SENATOR NASH:  
12. Mr. President and Ladies and Gentlemen of the Senate, I  
13. move that Amendment No. 2 be Tabled...withdrawn.  
14. PRESIDENT:  
15. Amendment...seeks leave to withdraw Amendment No. 2.  
16. Leave is granted. Further amendments?  
17. SECRETARY:  
18. No further amendments.  
19. PRESIDENT:  
20. 3rd reading. Leave has been...permission has been requested  
21. to take still photos by a Gentleman by the name of John, and I  
22. can't read the last name, from the Mt. Pulaski Times News.  
23. Is leave granted? Leave is granted. 2831, Senator Knuppel.  
24. The top of page thirteen, House Bills 2nd reading. All right.  
25. The Secretary informs me that we...those bills physically are  
26. not yet before us. 2975, Senator...we'll get back to that,  
27. Senator Knuppel, as soon as the bills come up. 2975, Senator  
28. Berman. 3001 to be held. 3022, Senator Ozinga. On the Order  
29. of House Bills 2nd reading is House Bill 3022. Read the bill,  
30. Mr. Secretary, please.  
31. SECRETARY:  
32. House Bill 3022.  
33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations  
2. I offers one amendment.  
3. PRESIDENT:  
4. Senator Carroll.  
5. SENATOR CARROLL:  
6. Thank you, Mr. President and Ladies and Gentlemen of the  
7. Senate. This is an eight percent solution with a phasing-in  
8. in Operations; a total reduction of sixteen thousand seven  
9. hundred in their two million eight hundred seventy-two  
10. thousand dollar budget. I would move adoption of Committee  
11. Amendment No. 1.  
12. PRESIDENT:  
13. Senator Carroll moves the adoption of Committee Amendment  
14. No. 1 to House Bill 3022. Is there any discussion? If not,  
15. all in favor signify by saying Aye. All opposed. The  
16. Ayes have it. The amendment is adopted. Further amendments?  
17. SECRETARY:  
18. No further committee amendments.  
19. PRESIDENT:  
20. Amendments from the Floor?  
21. SECRETARY:  
22. No Floor amendments.  
23. PRESIDENT:  
24. 3rd reading. 3023, Senator Bloom. On the Order of House  
25. Bills 2nd reading is House Bill 3023. Read the bill, Mr.  
26. Secretary.  
27. SECRETARY:  
28. House Bill 3023.  
29. (Secretary reads title of bill)  
30. 2nd reading of the bill. The Committee on Appropriations  
31. I offers two amendments.  
32. PRESIDENT:  
33. Senator Carroll.

1. SENATOR CARROLL:  
2. Thank you, Mr. President and Ladies and Gentlemen of  
3. the Senate. Committee Amendment No. 1 is an eight percent  
4. solution, taking about twenty thousand dollars over...out of  
5. the million plus budget. I would move adoption of Committee  
6. Amendment No. 1.  
7. PRESIDENT:  
8. Senator Carroll has moved the adoption of Committee  
9. Amendment No. 1 to House Bill 3023. Is there any discussion?  
10. If not, all in favor signify by saying Aye. All opposed.  
11. The Ayes have it. The amendment is adopted. Further amend-  
12. ments?  
13. SECRETARY:  
14. Committee Amendment No. 2.  
15. PRESIDENT:  
16. Senator Carroll.  
17. SENATOR CARROLL:  
18. Thank you, Mr. President and Ladies and Gentlemen of  
19. the Senate. I would move to Table Committee Amendment No.  
20. 2. We have a Floor amendment to follow to correct the defect  
21. in Committee Amendment No. 2.  
22. PRESIDENT:  
23. Senator Carroll has moved to Table Committee Amendment  
24. No. 2 to House Bill 3023. Is there any discussion? If not,  
25. all in favor signify by saying Aye. All opposed. The Ayes  
26. have it. The amendment is Tabled. Further amendments?  
27. SECRETARY:  
28. No further committee amendments.  
29. PRESIDENT:  
30. Are there amendments from the Floor?  
31. SECRETARY:  
32. Amendment No. 3, offered by Senator Regner.  
33. PRESIDENT:

H. B. 3027  
2nd reading and  
discussion  
6-23-80

1. Senator Sommer.

2. SENATOR SOMMER:

3. Mr. President and members, this is a break-out of  
4. four thousand dollars into various lines. It doesn't change  
5. any dollar figures.

6. PRESIDENT:

7. Senator Sommer has moved the adoption of Amendment No.  
8. 3 to House Bill 3023. Is there any discussion? If not, all  
9. in favor signify by saying Aye. All opposed. The Ayes have  
10. it. The amendment is adopted. Further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senator Nimrod, on 3027. On the Order of  
15. House Bills 2nd reading, House Bill 3027. Read the bill,  
16. Mr. Secretary.

17. SECRETARY:

18. House Bill 3027.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations  
21. II offers five amendments.

22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President and Ladies and Gentlemen of the  
26. Senate. Committee Amendment No. 1 is an eight percent solution  
27. cutting a few of the new positions; a reduction of thirty-five  
28. thousand. I would move adoption of Committee Amendment No. 1.

29. PRESIDENT:

30. Senator Carroll has moved the adoption of Committee Amend-  
31. ment No. 1 to House Bill 3027. Any discussion? If not, all  
32. in favor signify by saying Aye. All opposed. The Ayes have  
33. it. The amendment is adopted. Further amendments?

1. SECRETARY:  
2.           Committee Amendment No. 2.

3. PRESIDENT:  
4.           Senator Carroll.

5. SENATOR CARROLL:  
6.           Thank you, Mr. President and Ladies and Gentlemen of the  
7. Senate. Committee Amendment No. 2 is a reduction of the  
8. House add-ons of some million six hundred thousand dollars.  
9. I would move adoption of Amendment No. 2.

10. PRESIDENT:  
11.           Senator Carroll has moved the adoption of Amendment No.  
12. 2 to House Bill 3027. Any discussion? Senator Hall.

13. SENATOR HALL:  
14.           I...I'm sorry, I just wanted to...Senator, could I discuss...  
15. I had an amendment I wanted to talk to you about. Could I  
16. do that? I'm sorry, I had that.

17. PRESIDENT:  
18.           ...What do you wish to do here?

19. SENATOR HALL:  
20.           Well, I had the amendment, but they didn't...I didn't get  
21. a chance to talk to him at the time, and I wanted to talk to  
22. him first. Well, move it and bring it back. That's okay.

23. PRESIDENT:  
24.           All right.

25. SENATOR HALL:  
26.           Okay.

27. PRESIDENT:  
28.           Senator Carroll has moved the adoption of Committee Amend-  
29. ment No. 2 to House Bill 3027. Any discussion? If not, all  
30. in favor signify by saying Aye. All opposed. The Ayes have  
31. it. The amendment is adopted. Further amendments?

32. SECRETARY:  
33.           Committee Amendment No. 3.

1. PRESIDENT:  
2. Senator Carroll.  
3. SENATOR CARROLL:  
4. Thank you, Mr. President and Ladies and Gentlemen of the  
5. Senate. This is a technical language change in alcohol fuel  
6. plant line. I would move adoption of the amendment.  
7. PRESIDENT:  
8. Senator Carroll has moved the adoption of Amendment No.  
9. 3 to House Bill 3027. Any discussion? If not, all in favor  
10. signify by saying Aye. All opposed. The Ayes have it. The  
11. amendment is adopted. Further amendments?  
12. SECRETARY:  
13. Committee Amendment No. 4.  
14. PRESIDENT:  
15. Senator Carroll.  
16. SENATOR CARROLL:  
17. Thank you, Mr. President and Ladies and Gentlemen of the  
18. Senate. This is an increase in the reappropriation of the  
19. Community Development Fund of some hundred eighty...seven  
20. thousand five hundred, pursuant to a letter from Dr. Bob.  
21. I would move adoption of Amendment No. 4.  
22. PRESIDENT:  
23. Senator Carroll has moved the adoption of Amendment No.  
24. 4 to House Bill 3027. Is there any discussion? If not, all  
25. in favor signify by saying Aye. All opposed. The Ayes have  
26. it. The amendment is adopted. Further amendments?  
27. SECRETARY:  
28. Committee Amendment No. 5.  
29. PRESIDENT:  
30. Senator Carroll.  
31. SENATOR CARROLL:  
32. Thank you, Mr. President and Ladies and Gentlemen of the  
33. Senate. This is a technical change to eliminate the clarifying



1. language of the House, and it has no dollar change. I would  
2. move adoption of Amendment No. 5.

3. PRESIDENT:

4. Senator Carroll has moved the adoption of Amendment No.  
5. 5 to House Bill 3027. Is there any discussion? If not, all  
6. in favor signify by saying Aye. All opposed. The Ayes have  
7. it. The amendment is adopted. Further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDENT:

11. Are there amendments from the Floor? Senator Hall, your  
12. amendments have been filed. Do you wish to take them up at  
13. this time? The only amendment that has been filed, is that  
14. filed by Senator Nimrod; other than the two by Senator  
15. Hall. Yes, Senator Hall.

16. SENATOR HALL:

17. Well, the reason that we're having a problem here is the  
18. Page went down to make enough copies for every member of the  
19. Floor, but he made...instead of making the copies of both amend-  
20. ments, he made all of them of one amendment. So, now I find  
21. out that I've got to backtrack, and I want to talk to Senator...  
22. so if you could move it to 3rd and we'll back up.

23. PRESIDENT:

24. All right. Very good. Amendment...further amendments?

25. SECRETARY:

26. Floor Amendment No. 6, offered by Senator Nimrod.

27. PRESIDENT:

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Thank you, Mr. President and Ladies and Gentlemen of the  
31. Senate. This amendment eliminates funding for the Retirement,  
32. which, in fact, is duplicative for three scientific surveys.  
33. That Retirement Fund is, in fact, in the University Funding;

1. and it's in the amount of eighty-two thousand five hundred.

2. I would move for the adoption of Amendment No. 6.

3. PRESIDENT:

4. All right. Senator Nimrod has moved the adoption of  
5. Amendment No. 6 to House Bill 3027. Is there any discussion?

6. If not, all in favor signify by saying Aye. All opposed.

7. The Ayes have it. The amendment is adopted. Senator Maragos,  
8. were you up on this bill? Okay. Any further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. All right. If you will turn to page fourteen  
13. on the Calendar; just for the purpose of information to the  
14. members. It's been suggested to the Chair by the Chairman  
15. and Minority Spokesman of the Appropriations Committee that  
16. many of the agencies are attempting to work out their differences

17. or work out further amendments; and so, only those will be...

18. only those appropriations will be called where it's been

19. indicated to the Chair that there is some relative degree of

20. agreement. If you will turn to page fourteen on the Calendar,

21. on the Order of House Bills 2nd reading. Senator Schaffer,

22. 3051. The middle of page fourteen. Hold it. That one is

23. missing, too. Senator Schaffer, we'll have to get back to

24. that; we physically don't have the piece of paper here.

25. Senator Geo-Karis on 3062. On the Order of House Bills 2nd

26. reading, the bottom of page fourteen is House Bill 3062. Read

27. the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 3062.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments.

32. PRESIDENT:

33. Are there amendments from the Floor?

1. SECRETARY:  
2. No Floor amendments.  
3. PRESIDENT:  
4. 3rd reading. All right. The middle of page fifteen.  
5. Is Senator Coffey on the Floor? Senator Shapiro on the  
6. Floor? 3083, I'm told, Senator Shapiro, that's the reap.  
7. for DOT. All right. On the Order of House Bills 2nd reading,  
8. the middle of page fifteen is House Bill 3083. Read the  
9. bill, Mr. Secretary.  
10. SECRETARY:  
11. House Bill 3083.  
12. (Secretary reads title of bill)  
13. 2nd reading of the bill. The Committee on Appropriations  
14. I offers two amendments.  
15. PRESIDENT:  
16. Senator Carroll.  
17. SENATOR CARROLL:  
18. Thank you, Mr. President and Ladies and Gentlemen of the  
19. Senate. Committee Amendment No. 1 is to reduce the level to  
20. the actual unexpended balance; a reduction of a hundred and  
21. fifty-six plus millions of dollars. I would move adoption  
22. of Committee Amendment No. 1.  
23. PRESIDENT:  
24. Senator Carroll has moved the adoption of...Committee  
25. Amendment No. 1 to House Bill 3083. Any discussion? If not,  
26. all in favor signify by saying Aye. All opposed. The Ayes  
27. have it. The amendment is adopted. Further amendments?  
28. SECRETARY:  
29. Committee Amendment No. 2.  
30. PRESIDENT:  
31. Senator Carroll.  
32. SENATOR CARROLL:  
33. Thank you, Mr. President. This is a technical change with

HS3140  
June 23 1980  
[Signature]

1. no dollar impact. I'd move adoption of Committee Amendment  
2. No. 2.

3. PRESIDENT:

4. Senator Carroll has moved the adoption of Committee  
5. Amendment No. 2 to House Bill 3083. Is there any discussion?  
6. If not, all in favor signify by saying Aye. All opposed.  
7. The Ayes have it. The amendment is adopted. Further  
8. amendments?

9. SECRETARY:

10. No further committee amendments.

11. PRESIDENT:

12. 3rd reading. 3114, Senator Berman. 3135, Senator Egan.  
13. On the Order of House Bills 2nd reading, the middle of page  
14. fifteen is House Bill 3135. Read the bill, Mr. Secretary,  
15. please.

16. SECRETARY:

17. House Bill 3135.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDENT:

21. Are there amendments from the Floor?

22. SECRETARY:

23. No Floor amendments.

24. PRESIDENT:

25. 3rd reading. 3140, Senator Bruce. On the Order of House  
26. Bills 2nd reading, the bottom of page fifteen is House Bill  
27. 3140. Senator Carroll, and et al in that row, can...can we  
28. move away from Senator Bruce? Read the bill, Mr. Secretary,  
29. please.

30. SECRETARY:

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Revenue offers  
33. one amendment.

1. PRESIDENT:  
2. Senator Bruce.  
3. SENATOR BRUCE:  
4. Thank you, Mr. President. I think that the Minority  
5. Spokesman and Senator Maragos and the Chairman are aware  
6. that this is a technical amendment that, for a lot of reasons,  
7. we would like not to have this bill run back to the House.  
8. It reads a little poorly, but there's no reason to adopt it;  
9. and with consent of Senator Maragos, who offered this, I  
10. would like to move to Table Amendment No. 1.  
11. PRESIDENT:  
12. All right. Senator Bruce has moved to Table Committee  
13. Amendment No. 1 to House Bill 3140. Any discussion? If not,  
14. all in favor signify by saying Aye. All opposed. The Ayes  
15. have it. The amendment is Tabled. Further amendments?  
16. SECRETARY:  
17. No further committee amendments.  
18. PRESIDENT:  
19. Any amendments from the Floor?  
20. SECRETARY:  
21. No Floor amendments.  
22. PRESIDENT:  
23. 3rd reading. 3153, Senator Bruce. 3160, Senator Nedza.  
24. 3193, Senator Rhoads. 3229, Senator Nedza. 3241, Senator  
25. Maragos. The middle of page sixteen, do you wish that bill  
26. advanced? On the Order of House Bills 2nd reading, House  
27. Bill 3241. Read the bill, Mr. Secretary.  
28. SECRETARY:  
29. House Bill 3241.  
30. (Secretary reads title of bill)  
31. 2nd reading of the bill. No committee amendments.  
32. PRESIDENT:  
33. Are there amendments from the Floor?

1. SECRETARY:  
2. No Floor amendments.  
3. PRESIDENT:  
4. 3rd reading. 3249, Senator Joyce. On the Order of  
5. House Bills 2nd reading is House Bill 3249. Read the bill,  
6. Mr. Secretary, please.  
7. SECRETARY:  
8. House Bill 3249.  
9. (Secretary reads title of bill)  
10. 2nd reading of the bill. Committee on Appropriations II  
11. offers one amendment.  
12. PRESIDENT:  
13. Senator Carroll.  
14. SENATOR CARROLL:  
15. Thank you, Mr. President and Ladies and Gentlemen of the  
16. Senate. The...with leave of the Body, we would move to Table  
17. Committee Amendment No. 1. It is better to have two alternative  
18. programs going; the way the committee amendment would have  
19. done, it would have been to do it the same way it was in FY-'80,  
20. which is currently on the Governor's Desk. So, we would  
21. prefer to go the way the bill was introduced, and I would  
22. move to Table Committee Amendment No. 1.  
23. PRESIDENT:  
24. All right. Senator Carroll has moved to Table Committee  
25. Amendment No. 1 to House Bill 3249. Any discussion? Senator  
26. Newhouse, on this bill? All right. No further discussion.  
27. Those in favor signify by saying Aye. Those opposed. The  
28. Ayes have it. The amendment is Tabled. Further amendments?  
29. SECRETARY:  
30. No further committee amendments.  
31. PRESIDENT:  
32. Are there amendments from the Floor?  
33. SECRETARY:  
34. No Floor amendments.

AB 3250  
2nd Reading  
2-23-80

Copy

1. PRESIDENT:
2. 3rd reading. 3250, Senator Bruce. On the Order of House
3. Bills 2nd reading, in the middle of page sixteen is House
4. Bill 3250. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 3250.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDENT:
10. Are there amendments from the Floor?
11. SECRETARY:
12. No Floor amendments.
13. PRESIDENT:
14. Are there amendments from the Floor?
15. SECRETARY:
16. Amendment No. 1, offered by Senators Maragos and Knuppel.
17. PRESIDENT:
18. All right. Senator Maragos, as soon as I can get a clear
19. vision, I will certainly recognize you. We are delighted to
20. have the Director of the Department of Revenue here to give
21. out samples. Senator Maragos.
22. SENATOR MARAGOS:
23. Mr. President and members of the Senate, this amendment
24. puts an annual salary of four thousand dollars less than the
25. annual salary of members of the Industrial Commission for the
26. arbitrators. And it's a...a proper amendment, and it has...
27. it's well intentioned, and is needed very badly and I ask for your
28. support. And it should be known that this does not represent
29. a salary increase.
30. PRESIDENT:
31. All right. Senator Maragos has moved the adoption of
32. Amendment No. 1 to House Bill 3250. Any discussion? Senator
33. Rhoads.

1. SENATOR RHOADS:  
2. A question of the sponsor.  
3. PRESIDENT:  
4. All right. Will those not entitled to the Floor please  
5. vacate. Will the respective staffs take their conferences  
6. off the Floor. If the Pages will please be seated until called  
7. upon. Senator Rhoads.  
8. SENATOR RHOADS:  
9. Senator Maragos, are the court reporters affected by your  
10. amendment?  
11. PRESIDENT:  
12. Senator Maragos.  
13. SENATOR MARAGOS:  
14. No, they are not.  
15. PRESIDENT:  
16. Senator Rhoads.  
17. SENATOR RHOADS:  
18. And, secondly, if the...if we're not increasing their  
19. salary, what...what is the point in tying it to a...to  
20. four thousand dollars below the...commissioners, did you say?  
21. PRESIDENT:  
22. Senator Maragos.  
23. SENATOR MARAGOS:  
24. No, this...this bill locks it in so we don't have to have  
25. special legislation every time you want to increase it, and  
26. it's...it's a very useful, a very important amendment.  
27. PRESIDENT:  
28. Further discussion? Senator De Angelis.  
29. SENATOR DeANGELIS:  
30. A question of the sponsor.  
31. PRESIDENT:  
32. He indicates he will yield. Senator De Angelis.  
33. SENATOR DeANGELIS:



1. Senator Maragos, I don't know what your amendment does  
2. that's any different than what is currently done in the  
3. bill as it was before you proposed your amendment.  
4. PRESIDENT:  
5. Senator Maragos.  
6. SENATOR MARAGOS:  
7. It doesn't do anything excepting...this allows for these  
8. salaries to be adjusted automatically when the commissioners  
9. salaries are adjusted without having to have special legislation  
10. for the arbitrators.  
11. PRESIDENT:  
12. Senator De Angelis.  
13. SENATOR DeANGELIS:  
14. Well, in addition to that, Senator Maragos...and I'm  
15. going to oppose your bill, because I think this bill should  
16. not be amended, because one, the amendment doesn't do any-  
17. thing; and secondly, the very same thing that you're amending  
18. is also in 3381, so it's being done in another bill as well.  
19. So, I stand in opposition to this particular amendment.  
20. PRESIDENT:  
21. Further discussion? Senator Maragos may close.  
22. SENATOR MARAGOS:  
23. I'm surprised that Senator De Angelis is against this,  
24. because he is...in his bill we just passed out a couple of  
25. weeks ago, he's given more duties to the arbitrators to get  
26. more work done and reports to be written. And any way we  
27. can facilitate this matter, we should be successful. You...  
28. I don't want to debate with the Senator at this time, I just  
29. want to explain to him that this does not in any way increase  
30. any salaries, and it's for a good purpose; and I think we  
31. should do...we should proceed to have it adopted; and the  
32. arbitrators themselves would like it.  
33. PRESIDENT:

1. All right. Senator Maragos has moved the adoption of Committee  
2. Amendment No...of Amendment No. 1 to House Bill 3250. All in  
3. favor signify by saying Aye. All opposed. The Ayes have it.  
4. Roll call has been requested. Senator Maragos has moved the  
5. adoption of Amendment No. 1 to House Bill 3250. Those in favor  
6. will vote Aye. Those opposed will vote Nay. The voting is open.  
7. Have all voted who wish? Have all voted who wish? Have all  
8. voted who wish? Take the record. On that question, the Ayes are  
9. 25, the Nays are 27, none Voting Present. The amendment fails.  
10. Further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senator Maragos, for what purpose do you arise?

15. SENATOR MARAGOS:

16. I'd like to verify the negative roll call...

17. PRESIDENT:

18. All right. That request is in order. Will the members please  
19. be in their seats. There has been a request for a...Senator Maragos  
20. has requested a verification of the negative votes. The Secretary  
21. will read the negative votes. Will the members please be in their  
22. seats. Read the negative votes, Mr. Secretary.

23. SECRETARY:

24. The following voted in the negative: Becker, Berning, Bloom,  
25. Bowers, Coffey, Davidson, DeAngelis, Demuzio, Friedland, Geo-Karis,  
26. Gitz, Grotberg, Maitland, Martin, McMillan, Mitchler, Moore, Ozinga,  
27. Philip, Regner, Rhoads, Rupp, Schaffer, Shapiro, Sommer, Walsh, Weaver.

28. PRESIDENT:

29. Senator Maragos.

30. SENATOR MARAGOS:

31. Senator Geo-Karis.

32. PRESIDENT:

33. Senator Geo-Karis on the Floor? Senator Geo-Karis on the  
34. Floor?

HB 3272  
6-23-80

Reel #2

- 1.
2. Senator Geo-Karis is on the Floor. Question the presence
3. of any other member, Senator? All right. The roll has been
4. verified. On that question the Ayes are 26, the Nays are 27,
5. none Voting Present. Amendment No. 1 fails. Further amendments?
6. SECRETARY:
7. No further amendments.
8. PRESIDENT:
9. 3rd reading. 3272, Senator Netsch. On the Order of House
10. Bills 3rd reading is House...2nd reading, is House Bill 3272.
11. Read the bill, Mr. Secretary.
12. SECRETARY:
13. House Bill 3272.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Insurance and Licensed
16. Activities offers one amendment.
17. PRESIDENT:
18. Senator Netsch.
19. SENATOR NETSCH:
20. Mr. President, first I would move to Table the committee
21. amendment. I have a substitute amendment which has been worked
22. out with the department, copies have been shown to the Chairman
23. and Minority Spokesman and it will be offered in lieu of the
24. committee amendment. So my first motion is to Table Committee
25. Amendment No. 1.
26. PRESIDENT:
27. All right. Senator Netsch has moved to Table Committee
28. Amendment No. 1 to House Bill 3272. Is there any discussion?
29. If not, all in favor signify by saying Aye. All opposed. The
30. Ayes have it. The amendment is Tabled. Further amendments?
31. SECRETARY:
32. No further committee amendments.
33. PRESIDENT:
34. Are there amendments from the Floor?

1. SECRETARY:  
2. Amendment No. 2 offered by Senator Netsch.  
3. PRESIDENT:  
4. Senator Netsch.  
5. SENATOR NETSCH:  
6. Yes, might I be sure you have the...correct, because there  
7. were two versions of one amendment and another amendment. This  
8. one would show the LRB number ending up with SHAM, which as I...  
9. if I'm not mistaken, spells sham. But that is the right identifi-  
10. cation. Do you have that one, Mr. Secretary?  
11. SECRETARY:  
12. I have one ending in SCCHAM and one in SCSHAM.  
13. SENATOR NETSCH:  
14. I'm sorry. The one we are on now is SHAM, you're right, the  
15. second one does... This one, the text of it is an Act to add  
16. Section 523A and to amend Sections 524 and 525...of the Illinois  
17. Insurance Code, et cetera and it is the LRB 8108857SC, then SHAM.  
18. Fine. This is the amendment that pursuant to my agreement with  
19. the members of the Insurance Committee when we were before the  
20. Committee, we continued to work on with the Department of Insurance  
21. and, in fact, it was virtually written by the Department to meet a  
22. good many of the objections that they had and that other members  
23. of the Committee had. It is intended to, at least move a few  
24. steps in the direction of discouraging those who ought not to be in  
25. the Fair Plan from, in effect, being foisted upon the Fair Plan.  
26. It does provide that the Department of Insurance is to develop  
27. objective criteria for minimum...minimum insurable risks  
28. for the voluntary residential sector and only residential.  
29. That was not true in the earlier version of the Act. In  
30. accordance with the request of the Department, it...defines  
31. what constitutes diligent effort to obtain insurance in  
32. the private industry before which someone is relegated to  
33. the Fair Plan and that definition is, as evidenced by three

1. attempts to procure such...insurance, and...finally it indicates  
2. the...that...the circumstances under which the insurance really  
3. ought to be made available, but there is no mandate at all with  
4. respect to the private sector in terms of insuring anyone who  
5. does meet the minimum standards which would be adopted by the  
6. Department. It does, however, require that the reasons for  
7. rejection be made available to that individual and again before  
8. the person is...is ultimately relegated to the Fair Plan. It  
9. is a...a fairly modest and enormously watered down version of  
10. what passed the House. I would move the adoption of Amendment No. 2  
11. to House Bill 3272.

12. PRESIDENT:

13. Senator Netsch has moved the adoption of Amendment No. 2  
14. to House Bill 3272. Any discussion? Senator Ozinga.

15. SENATOR OZINGA:

16. Yep, a question of the sponsor.

17. PRESIDENT:

18. Indicates she'll yield. Senator Ozinga.

19. SENATOR OZINGA:

20. Number one, she just Tabled a committee amendment, usually  
21. these committee amendments have a little bit of thinking in  
22. them other than just to say...Tabled it. Now, number two, she  
23. reinserts a lot of jargon, numbers and figures and et cetera and et  
24. cetera and says a lot of stuff, and a lot of rhetoric going on.  
25. What is the real difference in plain and simple language between  
26. the new amendment and the one that was Tabled?

27. PRESIDENT:

28. Senator Netsch.

29. SENATOR NETSCH:

30. The committee amendment, incidently, was my amendment.  
31. It was one I offered in committee because the Department and  
32. I were still trying to work out some agreement with respect  
33. to reasonable provisions relating to the...the...the basic  
34. content of the bill as it came over from the House. If I may

1. go back just half a step, Senator Ozinga. The bill as it came  
2. over from the House, although it had been ostensibly supported  
3. over there by the Department, after they looked at it again,  
4. they decided that it...it went farther than they thought was  
5. reasonable. And so we were still trying to work out what was  
6. an acceptable series of provisions. We had simply not reached  
7. agreement at the time we were before the committee. So I...I...  
8. at my suggestion, the committee put on an amendment which basically  
9. restored the bill to the condition in which it had originally  
10. been introduced in the House. And at that time, my representation  
11. to the committee was that the Director and I would continue to  
12. work on this and if we could reach agreement on a watered down  
13. version of the House version of the bill, we would then present  
14. it as an amendment on the Floor, after having first shown it to the  
15. Chairman of the Committee and the Minority Spokesman. And that  
16. is essentially what has happened in this case. Now, what we  
17. have done is, we still have left out the vast bulk of what  
18. was in House Bill 3272 as it passed the House of Representatives.  
19. And we have basically contained only the...the couple of provisions  
20. that I described a moment ago, which is the minimum...insurable  
21. risks and the requirement that an applicant who is turned down  
22. for insurance in the private sector, and I'm reading now from  
23. the amendment, "shall be informed in writing of the reasons for  
24. the failure of the residential property to meet the criteria".  
25. And there's no requirement that insurance be offered to that  
26. person. There is no requirement that the private sector inspect  
27. the property, that was one of the objections that was raised  
28. in committee and all of that has been eliminated. So it's a  
29. fairly modest version that is intended only to, in effect, to  
30. create a record, that someone who has been rejected for insurance  
31. in the private sector, with respect to residential property  
32. and it...and it is limited to residential property in this  
33. amendment, be given a statement of reasons before he is, in

1. effect..put into the Fair Plan.

2. PRESIDENT:

3. Senator Ozinga.

4. SENATOR OZINGA:

5. Isn't this the bill that starts off and is by neighborhood  
6. organizations that mandates insurance companies to give certain  
7. sectors, certain insurance and now all of this mandating business  
8. is out of there?

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. There was in one version of the bill...there was in one  
13. version of the bill that kind of mandate that is not in the  
14. provisions that the Department of Insurance and I have been  
15. working on and that are reflected in this amendment. That is  
16. part of the reason for the amendment, Senator Ozinga.

17. PRESIDENT:

18. Senator Ozinga.

19. SENATOR OZINGA:

20. Okay, along that line,now have these local organizations  
21. that have raised so much hell about the whole situation and  
22. having people being able to get insurance in certain sectors  
23. of the city, et cetera, et cetera. Have they been consulted  
24. with reference to some of these amendments? Or is it just our  
25. thinking that says this is what you're going to get stuck with?

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. No, I had been working with one of the groups that was  
30. interested in this. I might say that this has less to do  
31. with...the...the traditional red-lining questions. It was  
32. part...oh, well, it does indirectly, but it also was part  
33. of the original arson package that was introduced in the

1. House and it is related in the sense that the relegation of  
2. some of the property to the Fair Plan has been, at least indirectly,  
3. a cause of some of the insurance problems and therefore, the  
4. arson problems in some of the neighborhoods. Now, the...the  
5. immediate answer to your question was, yes, I have been consulting  
6. with those who had worked on the bill originally and I think it's  
7. fair to say they are not particularly happy with this version,  
8. they would have preferred obviously, a much stronger one, but  
9. they...they understand the reasons for it and have, indeed,  
10. been consulted.

11. PRESIDENT:

12.         Any further discussion? Senator D'Arco.

13. SENATOR D'ARCO:

14.         Thank you, Mr. President. I just received this amendment  
15. now for the first time after there was some discussion between  
16. the Department of Insurance, Senator Netsch, myself and Senator  
17. Rupp. But it was recently brought to my attention, Senator  
18. Netsch, the language on page 1 that says, "the Director or  
19. any entity thereafter charged with the responsibility of regulating  
20. property and casualty insurance rates." Now, I'm not sure  
21. what you mean by, "any entity thereafter charged with the responsibility  
22. of regulating property and casualty insurance rates". I would  
23. think that would definitely be within the purview of the Director  
24. of Insurance and no other entity.

25. PRESIDENT:

26.         Senator Netsch.

27. SENATOR NETSCH:

28.         Number one, Senator D'Arco, the amendment is the one that I  
29. gave you last week. Secondly, I...that is not my language and  
30. I believe that that is Reference Bureau language, that particular  
31. expression. And I think the only the reason for it...Senator  
32. Rupp, I might say, had raised the very same question, and I think  
33. the only reason for it is that if at some time in the future,



1. the General Assembly should change the name or...or designation  
2. of that individual in State Government who regulates the insurance  
3. industry, we wouldn't necessarily have to go back and change  
4. every Statute the first year in order to, in effect, pass along  
5. ...excuse me...the same authority. It has absolutely no significance  
6. except to say that if you change the Director of Insurance to the  
7. Secretary of Insurance or to something else in the future then  
8. the same powers will belong in the same regulatory agency. But  
9. it's only the General Assembly which has the power to decide  
10. whether the Director of Insurance will be no longer the one  
11. regulating the insurance...industry.

12. PRESIDENT:

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. My other question, and I...I'm not positive that your  
16. answer is correct. My other question is that I thought it  
17. was the agreement that the language, the program shall  
18. establish reasonable underwriting standards for determining  
19. insurability of a risk, would be eliminated because that  
20. would be far beyond the authority of the Fair Plan and, in  
21. fact, that was what the original bill had intended to do, would  
22. be to establish standards for insurability of risk and we were  
23. not sure that that would be the proper thing to do at this  
24. time.

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. I'm looking for the committee amendment language, but my  
29. recollection, Senator D'Arco, is that that is the very sentence  
30. that was in the amendment that the committee adopted. So in that  
31. sense, I haven't changed that sentence at all.

32. PRESIDENT:

33. Further discussion? Senator Berning.

1. SENATOR BERNING:  
2. Yes, question of the sponsor, please.  
3. PRESIDENT:  
4. Indicates she'll yield, Senator Berning.  
5. SENATOR BERNING:  
6. I find it difficult to reconcile what appears to be reasoning  
7. for the paragraph at the bottom of page 1 and paragraph 6 on  
8. page 3. And let me point out...no, I had SCA...I have SHAM.  
9. I'm referring to line 20..start...well, line 19, "these criteria  
10. shall not include age of property, geographic location or  
11. prior action by another insurer." However, then over on...on  
12. page 3...line 6, "if at any time the applicant makes improvements  
13. in the residential property or its condition, which he or she  
14. believes is sufficient to make the property meet the criteria."  
15. It seems to me, Senator, that this is contradictory. In the  
16. first place, if I read this correctly, you are saying that  
17. criteria cannot consider the age of the property and consequently  
18. condition and on the other, because age and condition are related,  
19. then on the other page you are saying that, yes, if condition  
20. is improved by the individual then he or she can qualify. How  
21. can that be?  
22. PRESIDING OFFICER: (SENATOR SAVICKAS)  
23. Senator Netsch.  
24. SENATOR NETSCH:  
25. The language on the first page does not say that condition  
26. cannot be considered, Senator Berning, that obviously would  
27. not make a great deal of sense. The condition of property is  
28. a relevant criteria, it says geographic location. That...and  
29. ...and that simply is an incorporation in effect of Statutes  
30. which this General Assembly has already passed which have said  
31. that you can't...develop your insurance or insurability criteria  
32. solely on the basis of geographic location.  
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Berning.

2. SENATOR BERNING:

3. However, the final sentence starting on line 21, "instead

4. they shall include factors which are casually related to risk,"

5. and that obviously is condition. It appears to me that these

6. two paragraphs are in contradiction and I just am pointing it

7. out because it seems that as far as I'm concerned, it is...a

8. ambiguous situation.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? Senator Newhouse.

11. SENATOR NEWHOUSE:

12. Sponsor yield to a question, please.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. She indicates she will.

15. SENATOR NEWHOUSE:

16. Senator Netsch, there's a series appearing in the daily

17. Chicago newspapers regarding what they refer to as a Black Tax.

18. Does this bill have anything to do with that?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Netsch. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you. The bill was obviously written before the series

23. appeared because you're right, there was an article in this

24. morning's paper that related to it. But the problem is what

25. is certainly behind and tied up with the...the bill. The whole

26. point is that in the...a part of the problem that older neighbor-

27. hoods have had and those that have been particularly subject to

28. arson problems including arson-for-profit problems, is the...the

29. fact that the availability of insurance has not always been

30. on rational grounds. One of the points that the Director of

31. Insurance has made and that the community groups also have made,

32. is that the...those who are seeking insurance for residential

33. property, should not be forced into the Fair Plan unless there is

1. some reason for it. And...because the Fair Plan tends to be  
2. expensive, and that, incidently, is one of the points that was  
3. made in that article this morning also. So that, as long as  
4. there are rational reasons for...for the private market to  
5. decline to insure someone, then you have developed a...an  
6. applicant who is a prime candidate for the Fair Plan. This  
7. is a modest part of the entire package which is designed to  
8. make sure that property is...has...insurance available to it,  
9. is not forced into Fair Plan when it doesn't have to, but is  
10. also not a prime target for arson-for-profit.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Then you're saying, Senator, that what you now proffer  
15. to this Body is a watered down version of what was before the  
16. committee and adopted?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Netsch.

19. SENATOR NETSCH:

20. No, it is a watered down version of what came out of  
21. the House. It was fairly clear that we were not going to be  
22. able to pass in the Senate exactly the version that had come  
23. out of the House, which some of us would like to have done.  
24. And as a matter of fact, I think there were some very legitimate  
25. questions that were raised by the Insurance Department with  
26. respect to the House version. It is those objections and  
27. those concerns that the Department of Insurance, the representative  
28. of the community groups and I spent a great deal of time discussing  
29. and ultimately we resolved it into the form which is now before  
30. you in Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Newhouse.

33. SENATOR NEWHOUSE:

1. Senator, I hear you saying that this is an agreed...an  
2. agreed amendment on the one hand, but I thought I heard you  
3. make a comparison between this and what was before committee  
4. on the other. Would you repeat whatever that comparison  
5. was, please?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Netsch.

8. SENATOR NETSCH:

9. Yeah, the...let me go back two steps. The bill, as it  
10. was originally introduced in the House, had only really one  
11. basic sentence in it, which had to do with minimum insurability  
12. risks. A very extensive amendment was added in the House that  
13. I gather some of those concerned, including the Department, did  
14. not really have an opportunity to address very carefully, before  
15. the bill was called for passage in the House and passed the  
16. House. It was that version that was before the committee  
17. in the Senate. I know some members of the committee had objection  
18. and the Department of...of Insurance raised some very serious  
19. questions about it. We agreed to put the bill back into its  
20. original House version, with one modest exception, to get it  
21. out of committee with the understanding that we would continue  
22. to work and see if we couldn't reach agreement on some steps  
23. that would help to address the Fair Plan lack of insurability  
24. question, but not with the same concerns that members of the  
25. committee and the Department had about the House version of  
26. the bill. We have, indeed, spent a number of hours in...in  
27. discussions and negotiations and it is this version which is  
28. now before you. It is better than the committee amendment  
29. that we temporarily put on in committee in order to just keep  
30. the bill alive for additional action. It is less restrictive,  
31. if you will, less strong than the House version.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Are you saying then, this is an agreed amendment?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Netsch.

5. SENATOR NETSCH:

6. The...depends who has to be part of the agreement. The...  
7. it has been worked out with and really, by, the Department of  
8. Insurance, the community group representative and myself. It  
9. has been shown to Senator D'Arco and Senator Rupp and I'm not  
10. committing them to it, but I have, as I agreed, shown them  
11. the version...this version of the amendment. I think it did  
12. take care of, at least as I heard it, major questions that  
13. were raised about the bill by members of the Insurance Committee.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Rupp.

16. SENATOR RUPP:

17. Thank you, Mr. President. We have had this amendment  
18. before us and when it was handed to me, I was asked if I would  
19. read it and look it over and mark it, any questions. I did and  
20. it's like a...a Christmas Tree, there's a lot of bright red  
21. marks on it. Many of the things that Senator Netsch is saying  
22. is...is accurate, that the changes were made in response to  
23. the questions that were put in, but not all of them have been  
24. made. So on that basis, I cannot recommend this particular  
25. amendment.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. There further discussion? Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President, Ladies and Gentlemen of the  
30. Senate. I rise in opposition to this amendment. This is SHAM  
31. and I suggest to you that's exactly what it is. We have wasted,  
32. it seems to me, a great deal of time on this and...and all we  
33. keep hearing is that, well the Committee Chairman and the Minority  
34. Spokesman and the Director somehow all got together and out jumps

1. the devil. I wish someone would take the time, if you have the  
2. right amendment on your desk, to read this thing. What it  
3. says essentially, is that the Director or any other entity,  
4. however that's going to be and I...I admit those are probably  
5. surplusage words, shall develop objective criteria for  
6. minimal insurable risks for the voluntary residential property  
7. related insurance market. Now that means something other  
8. than the Fair Plan, I take it. But those criteria which are to  
9. be set up by the Director of the Department of Insurance, shall  
10. not include, and I suggest, not include, the age of the property,  
11. the geographic location of the property, or prior action by  
12. another insurer. That, Ladies and Gentlemen, simply doesn't  
13. make any sense. What in the world kind of objective criteria  
14. are left? I suggest this amendment ought to be resisted out of  
15. hand.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not...Senator Ozinga.

18. SENATOR OZINGA:

19. Just a question, general question. The amendment that  
20. this replaces has already been Tabled. Now what happens?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Well, now you have a choice of adopting this or leaving  
23. the bill as it originally was. Senator Newhouse. If there's  
24. no further discussion, Senator Netsch may close debate. Senator,  
25. do you wish to make any closing arguments?

26. SENATOR NETSCH:

27. Yeah, I...I think there's something strange going on here  
28. and I would like to suggest to members of the Senate that this  
29. intended in a fairly modest form to address a question that  
30. the Director of Insurance, as well as the community groups  
31. who have been concerned about both red-lining and arson, have  
32. called to our attention and that is, that too often those who  
33. are seeking insurance, applicants are forced into the Fair

1. Plan where they really ought not to be. Now, instead of the  
2. fairly severe mandatory provisions that were part of the original  
3. House Bill, all this says is that there should be minimum standards  
4. of residential insurability developed by the Department and that  
5. if someone is denied insurance in the private sector, they ought  
6. to be told the reasons therefore. And it is on the basis of  
7. those reasons then that the Fair Plan will be able to make  
8. a judgment about admissibility into that plan. It is really  
9. a very simple concept. It is one that the Department itself has  
10. said needed to be addressed and this addresses it in a quite  
11. modest, but nevertheless important first step fashion. It is  
12. an important part of the arson package that was originally  
13. passed by the House and I would strongly urge your support  
14. of Amendment No. 2.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is shall Amendment No. 2 be adopted. Those  
17. in favor will say Aye. Those opposed Nay. The Nays...well,  
18. there's been a request for a roll call. Those who...those  
19. in favor of adopting Amendment No. 2 will vote Aye. Those opposed  
20. vote Nay. The voting is open. Have all voted who wish? Have  
21. all voted who wish? Take the record. On that question the  
22. Ayes are 13, the Nays are 38, and 1 Voting Present. Amendment  
23. No. 2 having failed to receive a majority vote is declared  
24. defeated. Any further amendments?

25. SECRETARY:

26. Amendment No. 3 offered by Senator Netsch.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Netsch, Amendment No. 3. Senator Netsch withdraws  
29. Amendment No. 3...and 4. Are there any further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Any amendments from the Floor?



1. SECRETARY:  
2. No Floor...no, that was...  
3. PRESIDING OFFICER: (SENATOR SAVICKAS)  
4. 3rd...that was it. 3rd reading. House Bill 3289, Senator  
5. Gitz. Read the bill, Mr. Secretary.  
6. SECRETARY:  
7. House Bill 3289.  
8. (Secretary reads title of bill)  
9. 2nd reading of the bill. No committee amendments.  
10. PRESIDING OFFICER: (SENATOR SAVICKAS)  
11. Any amendments from the Floor?  
12. SECRETARY:  
13. Amendment No. 1 offered by Senator Gitz.  
14. PRESIDING OFFICER: (SENATOR SAVICKAS)  
15. Senator Gitz.  
16. SENATOR GITZ:  
17. Thank you, Mr. President and members of the Senate. I  
18. would like to bring to your attention Amendment No. 1 and  
19. what is contained therein. I think there is reason to look  
20. carefully at this and there are some specific reasons that  
21. I am offering this amendment. The amendment is one line.  
22. It says, "Property assessed as personal property before  
23. January 1st, 1979 is presumed thereafter to be personal  
24. property for assessment purposes." The situation we find  
25. ourselves in today is that in some cases, property that was  
26. previously classified as corporate personal property is  
27. now being reclassified by assessors as real property. I  
28. don't think that that kind of change in the rules is quite  
29. fair. Neither did the House, that's because they sent us a  
30. bill that is now in the Rules Committee on this issue. I  
31. would further draw to your attention that in Public Act 81-1  
32. in the First Special Session, it provided that "no property  
33. lawfully assessed and taxed as personal property under this

1. Act prior to January 1st, 1979 shall be classified as real  
2. property subject to assessment and taxation under this Act  
3. after January 1st, 1979." Now if you believe that people  
4. should have the right to change the rules, then this in  
5. effect, is saying that what they classified before was an  
6. unlawful Act. I submit that that's not the case. I offer  
7. this amendment so this Body can look at the issue  
8. and address it before we move to passage stage on the  
9. bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, the question is  
12. shall Amendment No. 1 be adopted. Those in favor will indicate  
13. by saying Aye. Those opposed. The Ayes have it. Amendment  
14. No. 1 is adopted. Any further amendments?

15. SECRETARY:

16. Amendment No. 2 offered by Senator Gitz.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Gitz.

19. SENATOR GITZ:

20. Thank you, Mr. President and members of the Senate. This  
21. amendment specifies that the treasurer or other custodian of  
22. public funds, may deposit such funds in a state or national  
23. bank in this Act. And it relates to a date, on or after January  
24. 1st, 1981. The reason for this language is to extend the same  
25. privilege in terms of school funds that is now offered by  
26. Now Accounts through savings and loans to banks. After this  
27. date, banks will have under the rules of the game, the same  
28. prerogatives that savings and loans now have. That is the  
29. sole reason for the amendment. I'll be happy to respond to any  
30. questions.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, the question is shall Amendment  
33. No. 2 be adopted. Those in favor indicate by saying Aye.

HB 3301  
2nd Reading  
6-23-80

1. Those opposed. The Ayes have it, Amendment No. 2 is adopted.
2. Any further amendments?
3. SECRETARY:
4. Amendment No. 3 offered by Senator Gitz.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Senator Gitz.
7. SENATOR GITZ:
8. Mr. President, Amendment 3 is...would be now out of order,
9. so I wish to withdraw it.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Any further...Amendment No. 3 is withdrawn. Any further
12. amendments?
13. SECRETARY:
14. No further amendments.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. 3rd reading. House Bill 3290, Senator Buzbee. Read the
17. bill, Mr. Secretary.
18. SECRETARY:
19. House Bill 3290.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Any amendments from the Floor?
24. SECRETARY:
25. No Floor amendments.
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. 3rd reading. House Bill 3301, Senator Carroll. Read
28. the bill, Mr. Secretary.
29. SECRETARY:
30. House Bill 3301.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. The Committee on Appropriations I
33. offers two amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of  
5. the Senate. Committee Amendment No. 1 eliminates some of  
6. the new...personnel requested by the court and imposes an  
7. eight percent solution on the rest. I would move adoption  
8. of Committee Amendment 1, it's a reduction of about two  
9. hundred and seven thousand in their seventy-three million  
10. dollar budget.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Further discussion? If not, the question is shall  
13. Amendment No. 1 be adopted. Those in favor indicate by  
14. saying Aye. Those opposed. The Ayes have it. Amendment No. 1  
15. is adopted. Any further amendments?

16. SECRETARY:

17. Committee Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President and Ladies and Gentlemen of the  
22. Senate. This is a reduction in the EDP request for the Supreme  
23. Court of some three hundred and fifty thousand. In lieu thereof  
24. we are allocating sixty some odd thousand to the Legislative  
25. Commission that is handling the EDP type items, the Legislative  
26. Information System. So the net savings to the State will be  
27. two hundred and ninety thousand by having us do it on existing  
28. equipment rather than having the court create a whole new  
29. system, which they now agreed to. And I would move adoption  
30. of Committee Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Any further discussion? If not, the question is shall  
33. Amendment No. 2 be adopted. Those in favor vote Aye. Those

1. opposed vote Nay...will signify by saying Aye. Those opposed.
2. The Ayes have it. Amendment No. 2 is adopted. Any further
3. amendments?
4. SECRETARY:
5. No further committee amendments.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Any amendments from the Floor?
8. SECRETARY:
9. No Floor amendments.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. 3rd reading. House Bill 3311, Senator Rock. Read the bill,
12. Mr. Secretary.
13. SECRETARY:
14. House Bill 3311.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Any amendments from the Floor?
19. SECRETARY:
20. No Floor amendments.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. 3rd reading. House Bill 3333, Senator Nega. House Bill
23. 3359, Senator Friedland. Read the bill, Mr. Secretary.
24. SECRETARY:
25. House Bill 3359.
26. (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Any amendments from the Floor?
30. SECRETARY:
31. Amendment No. 1 offered by Senator Sommer.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Sommer.

1. SENATOR SOMMER:  
2. Mr. President and members. This is the amendment we  
3. discussed before in which the Department of Conservation  
4. would acquire a lake and a boat dock in exchange for some  
5. flat land to the Deer Park Country Club Golf Course. Senator  
6. Bruce had questioned it before and he may have some comments  
7. now.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)  
9. Is there further discussion? If not...Senator Rock.  
10. SENATOR ROCK:  
11. Well...we have been subjected to about nine different  
12. amendments. All I want to do is find out which one we're  
13. talking about.  
14. PRESIDING OFFICER: (SENATOR SAVICKAS)  
15. Senator Sommer, you want to tell him which one.  
16. SENATOR SOMMER:  
17. Senator Grotberg has withdrawn all of his concerning  
18. the grant of land to St. Charles. This is the one in which  
19. there is a swap based upon assessments between the Department  
20. of Conservation and the Deer Park Country Club.  
21. PRESIDING OFFICER: (SENATOR SAVICKAS)  
22. Senator Rock.  
23. SENATOR ROCK:  
24. Well, we have four from Senator Grotberg here and one  
25. from elsewhere and we don't seem to have this one, that's  
26. all I'm saying. All we want to do is find out what we're  
27. about.  
28. PRESIDING OFFICER: (SENATOR SAVICKAS)  
29. Senator Wooten.  
30. SENATOR WOOTEN:  
31. Yes, just...most of our discussion centered around Senator  
32. Grotberg's amendments and there was a question that Senator  
33. Bruce raised which was also my question, that why had the

1. Department waited. And we discovered upon further inquiry,  
2. Senator, that part of the problem was they had an inappropriate  
3. legal description. The provisions of this exchange are permissive,  
4. the Department may do it if everything looks all right. I think  
5. all the safeguards are there and now it's simply up to the  
6. Senate as to whether or not they want to consent to this. It  
7. seems to me that the...the...amendment I have seen is in order.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? If not, the question is  
10. shall Amendment No. 1 be adopted. Those in favor indicate  
11. by saying Aye. Those opposed. The Ayes have it, Amendment  
12. No. 1 is adopted. Any further amendments?

13. SECRETARY:

14. Amendment No. 2 offered by Senator Nega.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Nega.

17. SENATOR NEGA:

18. If park land is no longer being fully utilized for its  
19. prime purpose, as...park land or recreation land, the Park  
20. Board, number one, must petition to circuit court to sell  
21. such land. Number two, it must have a hearing that has been  
22. advertised in the newspaper. Number three, must have...must take  
23. testimony pro and con at this hearing and the circuit court must  
24. then deem if it is for the best public interest to sell such  
25. land. This law now applies to land only under one acre. I  
26. want to amend it to apply to...over one acre.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, the question is,  
29. shall Amendment No. 2 be adopted. Those...oh, Senator Wooten.

30. SENATOR WOOTEN:

31. Just a question of the sponsor. Does the practical effect  
32. of this mean that you may now consider parcels of land of  
33. any size and you simply just take it to the circuit court?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)  
2. Senator Nega.  
3. SENATOR NEGA:  
4. I didn't intend that.  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)  
6. Senator Wooten.  
7. SENATOR WOOTEN:  
8. But I think, Senator, the legal effect of that, if you  
9. remove the one acre cap then what kind of cap is placed on it?  
10. PRESIDING OFFICER: (SENATOR SAVICKAS)  
11. Senator Nega.  
12. SENATOR NEGA:  
13. ...Use the discretion of the circuit court.  
14. PRESIDING OFFICER: (SENATOR SAVICKAS)  
15. Senator Wooten.  
16. SENATOR WOOTEN:  
17. Well, I...merely suggest, Senator, that is a radical change.  
18. That's...to...we have, historically had a cap of one acre or  
19. under and to remove the cap entirely then means that it goes  
20. to the circuit court and you can deal with as many acres as  
21. you want. I...that's something to think about. I think there  
22. probably should be some realistic kind of cap on this.  
23. PRESIDING OFFICER: (SENATOR SAVICKAS)  
24. Is there further discussion? If not, the question is  
25. shall Amendment No. 2 be adopted. Those in favor indicate  
26. by saying Aye. Those opposed. The Ayes have it, Amendment  
27. No. 2 is adopted. Any further amendments?  
28. SECRETARY:  
29. No further amendments.  
30. PRESIDING OFFICER: (SENATOR SAVICKAS)  
31. 3rd reading. House Bill 3366, Senator Grotberg. Read the  
32. bill, Mr...read the bill, Mr. Secretary.  
33. SECRETARY:



1. House Bill 3366.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Any amendments from the Floor?
6. SECRETARY:
7. Amendment No. 1 offered by Senator Grotberg.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Grotberg.
10. SENATOR GROTBORG:
11. Thank you, Mr. President, fellow Senators. Amendment No. 1
12. to House Bill 3366 amends...first of all the...the amendment,
13. the whole bill has to do with the Environmental Bonding Facility
14. Act. And it...the...the amendment allows those bonds to be
15. used for refitting pollution control devices on specific sites.
16. Our Amendment then No. 1...because in committee we had considerable
17. conversation, but we wanted to make sure that it was restricted
18. to manufacturing equipment and processes and not coming in to
19. build a whole new plant. Therefore, this reads, "for changing
20. or replacing manufacturing equipment or processes." And I'd
21. be glad to answer questions, otherwise...move for the adoption
22. of the amendment.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Senator Rock.
25. SENATOR ROCK:
26. Well, Senator Grotberg, when...when you were up at the Podium
27. before, my recollection, frankly, I did not recall, but...I am
28. told that in the committee, and I am not a member of that committee,
29. in committee, Senator Knuppel and others suggested that the bill
30. was much too broad and should more specifically reflect what
31. the Governor apparently had in mind. This amendment, frankly,
32. does not seem again to do that. We are either talking about
33. hazardous waste or we're talking about something else and that's

1. all I want to find out. What are we talking about?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. We are amending, of course, the definitions. And the bill,

6. if it were unamended, is confusing according to those of us

7. in committee at least and to some others because it says that

8. one of the uses for this fund may be, in describing a facility

9. or facilities, that which reduce control or prevent pollution

10. by replacing other facilities which cause or caused pollution

11. or by reducing the volume et cetera. We felt, Senator Rock,

12. that we wanted to restrict that to on-site problems. And that

13. the new language, although it...it...bond council won't let

14. us change it too much, but the legislative intent of this

15. then, is exactly that, for replacing equipment and processes

16. to try to keep us out of the arena of building a new plant for

17. somebody out of these bond funds, a new pollution control

18. plant, that would be. And that is the interpretation we

19. have worked into it and the legislative intent thereof. Mr.

20. Sniderman of EPA was helpful in this.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rock.

23. SENATOR ROCK:

24. Well...my...one of the quarrels I have with this is that

25. this was presented to us as a portion of the...the Governor's

26. massive program in...in the area of hazardous waste. We...we

27. are way off that subject, it seems to me at this point, with...

28. with...or certainly without the amendment, but certainly with

29. it, it appears the same way. I...I'm just not, frankly, sure

30. ...that we are trying to accomplish the purpose the Governor

31. set out to accomplish. I'm sure this is probably a swell

32. idea and one that could probably wait until next year.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Gitz. Is there further discussion? If not, the  
2. question is shall Amendment No. 1...Senator Grotberg.

3. SENATOR GROTBORG:

4. If I may be allowed the privilege of closing. Senator  
5. Rock, your concerns are always my concerns. But in the reworking  
6. of the Hazardous Waste Act, where we get into land fill  
7. control and financing and eternal care of them, we had to  
8. get into the Pollution Bond Act to get at the stopping of  
9. what goes into hazardous waste streams, so that, in the  
10. future, we can dry up some of those streams by using the  
11. Facilities Act and that is the thrust of this. It...it is a  
12. companion to...to the Hazardous Waste Act in that sense and  
13. that is from a capital point of view, we can use that fund  
14. to dry up some sources in the days ahead and the years ahead.  
15. The tax, the one cent a gallon and two dollars and two cents  
16. a yard has to do with the treatment of waste streams and waste  
17. sites. We're trying to get capitalized in ahead of that. And  
18. I would just ask for a favorable roll call to make a good concept  
19. a better concept. Ask for the adoption of Amendment No. 1.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If not, the question is shall  
22. Amendment No. 1 be adopted. Those in favor will indicate by saying  
23. Aye. Those opposed. There's been a request for a roll call.  
24. Those who are in favor will vote Aye. Those who...oppose vote Nay.  
25. The voting is open. Have all voted who wish? Have all voted  
26. who wish? Take the record. On that question the Ayes are 25,  
27. the Nays are 27, none Voting Present. The amendment, having  
28. failed to receive a majority is declared defeated. Any further  
29. amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. 3rd reading. For what purpose does Senator Grotberg arise?

AB 3385  
2nd reading  
6-23-88

1. SENATOR GROTEBERG:
2. To record the fact that I intended to vote for my own
3. amendment.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. It will be so noted. Senate Bill...or House Bill 3385.
6. Senator Regner. Read the bill, Mr. Secretary.
7. SECRETARY:
8. House Bill 3385.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. The Committee on Executive offers
11. one amendment.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Regner. Senator Regner.
14. SENATOR REGNER:
15. Yes, Mr. President and members. There will be a further
16. Floor amendment that I have to correct some of the problems
17. that were questioned in committee when this lengthy amendment
18. was introduced. This is a bill which grants Municipal Joint
19. Action Water Agencies the power to exercise or to form Joint...
20. Joint Venture Water Agencies among municipalities through
21. the Intergovernmental Act. This amendment that was put on
22. in committee, sets up all the various technical languages
23. that are necessary for the issuance of the bonds and the actual
24. organizations. The bill that was originally sent to us, quite
25. frankly, was a very short one page bill that set up the theory,
26. but didn't set up the various mechanics that were necessary
27. for the...joint agencies to actually operate and I'd move
28. the adoption of Amendment No. 1.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Is there further discussion? If not, the question is...
31. Senator Rock.
32. SENATOR ROCK:
33. Thank you, Mr. President, Ladies and Gentlemen of the

1. Senate. I do not intend to oppose Amendment No. 1, but until  
2. I see the other amendments or have an opportunity to review  
3. it, I would just ask the members to be sure to take a look  
4. at this amendment. This is a beauty. We are, by virtue of  
5. the adoption of Amendment No. 1, proposing the creation of  
6. an entire new level of government, a new agency, which at  
7. least in Amendment No. 1 has the power of eminent domain and  
8. some other really serious powers, absent a taxing power. But  
9. for those of you who are continually campaigning on how big  
10. government is, and I'm surprised, frankly, that one who ostensibly  
11. supports Governor Reagan in his effort to cut back on government,  
12. would, in fact, be indulging in this kind of exercise. We are  
13. creating a whole new layer here, a new agency for eight or nine  
14. northwest suburban communities. I think the idea is a bad one,  
15. but it...he's got a right to put it in the shape he wants, I  
16. suppose.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? If not, the question is  
19. shall Amendment No. 1 be adopted. Those in favor will say  
20. Aye. Those opposed Nay. There's been a request for a roll  
21. call. Those in favor will vote Aye. Those opposed vote Nay.  
22. The voting is open. Have all voted who wish? Have all voted  
23. who wish? Take the record. On that question the Ayes are 20,  
24. the Nays are 29, none Voting Present. Amendment No. 1 having  
25. failed to receive a majority is declared defeated. Any further  
26. amendments?

27. SECRETARY:

28. No further committee amendments.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Any amendments from the Floor?

31. SECRETARY:

32. No Floor amendments.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1.                   3rd reading. House Bill 3403. Senator Gitz. Read  
2. the bill, Mr. Secretary.  
3. SECRETARY:  
4.                   House Bill 3403.  
5.                   (Secretary reads title of bill)  
6. 2nd reading of the bill. The Committee on Agriculture, Conservation  
7. and Energy offers one amendment.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)  
9.                   Senator Gitz.  
10. SENATOR GITZ:  
11.                   Thank you, Mr. President. I would like to Table the  
12. committee amendment. We have a Floor amendment which takes  
13. care of the problems that were originally raised in a lot  
14. better fashion.  
15. PRESIDING OFFICER: (SENATOR SAVICKAS)  
16.                   You've heard the motion. Is leave granted? Leave is  
17. granted. Amendment No. 1 is Tabled. Any further amendments?  
18. SECRETARY:  
19.                   No further committee amendments.  
20. PRESIDING OFFICER: (SENATOR SAVICKAS)  
21.                   Any amendments from the Floor?  
22. SECRETARY:  
23.                   Amendment No. 2 offered by Senator Gitz. Which one is it,  
24. Senator Gitz? The larger one?  
25. PRESIDING OFFICER: (SENATOR SAVICKAS)  
26.                   Senator Gitz.  
27. SENATOR GITZ:  
28.                   The amendment that we want to handle is...begins with  
29. language entitled line 7, "to investigate practical problems."  
30. PRESIDING OFFICER: (SENATOR SAVICKAS)  
31.                   Senator Gitz.  
32. SENATOR GITZ:  
33.                   Thank you, Mr. President. After the committee hearing, by

1. way of explanation, there were some problems that were encountered  
2. and I got the feeling that the Department of Agriculture, for  
3. example, was not exactly happy with the bill, although they  
4. formally supported it. So we held a meeting with the Institute  
5. of Natural Resources, Agriculture, the Department of Commerce  
6. and Community Affairs, to get to the bottom and hopefully  
7. get the car operating in all eight cylinders. This amendment  
8. is the outgrowth of that meeting. Here is what it does. The  
9. division of responsibility between the Department of Commerce  
10. and Community Affairs would not be on the basis of gallonage,  
11. originally it was less than five hundred thousand. The reason  
12. for that is Commerce and Community Affairs is primarily interested  
13. in the siting of plants. So we took away the gallonage altogether  
14. and allowed them to work with us. We felt that alcohol fuels  
15. cannot be divided on the basis of size of the distillery. This  
16. also deletes the provision that the Institute of Natural Resources  
17. shall disseminate information to prevent consumer fraud. On the  
18. face of it, that's a good idea, the problem of it is, is that  
19. with that language in the bill, it is quite likely that Director  
20. Block and everyone else will be the subject of suits when  
21. one of these distilleries has a problem. And, in fact, all they  
22. can do is distribute information. We eliminated that because  
23. of the legal problems. It adds the fire marshal is one of the  
24. agencies with...with which the Institute of Natural Resources  
25. shall coordinate. The reason for that is because any kind of  
26. distillery which involves pressurized tanks is going to involve  
27. the fire marshal. It finally deletes the provision that the  
28. Institute of Natural Resources shall coordinate with  
29. organizations. Private organizations adds a new wrinkle to  
30. it that we didn't feel was in order of the bill. That is the sum  
31. and substance of the amendment.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? Senator Geo-Karis.

1. SENATOR GEO-KARIS:  
2. Will the...sponsor yield for a question, as much as  
3. I'm the hyphenated cosponsor? I got a...an amendment here  
4. that says seven, paragraph 7, 8 and 9. Is that the amendment  
5. which you speak? All right, now...the Institute of Natural  
6. Resources is still the same group, is it not? It's supposed  
7. to coordinate all this information? Now, what...could you just...  
8. I'm sorry, I just came out of the telephone, I was...when you  
9. were debating this. Could you just give me in about one sentence,  
10. where the difference is.  
11. PRESIDING OFFICER: (SENATOR SAVICKAS)  
12. Senator Gitz.  
13. SENATOR GITZ:  
14. The prime difference is, we eliminate the gallonage limit  
15. for agriculture. We also add the fire marshal, we eliminate  
16. the Consumer Fraud Provision and we eliminate organizations.  
17. PRESIDING OFFICER: (SENATOR SAVICKAS)  
18. Senator Geo-Karis.  
19. SENATOR GEO-KARIS:  
20. I have no objection...  
21. PRESIDING OFFICER: (SENATOR SAVICKAS)  
22. Is there further discussion? If not, the question is  
23. shall Amendment No. 2 be adopted. Those in favor indicate by  
24. saying Aye. Those opposed. The Ayes have it. Amendment No. 2  
25. is adopted. Any further amendments?  
26. SECRETARY:  
27. Amendment No. 3 offered by Senator Gitz.  
28. PRESIDING OFFICER: (SENATOR SAVICKAS)  
29. Senator Gitz.  
30. SENATOR GITZ:  
31. Mr. Secretary, if...the amendment that we just dealt with  
32. is the proper one, all the rest should be withdrawn.  
33. SECRETARY:



1. This one here is changing protection to production.
2. This changes the word, "protection" to "production."
- 3.
4. (END OF REEL)
- 5.
- 6.
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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Gitz moves to withdraw Amendment No. 3. Any  
3. further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. 3rd reading. House Bill 3415, Senator Merlo. Read the  
8. bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 3415.

11. ( Secretary reads title of bill )

12. 2nd reading of the bill. The Committee on Pensions, Personnel,  
13. and Veterans Affairs offers two amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Merlo.

16. SENATOR MERLO:

17. Thank you, Mr. President. When this bill was first called  
18. on 2nd reading, Amendment No. 1 was adopted. However, there  
19. was another committee amendment that was not considered at the  
20. time, and I believe that the sponsor of the second amendment  
21. is now ready to proceed, and that's Senator Becker. So, I'd  
22. like to yield to Senator Becker.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator, we're just checking the record to see if Amendment  
25. No. 1 was adopted, and if it's on the Floor. It's not...any record  
26. on our Calendar. Senator, our Secretary's Office indicates it  
27. was not adopted, that it was taken out of the record. So, if  
28. we would proceed with Amendment No. 1 first.

29. SENATOR MERLO:

30. Thank you, very much. The Amendment No. 1 is merely a  
31. technical amendment, that was drafted and supported by the  
32. Comptroller's Office, Mr. Burris, and what it does, is it allows  
33. persons to continue be granted time toward retirement as they do

1. now in the event of sick days are used, and I move for the  
2. adoption of Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, the question is, shall  
5. Amendment No. 1 be adopted. Senator Rhoads.

6. SENATOR RHOADS:

7. Senator Merlo, is this a lump sum payment that will appear  
8. by itself or in a Personnel line item or how will...how will this  
9. show up in a budget? We had this same issue in Public Aid, that's  
10. why I'm asking.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Merlo.

13. SENATOR MERLO:

14. The amendment, Senator Rhoads, I'm told, deals with the  
15. Toll Road Authority and...and their adoption of a sick day  
16. plan.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. We are on Amendment No. 1, which was not adopted at our  
19. last Floor action. Is there further discussion? If not, the  
20. question is, shall Amendment No. 1 be adopted. Those in favor  
21. indicate by saying Aye. Those opposed. The Ayes have it.  
22. Amendment No. 1 is adopted. Are there further amendments?

23. SECRETARY:

24. Committee Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Merlo.

27. SENATOR MERLO:

28. Committee Amendment No. 2, I yield to Senator Becker, it's  
29. his amendment.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Becker.

32. SENATOR BECKER:

33. Thank you, Mr. President, and members of the Senate. Amend-  
ment No. 2, I must say first, has been approved by the Governor's

1. Office. It is approved by the Director of Personnel, Mr. Boys,  
2. the Assistant Director, Peter Valonie. The amendment reads,  
3. the amendment would continue to prohibit compulsory binding  
4. arbitration. But would clarify that the State may voluntarily  
5. enter into binding arbitration for resolution of grievances.  
6. I move for the adoption of Amendment No. 2, and ask for a  
7. roll call vote.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? Senator Rock.

10. SENATOR ROCK:

11. Well, I'm not sure the roll call will be necessary, if...  
12. if, in fact, there is no agreement. The question I have..if  
13. the sponsor will yield.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. He indicates he will.

16. SENATOR ROCK:

17. Can you explain to me, if this were the law today, what  
18. the difference would be between the personnel rules of the  
19. State of Illinois and the...the contract as it currently exists?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Becker.

22. SENATOR BECKER:

23. I believe what we're adding here is, Senator Rock, when  
24. the grievance procedure is exhausted, we're going to allow the  
25. Director of Personnel, it will be his decision as to whether or  
26. not he wishes...he may agree to binding arbitration. It is  
27. not compulsory that he goes to arbitration.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Rock.

30. SENATOR ROCK:

31. Well, Senator, I...I don't wish to quarrel. I have what  
32. purports to be Amendment No. 2, is this...this the one? And  
33. that...there is a paragraph amendment to Section 8F, which indicates

1. it is a new paragraph, and that new paragraph says, "where  
2. a negotiated agreement exists between the director representing  
3. the State, and an exclusive bargaining agent," some such exist  
4. currently, I am reliably informed, "the provisions of such  
5. an agreement shall prevail over the rules of the director relating  
6. to pay hours of work and other conditions of employment pro-  
7. mulgated pursuant to Section 8 hereof." I assume that we're talking  
8. about the Director of Personnel, and I also assume we're talking  
9. about the Personnel Code of the State of Illinois. And what  
10. I'm asking is, what is...if this were the law today, what's  
11. the difference between the Personnel Code and the negotiated  
12. agreement?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator...Senator Becker.

15. SENATOR BECKER:

16. Today, he does not have to go to binding arbitration. In  
17. the future he may decide to go to binding arbitration to settle  
18. the grievance. It is not compulsory, he may. It doesn't say  
19. he shall, he may. Senator Rock, this meets with the approval  
20. of the AFSCME Union.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rock.

23. SENATOR ROCK:

24. Well, what I'm suggesting, perhaps we're talking about two  
25. different provisions. As I now have the amendment, which is the  
26. same as the one that was apparently passed out, you're talking  
27. about...except voluntary binding arbitration may be agreed to,  
28. and I...I admit that is totally permissive, and I have...  
29. if that's what the Chief Executive wishes to agree to, frankly  
30. that's his business. What I'm suggesting, however, is the next  
31. section where it says, that when an agreement exists, which it  
32. currently does, and there's an exclusive bargaining agent, which  
33. there currently is, the provisions of such an agreement shall

1. prevail over the rules of the director, relating to pay hours  
2. of work and other conditions of employment promulgated pursuant  
3. to Section 8. Now, I'm assuming for the sake of my argument  
4. at least, that that's the Personnel Code. And my question is,  
5. such an agreement exists today...if this were the law today, what  
6. is the difference between the Personnel Code of the State of  
7. Illinois with respect to those employees of the State who are  
8. non-union as opposed to those who are covered by an AFSCME  
9. bargained for agreement.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Becker.

12. SENATOR BECKER:

13. My only answer to you on that Senator, is that when they  
14. have exhausted the grievance procedure, let's prevent a wild cat  
15. strike, let us say to the director, you may go to binding  
16. arbitration to settle this agreement on this grievance. That's  
17. all the director is asking to do.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. I am a little chagrined that  
22. the sponsor has decided to call this amendment. We had discussed  
23. it somewhat and I was under the impression that he had agreed  
24. that the amendment was really not pertinent to the bill itself.  
25. Admittedly it does...is germane, but it is also totally contrary  
26. to the thrust of the original bill. What it does, as Senator  
27. Rock has pointed out, is give the collective bargaining agreement  
28. domination over the Department of Personnel rules and regulations.  
29. It appears to me to be an unfortunate step too far down the road,  
30. too much of a recognition of collective bargaining, which this Body  
31. has not seen fit to wholeheartedly endorse so far, and I think  
32. it...by such action as this, we would be indirectly validating  
33. what we have directly refuted in the past. I would urge each

1. member to carefully evaluate what the objectives and end  
2. result would undoubtedly be here, and respectfully request that  
3. Amendment No. 2 be rejected.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Further discussion? Senator Regner.

6. SENATOR REGNER:

7. Yes, Mr. President, and members. The way I read this  
8. amendment, what I see it doing is, having mandatory unionism  
9. in the way that the department which up till now in their  
10. negotiation with AFSCME have been soft as a grape. They  
11. give them everything they want. They could force dues check  
12. off for those State employees who do not want to join AFSCME.  
13. I think it's absolutely wrong, and I think it's a disaster  
14. and the amendment certainly should be defeated.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, I...I think that we've gotten far afield in this  
19. amendment, and it...Senator Merlo and...and Senator Becker,  
20. I think have tried to explain. In a grievance procedure presently  
21. a State employee covered by a contract has the option of deciding  
22. under which rules he will have his grievance decided. It is  
23. unfair to many employees in the State of Illinois to allow  
24. that to happen. If a contractually covered employee goes  
25. three quarters of the way through his grievance and finds that  
26. the State Personnel Code is more favorable to his case he can  
27. ask the arbitrator to rule on his case based on the Personnel  
28. Code, and the arbitrator says no, no wait a minute, you are  
29. a covered employee by contract, and he says I don't care, I'm  
30. still covered by the State laws of the State of Illinois and  
31. decide in my favor, and he wins the case. A contractually  
32. covered employee will take up another case for grievance and  
33. three quarters of the way through he finds that the contract

1. is more beneficial to his case, and he tells the arbitrator  
2. don't rule on the Personnel Code Rules, I want my case  
3. decided under our contract. He says, no, no, you're a State  
4. employee, the State laws prevail, and they say no, no, decide  
5. this case under our contract. All the Department of Personnel  
6. wants and the union would like to do, is once an employee  
7. decides to go under contractual obligation with the State his  
8. grievances are decided by that contract. We're talking about  
9. grievances not the entire State of Illinois, and all its laws,  
10. on grievances. If he is not a covered employee, the Department  
11. of Personnel Rules...will determine. The Civil Service Commission  
12. says, give us one set of rules to decide how these cases ought  
13. to be adjudicated, and...and that's all it does. And I don't  
14. think we ought to get too far afield, frankly, I think it's...  
15. it's a very simple amendment to understand, I think one that  
16. Senator Becker has explained well, but it's...it's a matter  
17. of giving everyone the same set of rules, if they're  
18. a contractual employee or if they're a non-contractual covered  
19. employee.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Further discussion? Senator Nimrod.

22. SENATOR NIMROD:

23. Thank you, Mr. President, and Ladies and Gentlemen of  
24. the Senate. It seems to me that we have an Executive Order  
25. that, in fact, makes collective bargaining effective within the  
26. State employees, and what we're doing in effect, is taking and  
27. putting in some legislative approvals, especially in the areas  
28. of binding arbitration, and entering into some procedures  
29. which were brought out by both Senator Berning, Senator Rock,  
30. and Senator Regner. I would think that this is the wrong  
31. approach, and before this...this...at least the Senate has  
32. agreed to the whole basic concept of collective bargaining  
33. for public employees, outside the Executive Order, that we  
ought to not be passing legislation that, in fact, involves us



1. in that procedure, and I think that all we can do is complicate  
2. the picture and get ourselves involved in something which this  
3. Senate has rejected.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, Senator Becker...  
6. Senator Walsh.

7. SENATOR WALSH:

8. Mr. President, and members of the Senate. Just briefly to  
9. echo the remarks of Senator Berning and Regner, and also to  
10. point out the...the problem that might exist with voluntary arbitration.  
11. I don't believe that the Director of Personnel would be asking  
12. for this permission unless he wanted to enforce it, and I'm  
13. just concerned with the possibility that the arbitrator might  
14. be the same one who ruled in the case of Bruce Suter. So, I think  
15. we should vote No on this amendment.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, Senator Becker may  
18. close debate.

19. SENATOR BECKER:

20. Thank you, Mr. President, and before closing I want to  
21. repeat so everybody understands the amendment. The amendment  
22. would continue to prohibit compulsory binding arbitration. But  
23. would clarify that the State may voluntarily enter into binding  
24. arbitration for resolution of all grievances. I ask for a favorable  
25. vote, and I ask for a roll call vote, Mr. President.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is, shall Amendment No. 2 be adopted. Those  
28. in favor will vote Aye. Those opposed vote Nay. The voting  
29. is open. Have all voted who wish? Have all voted who wish?  
30. Take the record. On that question, the Ayes are 33, the Nays  
31. are 19. 1 Voting Present. Amendment No. 2, having received  
32. the majority is declared adopted. Any further amendments?

33. SECRETARY:

HB 3427  
2<sup>nd</sup> Reading  
6-23-80

1. No further committee amendments.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Any amendments from the Floor?
4. SECRETARY:
5. No Floor amendments.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. 3rd reading. House Bill 3426, Senator Davidson. House
8. Bill 3427, Senator Schaffer. Read the bill, Mr. Secretary.
9. SECRETARY:
10. House Bill 3427.
11. ( Secretary reads title of bill )
12. 2nd reading of the bill. The Committee on Executive offers
13. two amendments.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Schaffer.
16. SENATOR SCHAFFER:
17. Mr. President, Amendment No. 1, I guess...this is what's
18. commonly referred to as the Kempiners' Bill. Amendment No. 1
19. is what's commonly referred to as the Miller Amendment. It
20. deletes some requirements for the Director of Public Health,
21. and I don't believe there's any controversy on this particular
22. amendment. I believe it's in order.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Further discussion? If not, the question is, shall Amendment
25. No. 1 be adopted. Those in favor indicate by saying Aye. Those
26. opposed. Ayes have it. Amendment No. 1 is adopted. Any further
27. amendments?
28. SECRETARY:
29. Committee Amendment No. 2.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Schaffer. Senator Regner.
32. SENATOR REGNER:
33. Well, of course, this is a Do Adopt amendment, it was a

1. committee amendment adopted by the majority of the members in the  
2. committee, and the feeling of the committee was that the problems  
3. in the Department of Mental Health certainly are more than  
4. amplified in the...the Department of Public Health are more  
5. ...amplified than the Department of Mental Health. And it  
6. puts the same...leeway in that says the Director of Mental  
7. Health does not necessarily have to be a psychiatrist. You  
8. know, over the years we've had a problem in the Department  
9. of Mental Health, we've got over half a billion dollar budget,  
10. of money floating around here. Many times it was very inadequate  
11. management. And all it does, it takes exactly the same requirements  
12. for the Department of Public Health as the Department of Mental  
13. Health, it has the same theory and philosophy that it doesn't  
14. necessarily have to be a doctor or a psychiatrist, and I think  
15. it's a excellent, excellent proposal for better management of  
16. the Department of Mental Health. And I move its adoption.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President, and Ladies and Gentlemen of  
21. the Senate. I rise in opposition to Amendment No. 2, and  
22. would like to point out that...that amendment was adopted  
23. after much discussion and no little controversy by an 8 to  
24. 7 vote, frankly, it was not in any respect a partisan roll call.  
25. I voted No then, and I intend to vote No now. Everyone is  
26. well aware, I'm sure that the eminent Director of the Depart-  
27. ment of Mental Health, Doctor DeVito who is, in fact, a  
28. ...psychiatrist has opted to go back to the private sector  
29. commencing July 1. I am reliably informed that there are  
30. a number of eminent candidates for the position, all of whom  
31. are psychiatrists, and to put this kind of change in the law  
32. at this time, simply is totally unnecessary. The bill as  
33. introduced attempted to accommodate the gubernatorial selection  
of...of a House member who admittedly had great expertise in

1. the area, but was not in full compliance with the Statute.  
2. The ...Amendment No. 1 attempted to do the same thing and does the  
3. same thing, in fact, for the gubernatorially selected and  
4. approved by this Senate, Director of Public Aid. Now, it  
5. just seems to me that...that this is unnecessary at this time,  
6. and it's a change in policy, a pretty dramatic change for  
7. that department, that we really don't have to get involved  
8. in it. I would urge a No vote on Amendment No. 2.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. I join Senator Rock in opposing this amendment. If you will,  
13. shoulder to shoulder against the amendment, Senator Rock, we  
14. don't see eye to eye on everything, but I think it should  
15. be pointed out that the Mental Health Code, including the  
16. new Mental Health Code was based on the assumption that the  
17. Director of the Department of Mental Health was, in fact,  
18. a psychiatrist. And while there may be some merit to the  
19. argument that what we really need is an administrator backed  
20. up by a team of psychiatrists, that amendment does not...is  
21. not drafted this way. The amendment, I think, will be adverse  
22. to the progress of this bill, and flies in the face of the  
23. entire Mental Health Code, and I'll just give you a for  
24. instance. Well, I won't belabor the thing, but I don't  
25. think this is something we want to do.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. We have the following Senators that sought recognition:  
28. Senator Hall, D'Arco, Buzbee, Wooten, now Nimrod, Rhoads, and  
29. Maitland. Senator Hall.

30. SENATOR HALL:

31. Thank you, Mr. President, and Ladies and Gentlemen of the  
32. Senate. I rise in opposition to this. Our President has discussed  
33. it and put it in its proper perspective, but I would like to

1. say also, that even the Medical Society is opposed to this.  
2. There's no need of us making this change at this time.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator D'Arco.

5. SENATOR D'ARCO:

6. Thank you, Mr. President. To argue that the Department of  
7. Public Health and Mental Health are basically the same is in-  
8. correct because there are many aspects of mental health care  
9. in the Department...Department of Mental Health that are not  
10. addressed in Public Health. They deal with medical and  
11. psychiatric problems, as well as physical problems and the  
12. director should know on a day to day basis, be...have knowledge  
13. about these medical and physical and psychiatric problems. So,  
14. I oppose this amendment. Thank you.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Thank you, Mr. President. A few weeks ago I went to  
19. Senator Regner and I said I have an idea which I think you might  
20. like, and that is that we change that bill to help Bill  
21. Kempiners to the point where the Director of the Department  
22. of Mental Health and Developmental Disabilities does not have  
23. to be a psychiatrist, because quite frankly, I think that  
24. psychiatrists don't make the best administrators. That is  
25. no reflection on the current director who is resigning effective  
26. June 30th, but I just feel that we ought to be able to...to  
27. have a broader perspective a broader field from which to  
28. choose. At which point, Senator Regner informed me, he had  
29. put that amendment on the bill in committee the day before,  
30. and I didn't even know that he was thinking about that or that  
31. anybody else was thinking about it, quite frankly. But our  
32. problem, of course, in the Department of Mental Health and  
33. Developmental Disabilities is...is a similar one to the Depart-  
ment of Public Health. And that is, you can't find a good doctor

1. who's willing to work for the State of Illinois for the  
2. salary that we pay them and those by...by Statute in those  
3. particular positions. I think it is also, historically proven  
4. that psychiatrists tend to be...come from a very narrow perspective,  
5. they have no administrative background, they have no particular  
6. administrative experience, and no particular administrative  
7. expertise. The time has come for us to give the Governor  
8. the opportunity to broaden the field of candidates. To go  
9. to candidates, who, in fact, do have administrative ability  
10. and administrative background, and administrative expertise  
11. Now, as to why the Governor's Office is fighting this, I...I  
12. don't have the slightest idea. I think it's very strange and  
13. funny that they are fighting it. But I think it's good public  
14. policy, that we say that the Governor of this State may be  
15. able to expand his field of candidates and go to candidates  
16. from all walks of life who do have expertise in Mental Health  
17. and expertise in developmental disabilities, and expertise  
18. in administration. I think it's a good amendment. I think  
19. we ought to put it on. If I were the Governor of this State  
20. or any other member of this Body were the Governor of this  
21. State, I think that they would like to have the ability to  
22. choose who they wanted, to be the Director of the Department of  
23. Mental Health and Developmental Disabilities, and not be  
24. restricted just to psychiatrists. I think it's a good amend-  
25. ment and we ought to put it on.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Wooten. Senator Wooten.

28. SENATOR WOOTEN:

29. Thank you, Mr. President. I personally don't believe any  
30. of these things are very important. We change the qualifications  
31. every time there's a new director of almost any department, and  
32. I agree with that, I think the Governor ought to be able to  
33. appoint just about anybody he wants. He can pick the person, man

1. or woman, and I've voted for every one of them, and will continue  
2. to do so regardless of who the Governor is. I voted for  
3. this amendment in committee merely to point up a ludicrous  
4. aspect of the original bill, in which I intend to oppose  
5. in a further amendment, but I'm going to jump ship on you right  
6. now, Senator Regner. I wanted to provoke a discussion, and  
7. I think it's absolutely true that probably it's better to have  
8. someone who's not a doctor in Public Health and not a psychiatrist  
9. in Mental Health, you really need folks who can administer it.  
10. If you run into that rare combination, you're lucky, but I don't  
11. think we ought to count on luck all the time. But the thing  
12. I find offensive is the Medical Determination Board, which  
13. I think is an insult to Representative Kempiners, and the  
14. reason I voted for this amendment is because it does the  
15. same kind of Rube Goldberg thing in the Department of Mental  
16. Health. But I believe that we ought to leave this until the  
17. ...it becomes a live question. If the Governor ever wants to  
18. appoint some insurance agent as the head of the Department of  
19. Mental Health, you know, as long as he's not on the lam from  
20. the law, it's okay with me. But I will part company with you  
21. on this Senator Regner, and then get back to the real problem  
22. in the original bill with a later amendment.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. We have the following Senators that still seek recognition.  
25. Nimrod, Rhoads, Maitland, Davidson, Knuppel, and Collins.  
26. Senator Nimrod.

27. SENATOR NIMROD:

28. Thank you, Mr. President. I believe that the time is important  
29. for us to be considering this now, since we are going to be  
30. working on selecting a new director for the Department of Mental  
31. Health. It seems to me that the time has come that we have  
32. acknowledged in the medical field that every hospital practically  
33. in this...I know in this State, in fact, has an administrator

1. and then has a medical administration. It seems to me that  
2. we cannot find the kind of administration that's necessary  
3. for efficiency, and for a man...running an administrative  
4. department at the same time, have the medical expertise that's  
5. needed in order to make the decisions. And it's even more  
6. important in the field of psychiatry, because they are a  
7. specialization in the whole medical field, that there be an  
8. administrator to administer the vast number of institutions  
9. and the complicated problem of administering to those thousands  
10. of people that we've turned back to the community. Now,  
11. it seems that at this particular time we are making a  
12. selection of a new individual, the field ought to be broadened,  
13. and we should give them a chance to consider this. I think that  
14. the county hospital was an example, that we went and got ad-  
15. ministrators. I think the fact that we've gone to other  
16. departments and put administrators in it...we're concerned  
17. about the millions and millions of dollars that go into  
18. both these areas, and one of the biggest problems with our  
19. Department of Mental Health, is administration. I think this  
20. is an opportune way of having both individuals available to  
21. us to administer and as well provide care for the individual  
22. patient, and that's what it's really all about. And if we  
23. want to provide good care, and make sure our dollar..in fact,  
24. doing the right job, we ought to give them the tools and the  
25. expertise to do it with. Administration is not medical  
26. supervision, and medical supervision is not administration. We  
27. need two individuals there, and we ought to at least allow  
28. that choice to be available to the Governor if he so chooses.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rhoads.

31. SENATOR RHOADS:

32. Thank you, Mr. President, and members of the Senate. I  
33. rise in support of Amendment No. 2. I would point out that



1. Doctor DeVito is a constituent of mine, he was prior to the  
2. time that he moved into my district a resident of Senator Bowers  
3. district. Both of us on various occasions, sat with him for  
4. confirmation by the Senate Executive Committee. I just want  
5. to say that before he does leave, I'm very sorry to see him  
6. go, I admired the man, I admired his professionalism. I  
7. admired his independence, which may have been the thing that  
8. got him in bad graces with some people on occasion. But I'm  
9. very, very sorry to see Doctor DeVito leave. He was a psychiatrist  
10. and was also politically tactful and an administrator. But  
11. this amendment only provides us the option of having an  
12. administrator who is not a psychiatrist appointed to that  
13. position. The representative of the Medical Society came  
14. to me and said, well there are situations under which this  
15. person must make medical judgments. There's only one concrete  
16. example that they could come up with, and it was not an  
17. example of something that couldn't be handled at a lower  
18. level, it could have. So, I think the...the Medical Society  
19. very, frankly, although they're good friends, are knee jerk  
20. reacting on this one, and simply haven't made the case that...  
21. that they think they have. Finally, in response to Senator  
22. Rock, I don't know why in the world anyone who was not a  
23. psychiatrist would apply for the job since under the current  
24. law only psychiatrists might be considered. Heaven only knows  
25. we might have a lot of other qualified people apply if that provision  
26. were not in the law. Let's knock it out now.

27. PRESIDENT:

28. Further discussion? Senator Maitland. Senator Davidson.

29. SENATOR DAVIDSON:

30. Move the previous question.

31. PRESIDENT:

32. Senator Collins. Senator Netsch.

33. SENATOR NETSCH:

1. Thank you, Mr. President. I think that under many cir-  
2. cumstances there is justification for not writing what appear  
3. to be somewhat restrictive provisions into the Statutes with  
4. respect to the operating heads of agencies. The...as we  
5. have seen on many occasions, we often find that in order to  
6. get the good kind of administrator that we want that those  
7. restrictions become unduly burdensome, and then we find that  
8. we have to go through, what we in effect are going through right  
9. now, with respect to Public Health, that is an acting director  
10. until it is time to change him. There is one point that I  
11. think needs to be brought out with respect to the...the  
12. Department of Mental Health. It's not just the long history  
13. of why we did have a...psychiatrist required to head the  
14. department. That had to do with the very bad reputé in which  
15. the department was, or the whole operation was at the time  
16. the Department of Mental Health was created and the psychiatrist  
17. requirement was written in. It was necessary then in order  
18. to give the department that kind of professional cast that  
19. would make it possible to bring it up. A lot of improvement  
20. obviously has taken place in those years since, and at some  
21. point probably we can do without the provision. But right  
22. at the moment, while we are in transition, the person who  
23. was asked by Governor Thompson to serve as the head of the  
24. Search Committee for the new director, Harold Vosotski, who  
25. in fact, was a former Director of the Department, has indicated  
26. to me that they are making very substantial progress right  
27. now, they have been able to attract interest on the part  
28. of...some individuals who are psychiatrists whom they think  
29. would do the job very well, and it is Doctor Vosotski's view  
30. and that of the members of the Search Committee, that if the  
31. change were made right at this moment, that it would really  
32. greatly hamper their work, and would, in effect, hinder their  
33. credibility with respect to some of those with whom they

1. have been negotiating. I think his plea to me is, if...give  
2. us a chance to see if we cannot find a psychiatrist, because  
3. we seem to be making great progress. If, as it turns out we  
4. are not able to do that, then at a later point consider re-  
5. moving that restriction. But he has sufficient confidence  
6. right now that they are going to be able to satisfy the twin  
7. requirements of the professional head, who is also a good  
8. administrator, that they would not like to have that requirement  
9. taken away from them at the very moment that they are engaged  
10. in negotiations. And so for that reason, I would hope that  
11. we would not make the change, at least at this time.

12. PRESIDENT:

13. Further discussion? Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I...I generally don't agree with Senator Buzbee,  
16. but for once he and Regner are one hundred percent right. Some-  
17. body may be a brilliant psychiatrist, but I'll tell you they  
18. can be the worst damn housekeeper in the world. And the  
19. question is here, is this a political office or is it a  
20. medical office. I think that the administration is the most  
21. important of the two, and that the...the good administrator  
22. is more apt to rely on the psychiatrist for the medical part  
23. of it, than the...than the...than the other way around, the  
24. psychiatrist relying on somebody to administer. If I've ever  
25. seen a mixed up group of people...I, on occasion, have to deal  
26. with psychiatrists on behalf of clients, and after I've been  
27. with them about fifteen minutes, they start asking me problems  
28. of their own. I always said if I could be paid to psychoanalyze  
29. psychiatrists in proportion to the way they are paid to  
30. psychoanalyze other people, I'd be a millionaire and only have  
31. to handle about two or them a day. I just can't think of  
32. anybody over the total picture that would be more mixed up  
33. in the administration. You've going to be lucky if you find any-  
body who is a psychiatrist, who is able to run even a household.

1. PRESIDENT:

2. Any further discussion? Senator Regner may close.

3. SENATOR REGNER:

4. Well, Mr. President, and members. It's obvious the Governor's  
5. Office and the Medical Society have done extensive lobbying  
6. on this. But I want to quote some of the things that were  
7. said about why and how...the people in the Medical Society  
8. told me that they have to defeat this amendment, because  
9. the psychiatrists are driving them crazy over the last week-end.  
10. The Governor's Office says that they have to defeat this  
11. amendment mainly because they have promised a job to one in-  
12. dividual. Now, if this bill is supposed to really clean up  
13. State government, make it move viable, more operative, and  
14. better for the people of the State of Illinois, you should have  
15. it for more than one individual, and it should go as far as  
16. it should...as it possibly can. I certainly think this amend-  
17. ment would take a great step forward to having the Department  
18. of Mental Health run in a fiscally sound manner, something that  
19. hasn't been done over the last several years, fourteen that  
20. I know of that I've been here. And I'd urge an Aye vote, and  
21. ask for a roll call.

22. PRESIDENT:

23. Senator Regner has moved the adoption of Amendment No. 2  
24. to House Bill 3427. Those in favor of the amendment will vote  
25. Aye. Those opposed will vote Nay. The voting is open. Have  
26. all voted who wish? Have all voted who wish? Have all voted  
27. who wish? Take the record. On that question, the Ayes are 9,  
28. the Nays are 48. None Voting Present. The amendment fails.  
29. Are there further amendments? Are there further amendments?

30. SECRETARY:

31. No further committee amendments.

32. PRESIDENT:

33. Amendments from the Floor?

1. SECRETARY:

2. Amendment No. 3 offered by Senator Carroll and Moore.

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President, and Ladies and Gentlemen of the  
7. Senate. This is an amendment Senator Moore and I are offering  
8. to guarantee funding for Oak Forest Hospital for their hospital  
9. type costs. This is a substantive legislation, and I would  
10. move adoption of Amendment No. 3, and answer any questions.

11. PRESIDENT:

12. All right, Senator Carroll has moved the adoption of  
13. Amendment No. 3 to House Bill 3427. Any discussion? Senator  
14. Schaffer. Further discussion? Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, I think an obvious question, why for that one  
17. hospital. I...I don't understand why we're doing it.

18. PRESIDENT:

19. Senator Moore.

20. SENATOR MOORE:

21. To respond, Senator. The Oak Forest Hospital, which is  
22. in my district, is the only hospital licensed by the Illinois  
23. Department of Public Health that is not reimbursed on a cost  
24. reimbursement basis as is set forth. The problem that we've  
25. had with the Department of Public Aid, they should be paid  
26. as a hospital. They are licensed as a hospital by the Illinois  
27. Department of Public Health. They are accredited by the Joint  
28. Committee on Accreditation of Hospitals, having a three year  
29. license. It is a hospital, it should be paid as a hospital.

30. PRESIDENT:

31. Further discussion? Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, I really...I am familiar with the problem, at least

1. slightly. I'm not quite sure how this impacts on this bill.  
2. Is it germane? Would favorably...ask for an opinion from the  
3. Chair.

4. PRESIDENT:

5. All right, the Chair is prepared to rule on Amendment No.  
6. 3, is not germane. Further amendments?

7. SECRETARY:

8. Amendment No. 4 offered by Senator Wooten.

9. PRESIDENT:

10. Senator Wooten.

11. SENATOR WOOTEN:

12. Is that the one marked A or B? Do you know?

13. SECRETARY:

14. A. A.

15. SENATOR WOOTEN:

16. Withdraw that.

17. SECRETARY:

18. Amendment No. 4 offered by Senator Wooten.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Thank you, Mr. President. This is just a personal concern  
23. of mine, I don't know if anyone else shares it. But I thought  
24. that the original bill was a little insulting. If you look  
25. at the bill itself, it says that you can appoint someone who  
26. is not a doctor, but then a Medical Determination Board has to  
27. be set up to pass on what the director does. To me that's a  
28. startling lack of confidence in the director. I happen to  
29. think that former Representative Kempiners is able to run the  
30. department, he can certainly hire all the medical information  
31. and assistance he needs, and the Medical Determination Board  
32. is an unwieldy and unnecessary addition to the department.  
33. And I move the adoption of the amendment.

1. PRESIDENT:

2. Senator Wooten has moved the adoption of Amendment No.  
3. 4 to House Bill 3427. Any discussion? Senator Schaffer.

4. SENATOR SCHAFFER:

5. Mr. President, I rise in opposition to this amendment.  
6. Senator Wooten, I don't think anyone was trying to insult any-  
7. one with that language. The simple fact is, that the entire  
8. Public Health Code was drafted with a very clear understanding  
9. that the director would, in fact, be an MD a medical professional,  
10. and presumably capable of making medical decisions. For us to  
11. strike this section on the Medical Advisory Board would, in my  
12. opinion, at least, based on the information I am given by, what  
13. I would call reliable sources, would invalidate through legal  
14. action, virtually all of the regulations of the Department of Public  
15. Health. The regulations controlling abortion clinics, inspection  
16. of restaurants, which I know you have some interest in. All of  
17. these things would be subject when the director tried to  
18. implement them. One of the first defenses of the people who  
19. are being brought to, shall we say, court for alleged trans-  
20. gressions, their immediate defense would be how do you know,  
21. you're not a doctor. And that is the purpose of the Medical  
22. Board, is to maintain that type of continuity so that we can, in  
23. fact, enforce all of the laws on the books concerning the powers  
24. of this department. I think the amendment would open the door  
25. for some unbelievable situations, and I don't think Senator  
26. Wooten wants those situations any more than I do.

27. PRESIDENT:

28. Any further discussion? Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President. I discover in looking at this  
31. 3427 quickly that this Advisory Board is entitled to a hundred  
32. fifty dollars per day for each day required for transacting  
33. the business of the board. And it shall also be reimbursed  
for necessary expenses. It looks to me that we are again setting

1. up nice little bureaucracy here, that will continue to grow,  
2. the expenses will continue to mount, and we will have saved  
3. nothing whatsoever, except add to the bureaucracy and the red  
4. tape. I agree with Senator Wooten, if we are going to have  
5. a...an administrator, then let him hire whomever he wants  
6. on his staff, but let's don't saddle him with a board of  
7. so-called professionals who are going to be of no advantage  
8. to him or the public.

9. PRESIDENT:

10. Further discussion? Senator Wooten may close.

11. SENATOR WOOTEN:

12. Really, my colleagues, I do this not out of any inconsiderate  
13. approach to the bill. I...I really believe that this is en-  
14. cumbering the new director in anunnecessary way. Note that  
15. in the bill, it says, the Medical Determination Board shall  
16. approve all proposed rules and regulations affecting the  
17. medical operations and programs of the Department of Public  
18. Health. And they got to be let in on everything. This is  
19. not going to underline the director. The Statutes talk about  
20. the Director of the Department of Public Health, and if we  
21. change his qualifications, then that's it, he's the director.  
22. The reason we have this, is a kind of agreement with the  
23. Medical Society to compensate them for not having a physician  
24. named to the post. That's it clear and simple, and I just  
25. don't think it's the kind of negotiation that ought to have  
26. been made. I believe that Representative Kempiners or whoever  
27. the Governor names can do the job, and they need not have all  
28. their actions subject to review by a board of doctors. I  
29. move the adoption of the amendment.

30. PRESIDENT:

31. Senator Wooten has moved the adoption of Amendment No. 4  
32. to House Bill 3427. Those in favor of the amendment will vote  
33. Aye. Those opposed will vote Nay. The voting is open. Have all  
voted who wish? Have all voted who wish? Have all voted who



1. wish? Take the record. On that question, the Ayes are 27,  
2. the Nays are 21. Amendment No. 4 is adopted. Further amendments?  
3. SECRETARY:  
4. No further amendments.  
5. PRESIDENT:  
6. 3rd reading. 3490, Senator Nedza. 3510, Senator Knuppel.  
7. On the Order of House Bills 2nd reading, the bottom of page  
8. 17, is House Bill 3510. Read the bill, Mr. Secretary.  
9. SECRETARY:  
10. House Bill 3510.  
11. ( Secretary reads title of bill )  
12. 2nd reading of the bill. No committee amendments.  
13. PRESIDENT:  
14. Are there amendments from the Floor?  
15. SECRETARY:  
16. No Floor amendments.  
17. PRESIDENT:  
18. 3rd reading. Top of page 18, 3536, Senator Davidson.  
19. On the Order of...3536, okay. All right, we will...all right  
20. we will begin on the Order of House Bills 3rd reading, where  
21. we left off last week. Senator Rhoads, for what purpose do  
22. you arise?  
23. SENATOR RHOADS:  
24. Mr. President, before we go to that order pursuant to  
25. an agreement reached in committee, at the top of page 5, House  
26. Bill 2918 should be shown as Rhoads-Nash. Hyphen Nash.  
27. PRESIDENT:  
28. All right. 2918, Senator has suggested that a Calendar be  
29. changed to reflect the fact that it's Rhoads-Nash. 2918.  
30. Senator Bruce.  
31. SENATOR BRUCE:  
32. The...yes, with leave of Senator Knuppel, House Bill 3153,  
33. of which I am now the principal sponsor will be now under the

1. direct control and sponsorship of Senator Knuppel. And there's  
2. no dash, it's just Knuppel for Bruce. 3153.

3. PRESIDENT:

4. 3153. Leave has been granted to show Senator Knuppel as  
5. the chief sponsor. Is leave granted? Leave is granted.  
6. So ordered. Senator Egan, on the same...Senator Egan.

7. SENATOR EGAN:

8. Yes, as long as we're of that mind, Mr. President, I would  
9. like to show Senator Martin as the hyphented co-sponsor on 2860.

10. PRESIDENT:

11. 2860, Senator Martin as the hyphented co-sponsor. Is leave  
12. granted? Leave is granted. So ordered. All right, on the Order  
13. of House Bills 3rd reading, the middle of page 3, this is where  
14. we left off last week. House Bill 2824, Senator Nash. On  
15. the Order of House Bills 3rd reading, is House Bill 2824. Read  
16. the bill, Mr. Secretary, please.

17. SECRETARY:

18. House Bill 2824.

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

21. PRESIDENT:

22. Senator Nash. 2837...take it out of the record. 2837,  
23. Senaator Hall. On the Order of House Bills 3rd reading,  
24. House Bill 2837. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 2837.

27. ( Secretary reads title of bill )  
28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Hall.

31. SENATOR HALL:

32. Thank you, Mr. President, and Ladies and Gentlemen of the  
33. Senate. This is a very simple bill, it just simply allows that

1. House Bill 2837 is a grant of power to the State Fire Marshal to  
2. make grants to units of local government for the purpose of  
3. fire protection. And all the parties involved in the fire  
4. protection in Illinois is in favor of this bill. Senator  
5. Weaver put an amendment on it to say that if there were no  
6. Federal funds available that the State funds would not be used.  
7. Is that correct? The Chief of the Fire Association, all the  
8. Fire Fighter Unions, all parties agree on this bill. There's  
9. no opposition that I know of, and I'd ask for your most favorable  
10. support of the bill.

11. PRESIDENT:

12. Any discussion? Senator Regner.

13. SENATOR REGNER:

14. Well, Mr. President, and members. The appropriation for  
15. this concept was before the Appropriations Committee about a couple  
16. of months ago, and it was defeated, it was for forty-eight thousand  
17. dollars. This, again, is a program that I haven't had any  
18. contact or any communication...hasn't been one fire chief or  
19. one fire organization that's talked to me about it, and it's  
20. just an expansion again, and probably in one particular area  
21. of the State. I'm not sure where it's supposed to go, but there  
22. is no appropriation for this bill, and I see no need for the bill,  
23. and urge its defeat.

24. PRESIDENT:

25. Further discussion? Senator Hall may close.

26. SENATOR HALL:

27. Well, evidently...that Senator Regner wasn't listening.  
28. The amendment takes care of that, Senator. There...it says if  
29. there's no State...no Federal funds you can't use State funds.  
30. Once again, one of the "famous 4" raises his head. I would ask  
31. for your most favorable support of this bill.

32. PRESIDENT:

33. The question is, shall House Bill 2837 pass. Those in favor

1. will vote Aye. Those opposed will vote Nay. The voting is  
2. open. Have all voted who wish? Have all voted who wish?  
3. Will you vote Senator Donnewald Aye, please. Have all voted  
4. who wish? Take the record. On that question, the Ayes are  
5. 46, the Nays are 12. None Voting Present. House Bill 2837,  
6. having received the required constitutional majority is de-  
7. clared passed. 2841, Senator Joyce. On the Order of House  
8. Bills 3rd reading, is House Bill 2841. Read the bill, Mr.  
9. Secretary.

10. SECRETARY:

11. House Bill 2841.

12. ( Secretary reads title of bill )

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Joyce.

16. SENATOR JEROME JOYCE:

17. Yes, that's what the bill does, it authorizes county to  
18. formulate weather modification programs, that means cloud  
19. seeding. It means they can levy taxes, seek partial State  
20. grants for such programs, pursuant to having first filed public  
21. petitions and referendums. It allows the Institute of Natural  
22. Resources to take jurisdiction over this, and they would be  
23. eligible to fund these programs at fifty percent of the projects  
24. cost.

25. PRESIDENT:

26. Any discussion? Senator Grotberg.

27. SENATOR GROTBORG:

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

29. PRESIDENT:

30. Indicates he'll yield. Senator Grotberg.

31. SENATOR GROTBORG:

32. You articulated rather well the powersthat go with this  
33. Act, but could you tell me Senator, to what degree we have

1. weather modifications now at the National and State level that  
2. couldn't be done by this...

3. PRESIDENT:  
4. Senator Joyce.

5. SENATOR GROTBORG:  
6. ...or without it?

7. SENATOR JEROME JOYCE:  
8. Well, a recently completed assessment of the rain fall  
9. data in southeastern Illinois, has showed that these have  
10. significant...statistically significant increase in rain fall,  
11. with cloud seeding. So, this would allow the counties to decide  
12. whether they wanted to, you know, to participate in this with the  
13. State's help.

14. PRESIDENT:  
15. Senator Grotborg.

16. SENATOR GROTBORG:  
17. Further question. Is this then, enabling legislation for  
18. some Federal funny money that's already in Illinois through  
19. the institute? Do you...is that why...are there earmarked  
20. funds for this, Federal funds?

21. PRESIDENT:  
22. Senator Joyce.

23. SENATOR JEROME JOYCE:  
24. I don't know of any, Senator.

25. PRESIDENT:  
26. Senator Grotborg.

27. SENATOR GROTBORG:  
28. Our data shows that there is. In our research, and it  
29. is supported by the Institute of Natural Resources, and we  
30. had a brief, but healthy debate in committee on it. And it  
31. may look like the county is going into...seeding rain clouds is  
32. kind of a far out idea, but it's my understanding that there are  
33. some Federal funds available for this, and any county that...  
certainly would take the trouble through the State Water Survey

1. Division, and should be able to do so, based on this. I have  
2. no opposition to the bill.

3. PRESIDENT:

4. Further discussion? Senator Martin.

5. SENATOR MARTIN:

6. Will the sponsor yield?

7. PRESIDENT:

8. Indicates he'll yield. Senator Martin.

9. SENATOR MARTIN:

10. Two brief questions. You mentioned levy power, if counties  
11. are...are allowed to levy could you tell me...us what it would be,  
12. and two, is that levy by referendum or within their...just kind  
13. of powers that we're giving them by the bill?

14. PRESIDENT:

15. Senator Joyce.

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(END OF REEL)

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33.

1. SENATOR JEROME JOYCE:

2. ...Five percent of the county's voters in the last  
3. Presidential Election must submit a petition to the county  
4. board for referendum to be voted on in the next general  
5. election.

6. PRESIDENT:

7. Further discussion? Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. ...I believe Senator Joyce answered my question.

10. PRESIDENT:

11. Senator Johns. Senator Wooten.

12. SENATOR WOOTEN:

13. I...don't know what's going on here. It seems to me the  
14. bill is only two lines. Is that right? Just the change in...  
15. the only thing that...that the bill does, 'cause all that  
16. other stuff is in place now. We passed that, I remember...  
17. arguing against this bill many years ago and I believe that  
18. authority is all in place and as I read the bill, all it  
19. does is permit the State Water Survey Division to monitor  
20. and evaluate all weather modification operation in Illinois.  
21. Is that correct? Have I got the wrong bill? That's beautiful.  
22. Well, it doesn't indicate that it's an amendment and that's the  
23. ...well let's find out what the bill really is...yeah, I'm  
24. curious as to just what the heck the bill does. Yeah, I believe  
25. all it does is permit the State Water Survey Division to monitor  
26. all weather modification operations in Illinois and that's not  
27. a bad idea, but that's all it does.

28. PRESIDENT:

29. Senator Joyce.

30. SENATOR JOYCE:

31. ...Correct, I'm reading the House analysis and that's wrong.  
32. That's what it does.

33. PRESIDENT:

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Well, then, yes. And all the other questions, I think,  
4. might lead people to think that we're getting into something  
5. rather profound. All the bill does is to say the State Water  
6. Survey Division of the Institute may monitor and evaluate  
7. all weather modification operations in Illinois, and that's  
8. not a bad idea. I certainly am in support of the bill.

9. PRESIDENT:

10. Further discussion? Senator Johns.

11. SENATOR JOHNS:

12. Yeah, now all this about referendums and all that's just  
13. hogwash, it's out. I got you, thank you.

14. PRESIDENT:

15. Further discussion? If not, the question is shall House  
16. Bill 2841 pass. Those in favor will vote Aye. Those opposed  
17. will vote Nay. The voting is open. Have all voted who wish?  
18. Have all voted who wish? Take the record. On that question  
19. the Ayes are 56, the Nays are 1, none Voting Present. House  
20. Bill 2841, having received the required constitutional majority  
21. is declared passed. 2845, Senator Hall. Senator Hall, for  
22. what purpose do you arise?

23. SENATOR HALL:

24. A...are you going to come back to...are you going to have  
25. a certain time for bills that are on 3rd reading to be moved back?

26. PRESIDENT:

27. ...Yes, the Secretary has indicated there are a minimum  
28. of twenty-five amendments filed for bills currently residing  
29. on 3rd reading. My suggestion is that we take those up at  
30. one time, perhaps first thing tomorrow morning. 2847, 2860,  
31. 2876, Senator Wooten. On the Order of House Bills 3rd reading,  
32. the top of page 4 is House Bill 2876. Read the bill, Mr. Secretary.

33. ACTING SECRETARY: (MR. FERNANDES)



1. House Bill 2876.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Wooten.

6. SENATOR WOOTEN:

7. Thank you, Mr. President. As part of our reform of the  
8. Illinois Credit Union Act last year, we mandated that credit  
9. unions pick up some insurance from NCUA. Now, the Department  
10. of Financial Institutions introduced this bill simply because  
11. they do not have time to process all of those applications  
12. in the space of one year. So that's the first part of the  
13. bill, to extend that...yeah, suppose we ought to have some  
14. order, Mr. President.

15. PRESIDENT:

16. I think that would be a good idea. Will those not entitled  
17. to the Floor, please vacate and will the staff please take the  
18. conferences off the Floor. Will the pages please be seated  
19. until requested. Will the members please be in their seats.  
20. Senator Wooten.

21. SENATOR WOOTEN:

22. All right. The bill does two things, and they honestly  
23. are of an emergency nature requested by the Department of  
24. Financial Institutions. One, is to extend the deadline by  
25. which these credit associations may obtain their insurance.  
26. The Department simply can't process them all in the time  
27. allotted in the original bill. The second thing, is to give  
28. credit unions another option besides NCUA to insure their  
29. share accounts. The reason is, that if they insure with NCUA,  
30. then they fall under all the Federal requirements and there really  
31. is no point then in having State chartered credit unions. Those  
32. are the only two things in the bill and so far the bill has not  
33. had a negative vote anywhere in its progress. And I'd be  
34. glad to answer any questions. I ask for your favorable consideration.

35. PRESIDENT:

1. Is there any discussion? If not, the question is shall  
2. House Bill 2876 pass. Those in favor will vote Aye. Those  
3. opposed will vote Nay. The voting is open. Have all voted  
4. who wish? Have all voted who wish? Take the record. On that  
5. question the Ayes are 57, the Nays are none, none Voting  
6. Present. House Bill 2876, having received the required consti-  
7. tutional majority is declared passed. 2883, on the Order of  
8. House Bills 3rd reading is House Bill 2883. Read the bill,  
9. Mr. Secretary.

10. SECRETARY:

11. House Bill 2883.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President and Ladies and Gentlemen of the Senate. This  
18. bill provides for increasing the number of directors of County  
19. Airport Authorities from three to five. At presently, in  
20. the State of Illinois, there are only two Airport Authorities  
21. organized under this Act, Whiteside County Airport Authority  
22. and Marshall County has one. And they are both in agreement  
23. that the number of directors should be increased from three  
24. to five for the following reasons. Approximately a year  
25. ago, the Whiteside County Airport Authority for a period  
26. of around two months was unable to conduct any business due  
27. to the fact that one member was very ill and another member  
28. was on a prolonged winter vacation. They have also come  
29. to the realization that millions of dollars of Federal money,  
30. State money, in the form of grants and that, goes through their  
31. hands practically every year. And that more than three members  
32. or three people should be making the decisions. They have asked  
33. the General Assembly to amend this Act to increase the number of

1. directors from three to five. And it provides for a transition  
2. schedule for the two new members. That's all the bill does.  
3. If there are any questions, I'd be more than glad to try to  
4. answer them otherwise I would appreciate a favorable roll call.

5. PRESIDENT:

6. Is there any discussion? If not, the question is shall  
7. House Bill 2883 pass. Those in favor will vote Aye. Those  
8. opposed will vote Nay. The voting is open. Have all voted  
9. who wish? Have all voted who wish? Have all voted who wish?  
10. Take the record. On that question the Ayes are 56, the Nays  
11. are none, none Voting Present. House Bill 2883, having received  
12. the required constitutional majority is declared passed. 2893,  
13. Senator Knuppel. 2914, Senator Wooten. On the Order of House  
14. Bills, 3rd reading, is House Bill 2914. The...the bills I'm  
15. skipping, so everybody understands, have...been indicated to  
16. the Chair that there are amendments filed and...so they're  
17. subject to recall if the sponsor wishes to recall them. 2914,  
18. Senator Wooten. Read the bill, Mr. Secretary, please.

19. SECRETARY:

20. House Bill 2914.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Thank you, Mr. President. This bill was jointly sponsored  
27. in the House by the three Reps. in our area. It is an attempt  
28. to deal with the Sears Power Dam, which was given to the State  
29. in 1965, we have been trying to figure out what to do with  
30. it ever since. From time to time people have indicated  
31. an interest in buying it, there was some talk of having an  
32. auction, but nothing ever really worked. It is a very unusual  
33. building, not very wide, fairly long, and all the equipment

1. is still in place to generate power. For many years it did  
2. generate power, which was purchased by Iowa-Illinois Gas and  
3. Electric, that was discontinued. We now find that there is  
4. an interested party who wants to lease the building, rehabilitate  
5. it and start generating power again, that lease would finally  
6. turn some money back to the State for the use of this facility  
7. and it seems a good thing to do to give us an alternate source  
8. of some power to get some money into the State Treasury and  
9. that's all the bill does. I offer it for your favorable consider-  
10. ation.

11. PRESIDENT:

12. Any discussion? Senator Grotberg.

13. SENATOR GROTBORG:

14. Question of the sponsor, Mr. President.

15. PRESIDENT:

16. Indicates he'll yield. Senator Grotberg.

17. SENATOR GROTBORG:

18. Senator Wooten, I'd like to know who this party is that  
19. can make money by leasing defunct hydroelectric plants, 'cause  
20. I have one, I know Senator Schaffer has one. Is that...something  
21. that you can share with us in public?

22. PRESIDENT:

23. Senator Wooten.

24. SENATOR WOOTEN:

25. I don't know anything about them. I know it's a young  
26. couple who have...indicated and come up with plans that the  
27. Department of Transportation thinks are feasible to rehabilitate  
28. the thing and get it to work, but I don't know them personally.  
29. I just...that's...that I picked up reading a newspaper story  
30. about it.

31. PRESIDENT:

32. Further discussion? If not, the question is shall House  
33. Bill 2914 pass. Those in favor will vote Aye. Those opposed  
34. will vote Nay. The voting is open. Have all voted who wish?

HB 2918  
2nd Reading  
6-23-80

1. Have all voted who wish? Take the record. On that question
2. the Ayes are 58, the Nays are none, none Voting Present. House
3. Bill 2914, having received the required constitutional majority
4. is declared passed. 2918, Senator Rhoads-Nash. On the Order
5. of House Bills 3rd reading, top of page 5, is House Bill 2918.
6. Read the bill, Mr. Secretary, please.
7. SECRETARY:
8. House Bill 2918.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDENT:
12. Senator Rhoads.
13. SENATOR RHOADS:
14. Thank you, Mr. President and members of the Senate. As
15. the Secretary just read, that, in fact, is...is what the bill
16. does in a nutshell. This is a part...the second bill of a
17. package of bills produced by the Election Laws Study Commission
18. with the support of the State Board of Elections, the Library
19. Association, the Illinois Association of School Boards and The
20. College Trustees Association. As each member knows, the
21. consolidation of election schedule takes place on December
22. 1st of this year. Senator Nash's Bill, 2917 deals with the
23. consolidation of referenda. This bill deals with the consolida-
24. tion of election...revisory of election of officers and it also
25. provides for some transition schedules. Amendments No. 1 in
26. committee provide for the transition schedule for community
27. college trustees. Amendment No. 2 provide the transition
28. schedule for local library trustees and for the Canton School
29. District. Be happy to answer any questions.
30. PRESIDENT:
31. Any discussion? If not, the question is shall House Bill
32. 2918 pass. Those in favor will vote Aye. Those opposed will
33. vote Nay. The voting is open. Have all voted who wish? Have

1. all voted who wish? Take the record. On that question the Ayes  
2. are 59, the Nays are none, none Voting Present. House Bill 2918,  
3. having received the required constitutional majority is declared  
4. passed. 2924, Senator Egan. On the Order of House Bills 3rd  
5. reading, top of page 5 is House Bill 2924. Read the bill, Mr.  
6. Secretary.  
7. SECRETARY:  
8. House Bill 2924.  
9. (Secretary reads title of bill)  
10. 3rd reading of the bill.  
11. PRESIDENT:  
12. Senator Egan.  
13. SENATOR EGAN:  
14. Thank you, Mr. President and members of the Senate.  
15. Senate Bill 2924 appropriates six million...is it six million  
16. some odd hundred dollars for the...pardon...for the ordinary  
17. and contingent expenses of the Office of the State Appellate  
18. Defender. And it has gone through the...the microscopic scrutiny  
19. of the Appropriations Committee and I'm sure now, it's as  
20. good as it will ever be, so I commend it to your favorable  
21. consideration.  
22. PRESIDENT:  
23. Is there any discussion? Senator Regner.  
24. SENATOR REGNER:  
25. Question...sponsor?  
26. PRESIDENT:  
27. Indicates he'll yield. Senator Regner.  
28. SENATOR REGNER:  
29. Senator Egan, is this the appropriation that defends  
30. criminals?  
31. PRESIDENT:  
32. Senator Egan.  
33. SENATOR EGAN:

1. To appeal the lower court judgment on convicted criminals.  
2. PRESIDENT:  
3. Further discussion? Senator Philip.  
4. SENATOR PHILIP:  
5. Yeah, this one always turns me on, Senator Egan. You  
6. know what...what is the criteria to decide whether you get a  
7. Appellate Court Public Defender, if you've been convicted by  
8. a lower court? In ninety-nine out of a hundred cases, they also  
9. had a free lawyer at the circuit court level. Isn't that correct?  
10. PRESIDENT:  
11. Senator Egan.  
12. SENATOR EGAN:  
13. Yes, in the same...the...the same provision applies to  
14. the appellate process as it does to the determination effect  
15. process at the lower court and hopefully, Senator...those of  
16. us who can afford our own defense will never need them.  
17. PRESIDENT:  
18. Further discussion? Senator Philip.  
19. SENATOR PHILIP:  
20. Yeah, just out of curiosity, I...I know this was a Federally  
21. funded program at one time back and then, of course, like a  
22. lot of their programs, they withdraw the Federal funds and  
23. they get stuck with it. When they withdrew the Federal funds,  
24. how much money was it, how much money is it now, how many  
25. lawyers did you have then, how many lawyers have you got now?  
26. PRESIDENT:  
27. Senator Egan.  
28. SENATOR EGAN:  
29. Can I answer that privately, Senator? I...I honestly don't  
30. have the figures at hand and I...I know that you're...you're  
31. going to vote for the bill anyway, so if we can sit down  
32. quietly a little bit later this evening, I'll give you the exact  
33. figures.

1. PRESIDENT:  
2. ...Further discussion? Senator Philip.  
3. SENATOR PHILIP:  
4. I...I'm just assuming the figures are that bad and  
5. you've got so many lawyers doing this, you're ashamed of it, huh.  
6. PRESIDENT:  
7. Further discussion? Senator Knuppel.  
8. SENATOR KNUPPEL:  
9. Well, for all you people who don't know, this is the  
10. Poor Lawyer's Relief Fund.  
11. PRESIDENT:  
12. Further discussion? Senator Keats.  
13. SENATOR KEATS:  
14. To continue in this vein and Senator Knuppel has hit on  
15. the real key point. ...We do put out a great deal of money  
16. for the appellate defender as we do for the defender on the  
17. circuit court level too. But as you and I are well aware, as  
18. many of these poor lawyers as we hire, it seems that so many  
19. of our convicted individuals feel that these lawyers are  
20. not good enough for them and feel that they should perhaps  
21. get their own lawyer at taxpayers' expense. There's a fellow,  
22. John Wayne Gacy, who got two lawyers, cost the State a hundred some  
23. thousand dollars. Now the guy is going to publish a book,  
24. make a movie, they'll be millionaires, and yet they were paid  
25. for out of the taxpayers'dollars. Now what I'm wondering, if  
26. we pay all this money for the appellate defender and we...pay  
27. all the money for circuit court defendants, how come we still have  
28. to pay for all these individual lawyers because these lawyers  
29. aren't good enough for the people who get convicted of crimes.  
30. Could you explain where that money comes from and why we do it,  
31. Senator Egan?  
32. PRESIDENT:  
33. Senator...Senator Egan.



1. SENATOR EGAN:

2. Well, all right. Senator Keats, how much time do you have?  
3. Do...do we...I know that you know the answer to the question as  
4. well as...as anybody present. And the fact is that our system  
5. of jurisprudence has come to the sophisticated position in which  
6. we find it today and that is that...everybody in the State who  
7. has a tribunal and has been tried by it and appeared before  
8. it has a right to an appealing...to an appeal. And if you  
9. can't afford it, we are going to afford it for you and that's  
10. simply that and nothing more and we can talk all night and  
11. all day and the same thing is going to happen.

12. PRESIDENT:

13. Further discussion? Senator Keats.

14. SENATOR KEATS:

15. I thank you and I...as...as an attorney of great renown  
16. and I know is one of the great principal legal figures in  
17. the State, what I had wanted to mention though was that I  
18. suppose I don't really object to the State paying for the  
19. defenders, I mean I am not totally opposed to that philosophically, but I ask  
20. why do we have to pay so much for so many who do so little.

21. PRESIDENT:

22. Further discussion? Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Yes, Mr. President, just a couple items. Number one,  
25. you know, on the prosecution side we also have this same  
26. facility, so that equalizes it off. Of course, Senator Philip  
27. would probably say, that's just as bad as the defender end. And  
28. you better talk to your seatmate behind you over there, Senator  
29. Martin passed a very good bill last year that stated that people  
30. in this State anyway, will not garner any benefits from a book  
31. or a movie. She set up an escrow for the victims of that crime  
32. and that was a very good bill and I'm sure she'll be happy to  
33. talk to you about it.

1. PRESIDENT:  
2. Further discussion? Senator Egan may close.  
3. SENATOR EGAN:  
4. Yes, thank you, very much Mr. President. Not to belabor  
5. this, just to ask for your favorable consideration.  
6. PRESIDENT:  
7. The question is shall House Bill 2924 pass. Those in  
8. favor will vote Aye. Those opposed will vote Nay. The voting  
9. is open. Have all voted who wish? Have all voted who wish?  
10. Have all voted who wish? Take the record. On that question  
11. the Ayes have 37, the Nays are 20, none Voting Present. House  
12. Bill 2924, having received the required constitutional majority  
13. is declared passed. 2934, Senator D'Arco. On the Order of  
14. House Bills 3rd reading, is House Bill 2934. Read the bill,  
15. Mr. Secretary.  
16. SECRETARY:  
17. House Bill 2934.  
18. (Secretary reads title of bill)  
19. 3rd reading of the bill.  
20. PRESIDENT:  
21. Senator D'Arco.  
22. SENATOR D'ARCO:  
23. Thank you, Mr. President. This bill provides that the county  
24. board may draw jurors from a list of Illinois drivers license  
25. holders, instead of the Voter Registration List that is presently  
26. provided by Statute. It also provides that the list shall be  
27. furnished to the county board by the Secretary of State and  
28. it also provides that in...single county districts, the jurors  
29. may be drawn from less than the entire county if the court  
30. determines that would be more equitable toward a more fair and  
31. impartial trial of the defendant. I don't think there is any  
32. opposition to the bill and I would move for a favorable vote.  
33. PRESIDENT:

1. Is there any discussion? Senator Berning.

2. SENATOR BERNING:

3. Just a question of the sponsor.

4. PRESIDENT:

5. Indicates he...

6. SENATOR BERNING:

7. Why...why...we have now jury lists provided through the

8. registration list, why do we want this?

9. PRESIDENT:

10. Senator D'Arco.

11. SENATOR D'ARCO:

12. Oh...the a...I'm sorry, I...I didn't...what was the question,

13. Karl?

14. PRESIDENT:

15. The question was why. Senator Berning.

16. SENATOR D'ARCO:

17. Why?

18. SENATOR BERNING:

19. Yes, why? Who wants this? We now provide the jury lists

20. from the registration lists. Why do we want this?

21. PRESIDENT:

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. The county clerks, the circuit court clerks want it and

25. the judges want it and the Secretary of State wants it and

26. apparently it's a good idea.

27. PRESIDENT:

28. Further discussion? Senator Martin.

29. SENATOR MARTIN:

30. Well, I must say, I've not heard from my judges, county

31. clerks and all the other, in fact, they seem to like the system

1. as it is, but I have a real question. It is at least said  
2. that many illegal aliens do have driver's licenses, I'm not  
3. going...how they get them, whatever, but they have them. Would  
4. this mean that literally noncitizens would be on jury panels?

5. PRESIDENT:

6. Senator D'Arco.

7. SENATOR D'ARCO:

8. No, one of the requirements in the Statute is that you  
9. be a United States citizen in order to serve as a juror on  
10. a jury panel. I mean that would be unconstitutional to do  
11. that.

12. PRESIDENT:

13. Senator Martin.

14. SENATOR MARTIN:

15. Well, I'm glad there's that requirement, certainly, the  
16. right to be judged by a jury of ones'peers.

17. PRESIDENT:

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. No, we wouldn't want illegal aliens judging American  
21. citizens, that would be horrendous.

22. PRESIDENT:

23. Senator Martin.

24. SENATOR MARTIN:

25. Lot's of things more horrendous than that, I'm sure,happen  
26. in the courts of this State and even the nation. I think if  
27. somebody is not willing to register to vote, then they preclude  
28. to a degree for themselves by their own actions, the right to  
29. serve on a jury. And I think that is a right, an incredible  
30. right. And I would...to put it just at driver's licenses I  
31. think is an abysmally poor idea.

32. PRESIDENT:

33. Further discussion? Senator Philip.

1. SENATOR PHILIP:

2. Thank you, Mr. President, Ladies and Gentlemen of the  
3. Senate. I might say this to Senator Martin, that many times  
4. I've tried to register people to vote and their one objection  
5. to being registered to vote was that they would have a chance of  
6. being drawn as a juror. There are a lot of people who work  
7. for themselves, who have a one man office or a one person  
8. office that just don't have the time to...for jury duty.  
9. And consequently, they will not register to vote. Now, I'm  
10. not sure that this is the best idea or the only idea, but  
11. at least it's an alternative and I'm not so sure we shouldn't  
12. try to see how it works out.

13. PRESIDENT:

14. Further discussion? Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, just in response to who wants this bill, let me...  
17. let me say that our former State Representative, Judge Horace  
18. Calvo, who is now Chief Judge of one of the largest downstate  
19. circuits in Madison County, suggested in legislation that...that  
20. we provide legislation such as this. So we do have people and  
21. we do have judges who are in support of this legislation.

22. PRESIDENT:

23. Further discussion? Senator...Senator Hall.

24. SENATOR HALL:

25. Thank you, Mr. President, Ladies and Gentlemen of the  
26. Senate. I just want to say my chief judge called me on this  
27. and there's...Senator Pate Philip is exactly right. A lot of  
28. people don't want to register because of this. This is a needed  
29. bill for...especially for our area, I don't know about the rest  
30. of the State, but I know it's really needed where I am.

31. PRESIDENT:

32. Further discussion? Senator Nimrod.

33. SENATOR NIMROD:

HB 2941  
3rd Reading  
6-23-80

1. Thank you, Mr. President. I just wanted to make one comment,  
2. for those people who will not register to vote because they  
3. don't want to serve on the jury, I don't even want them on  
4. any list to call them. If they don't want to have the right  
5. to vote then they certainly should not...what kind of jurors  
6. would they be and they certainly should not be called on  
7. to serve their county or judge their peers.

8. PRESIDENT:

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

10. SENATOR D'ARCO:

11. Thank you, Mr. President. Senator Berning, I have your  
12. answer, I...I don't want to leave you in a dilemma. The answer  
13. to your question is, it would give you a more even mix of people  
14. to draw from the list of driver license...applicants than it  
15. would voter registration applicants because there are more  
16. people who have driver licenses than are registered to vote.  
17. Not only...don't answer...I just told you the answer...don't...  
18. don't ask a question.

19. PRESIDENT:

20. Further discussion? If not, the question is shall House  
21. Bill 2934 pass. Those in favor will vote Aye. Those opposed  
22. will vote Nay. The voting is open. Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question  
24. the Ayes are 44, the Nays are 12, none Voting Present. House  
25. Bill 2934, having received the required constitutional majority  
26. is declared passed. 2941, Senator Egan. On the Order of House  
27. Bills 3rd reading is House Bill 2941. Read the bill, Mr.  
28. Secretary.

29. SECRETARY:

30. House Bill 2941.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Egan.

2. SENATOR EGAN:

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

4. Senate Bill 2941 amends the Paternity Act to update the bill...

5. update the law to meet with recent scientific advancements

6. in blood testing. It allows for the human leucocyte antigen

7. tests to be admitted into evidence if they show that there

8. is a clear and convincing probability that the alleged father

9. is or is not the father of the child. There is a further built

10. in safe ground for potential paternal fathers and that is that

11. this test alone cannot be the determining factor in the trial.

12. Now, this...all based on the fact that the...the test itself

13. is...voluntary. It will conclusively show in the negative

14. about ninety-eight percent of the time. I...it was sufficiently

15. discussed in the Judiciary II Committee. There were no opponents, it

16. received a unanimous vote from that Committee and I commend it

17. to your favorable consideration.

18. PRESIDENT:

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

20. House Bill 2941 pass. Those in favor will vote Aye. Those opposed

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

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

23. the Ayes are 58, the Nays are none, 1 Voting Present. House

24. Bill 2941, having received the required constitutional majority

25. is declared passed. 2944, Senator Gitz. On the Order of House

26. Bills 3rd reading, is House Bill 2944. Read the bill, Mr.

27. Secretary.

28. SECRETARY:

29. House Bill 2944.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Gitz.

34. SENATOR GITZ:

HB 2967  
3rd Reading  
6-23-80

1. Thank you, Mr. President and members of the Senate. The  
2. synopsis is self explanatory. This raises the interest rate  
3. for township equipment from six percent to nine percent. Now  
4. this bill is supported by the Township Officials Association.  
5. It is offered primarily because...many townships are presently  
6. experiencing difficulty in lease and purchase arrangements.

7. PRESIDENT:

8. Is there any discussion? If not, the question is shall  
9. House Bill 2944 pass. Those in favor will vote Aye. Those  
10. opposed will vote Nay. The voting is open. Have all voted  
11. who wish? Have all voted who wish? Take the record. On  
12. that question the Ayes are 56, the Nays are none, none Voting  
13. Present. House Bill 2944, having received the required constitu-  
14. tional majority is declared passed. 2967, Senator Davidson.  
15. On the Order of House Bills 3rd reading, is House Bill 2967.  
16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 2967.  
19. (Secretary reads title of bill)  
20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Yes, Mr. President and members of the Senate. This does  
25. what it says on the Calendar. Under the present law, those  
26. individuals who own a home but have a lake lease are unable  
27. to qualify for their Homestead. This allows those individuals  
28. to do it. It says the person must be the owner-occupant of  
29. the house as well as the lease holder. Appreciate a favorable  
30. roll call.

31. PRESIDENT:

32. Is there any discussion? Senator Berman. Senator...Lechowicz  
33. is blocking out half the wall. Is Senator Berman in the building?



1. All right. Any discussion? If not, the question is shall  
2. House Bill 2967 pass. Those in favor will vote Aye. Those  
3. opposed will vote Nay. The voting is open. (Machine cut-off)  
4. ...voted who wish? Have all voted who wish? Take the record.  
5. On that question the Ayes are 57, the Nays are none, none Voting  
6. Present. House Bill 2967, having received the required constitutional  
7. majority is declared passed. 2976, Senator Lemke. 2982, Senator  
8. D'Arco. On the Order of House Bills 3rd reading is House  
9. Bill 2982. Read the bill, Mr. Secretary.

10. SECRETARY:  
11. House Bill 2982.  
12. (Secretary reads title of bill)  
13. 3rd reading of the bill.

14. PRESIDENT:  
15. Senator D'Arco.

16. SENATOR D'ARCO:  
17. Thank you, Mr. President. This validates certain appropriations  
18. and tax levy ordinances of the Forest Preserve Districts and I  
19. would move for a favorable vote.

20. PRESIDENT:  
21. Any discussion? Senator Martin.

22. SENATOR MARTIN:  
23. Just a reminder for those who care that this is a tax  
24. increase without referendum.

25. PRESIDENT:  
26. Further discussion? Senator Rhoads.

27. SENATOR RHOADS:  
28. Question of the sponsor.

29. PRESIDENT:  
30. Indicates he will yield. Senator Rhoads.

31. SENATOR RHOADS:  
32. Senator D'Arco, I think all Cook County Legislators have  
33. received quite a bit of mail about this bill. Is this the one

1. that validates the 1978 tax levy for...Brookfield Zoo and other  
2. similar operations?  
3. PRESIDENT:  
4. Senator D'Arco.  
5. SENATOR D'ARCO:  
6. Yes, it...this validates the tax levy for Brookfield Zoo,  
7. and the Botanic Gardens, Forest Preserve District.  
8. PRESIDENT:  
9. Senator Rhoads.  
10. SENATOR RHOADS:  
11. And is there a referendum, if it were...were...we're validating  
12. something that's already been done. Was there a referendum at  
13. that time or would there be prospectively?  
14. PRESIDENT:  
15. Senator D'Arco.  
16. SENATOR D'ARCO:  
17. No.  
18. PRESIDENT:  
19. Further discussion? If not, the question is shall House  
20. Bill 2982 pass. Those in favor will vote Aye. Those opposed  
21. will vote Nay. The voting is open. Have all voted who wish?  
22. Have all voted who wish? Have all voted who wish? Take the  
23. record. On that question the Ayes are 33, the Nays are 15, 1  
24. Voting Present. House Bill 2982, having received the required  
25. constitutional majority is declared passed. 2997, Senator  
26. Bruce. On the Order of House Bills 3rd reading, on the bottom  
27. of page 5 is House Bill 2997. Read the bill, Mr. Secretary.  
28. SECRETARY:  
29. House Bill 2997.  
30. (Secretary reads title of bill)  
31. 3rd reading of the bill.  
32. PRESIDENT:  
33. Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. President, members of the Senate. In  
3. its unamended form, House Bill 2997 dealt with the applicability  
4. of the...Medical Practices Act and the Mental Health...Community  
5. Mental Health Act...to incorporation by 708 boards, Community  
6. Health, Mental Health Boards as not-for-profit...corporations.  
7. There was some discussion throughout the State about whether  
8. or not they could, in fact, do that, would it be illegal to  
9. hire physicians. We worked out a compromise with the State  
10. Medical Society and others that, in fact, they could operate  
11. as a not-for-profit corporation and hire physicians under the  
12. very narrow confines of the Community Mental Health Act. That is  
13. the bill as it came to the...to this Body. It was amended  
14. to include provisions concerning the applicability of the  
15. Mental Health Code to transfer of mental health patients  
16. by sheriffs.

17. PRESIDENT:

18. Further discussion? Senator Wooten.

19. SENATOR WOOTEN:

20. Thank you, Mr. President. I would like to call the  
21. attention of the Body to the amendment which I placed on this  
22. bill with Senator Bruce's consent and I want to tell you, quite  
23. frankly, that if you...if this goes down that I will certainly  
24. ask to have this amendment taken off so that Senator Bruce  
25. can consider his subject in its unamended form. But we had  
26. quite a bit of discussion about the fiscal impact of this.  
27. I have since had an opportunity to look at the Illinois  
28. Revised Statutes and just let me go over with you what this  
29. bill would do. Right now, there is a requirement that peace  
30. officers must transport patients to mental health institutions.  
31. They now have that obligation. This specifies, "sheriff," so  
32. there be no question as to which peace officer is meant and  
33. quite frankly, in...I think in almost every case, that is the

1. one who is actually called. It also requires the Department of  
2. Mental Health and Developmental Disabilities to reimburse the  
3. transporting authority for the services provided. Right now  
4. there is a schedule of payment for transporting prisoners that  
5. is in the Statutes, it's thirty-five cents a mile. And I have  
6. been trying to find out about how many people have been trans-  
7. ported. As you know, perhaps you remember, in our area this  
8. is a serious matter since our mental institution has been closed,  
9. we must transport patients some sixty miles to Galesburg. Now  
10. the highest figure I've received is not in the millions as  
11. was suggested earlier, but something like a hundred and sixty  
12. thousand. I think it may be closer to a hundred and thirty  
13. thousand. I simply want to point out to you what is done  
14. today. Today, there is a schedule...there is a requirement  
15. that peace officers do it, there is a schedule of reimbursement  
16. which is ignored. So, I don't know, quite frankly, what effect  
17. this will have other than making clear that the State really  
18. ought to pay for this and that it is the sheriff who is the  
19. peace officer so designated. The...in the Statutes, you have  
20. the schedule, the per mile schedule which would apply. I  
21. don't think it's an unreasonable request and I would certainly  
22. seek your favorable consideration.

23. PRESIDENT:

24.       There any discussion? Senator Demuzio.

25. SENATOR DEMUZIO:

26.       Yeah, thank you, Mr. President. I do...I have a question,  
27. I don't think it's on the...on the bill itself, I think it's  
28. on the amendment and I think Senator Wooten was the author of  
29. the amendment. As I understand the amendment correctly, it  
30. would prohibit a 708 Board from organizing as a not-for-profit  
31. making organization. Is that correct?

32. PRESIDENT:

33.       Senator Bruce.

1. SENATOR BRUCE:

2. Now you're into the part that I have. It allows a  
3. 708 Board to organize as not-for-profit. In fact, almost  
4. everyone in the State has organized as a not-for-profit  
5. corporation, the Medical Practices Act does not allow a  
6. corporation to hire and dispense medical services. An  
7. attorney on a 708 Board, said, hey, what we're doing is  
8. wrong. The Mental Health Department kind of said, well,  
9. gee it is but everybody does it. He gave this bill to  
10. me, it happens to be my home community. We checked out  
11. seventy some of them are organized that way. What this  
12. says, in fact, they can insulate their members from liability  
13. by forming a Not-For-Profit Corporation Act within the  
14. Medical Practices Act, narrowly confined to Community Mental  
15. Health Boards, it's exactly what they're doing today, only I  
16. think they do it without benefit of legislative approval.

17. PRESIDENT:

18. Senator Demuzio.

19. SENATOR DEMUZIO:

20. Do I understand it then, that the 708 Boards are operating  
21. direct patient care themselves then, and that this...this  
22. amendment is...serves as the authorization for them to do  
23. so under some kind of liability provision or something.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. What this allows them to do is, under the Medical Practices  
28. Act, the only people that can form a corporation to own and dispense  
29. medical advice are other physicians. Many of 708 Board members  
30. are not, in fact, physicians, in fact, I'd say that none of  
31. them are. And so this bill allows them to continue to do what  
32. they're doing now and that is organizes a not-for-profit corporation  
33. and in contract with licensed physicians. But they have to do two or

1. three things. One of all, they have to be organized under the  
2. Community Mental Health Act, they have to file under the Not-  
3. For-Profit Corporation Act and they have to use the explicit  
4. language within this legislation. So that they...so that we  
5. don't have other people in the State of Illinois forming  
6. corporations and dispensing medical care.

7. PRESIDENT:

8. All right. Any further discussion? Senator Wooten.

9. SENATOR WOOTEN:

10. Yes, I...I just want to clarify two more...two more points.  
11. I want to get every aspect to this amendment out. One is that  
12. the principal change that occurs when you designate the sheriff  
13. is...it's the sheriff in the county where the patient resides.  
14. Right now it simply specifies peace officer. So there's an  
15. argument as to which sheriff that could be. Secondly, the  
16. sheriff is free, who acts in good faith and without negligence,  
17. is free from liability, civil or criminal.

18. PRESIDENT:

19. All right. Any further discussion? Senator Bruce, you  
20. wish to close?

21. SENATOR BRUCE:

22. Only to say that I think this has the approval of the  
23. Illinois State Medical Society and all the...the groups  
24. involved, the Mental Health Association, the Mental Health  
25. Department and everyone else. It clarifies the fact that  
26. Community Mental Health Agencies can, in fact, form not-for-profit  
27. corporations and then contract with licensed physicians to  
28. provide mental health care under the Community Mental Health Act.

29. PRESIDENT:

30. The question is shall House Bill 2997 pass. Those in  
31. favor will vote Aye. Those opposed will vote Nay. The  
32. voting is open. Have all voted who wish? Have all voted who  
33. wish? Take the record. On that question the Ayes are 55, the

1. Nays are none, 2 Voting Present. House Bill 2997, having  
2. received the required constitutional majority is declared  
3. passed. 3003, Senator Nash. On the Order of House...Senator  
4. D'Arco, for what purpose do you arise?  
5. SENATOR D'ARCO:  
6. 3003.  
7. PRESIDENT:  
8. Oh, I beg you pardon, I thought Senator Nash was the  
9. sponsor. On the Order of House Bills 3rd reading, is House  
10. Bill 3003. Read the bill, Mr. Secretary.  
11. SECRETARY:  
12. House Bill 3003.  
13. (Secretary reads title of bill)  
14. 3rd reading of the bill.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Senator Nash.  
17. SENATOR NASH:  
18. Mr. President, Ladies and Gentlemen of the Senate. House  
19. Bill 3003 will allow the Secretary of State's Office to include  
20. ...odometer certification information on all new titles issued  
21. for motor vehicles. Ask for a favorable roll call.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Is there discussion? The question is shall House Bill  
24. 3003...I'm sorry, Senator Sangmeister.  
25. SENATOR SANGMEISTER:  
26. Question of the sponsor, if he'll yield.  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Indicates he will yield, Senator Sangmeister.  
29. SENATOR SANGMEISTER:  
30. Senator Nash, I'm only looking at the...the Calendar, but  
31. it says, requires the Secretary of State to promulgate rules  
32. and regulations necessary to replace all outstanding motor  
33. vehicle titles. Is that what this Act actually does?

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Nash.  
3. SENATOR NASH:  
4. This bill would make our Statutes conform with the Federal  
5. Motor Vehicle Identification and Cost Act of 1972.  
6. PRESIDING OFFICER: (SENATOR BRUCE)  
7. Senator Sangmeister.  
8. SENATOR SANGMEISTER:  
9. Well, does that mean every title that we have is going  
10. to have to be replaced?  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Nash.  
13. SENATOR NASH:  
14. No.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Senator Sangmeister.  
17. SENATOR SANGMEISTER:  
18. Well, the Calendar...is misleading in that respect.  
19. What's the cost involved in this?  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Senator Nash.  
22. SENATOR NASH:  
23. I don't have the cost figured, but the Secretary of State's  
24. Office is going to a new system computerizing all the titles.  
25. And what this Act will do, every new title that's issued for  
26. a new or a used car will have an odometer reading on it, which  
27. will help the consumers when they're buying used vehicles.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Further discussion? Further discussion? The question  
30. is shall House Bill 3003 pass. Those in favor vote Aye. Those  
31. opposed vote Nay. The voting is open. Have all voted who wish?  
32. Have all voted who wish? Take the record. On that question the  
33. Ayes are 48, the Nays are none, 8 Voting Present. House Bill



1. 3003, having received the required constitutional majority is  
2. declared passed. House Bill 3007, Senators Regner-Buzbee.  
3. Senator Regner. Read the bill, Mr. Secretary, please.

4. SECRETARY:

5. House Bill 3007.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Regner.

10. SENATOR REGNER:

11. Yes, Mr. President and members. There are several provisions  
12. in this bill, it's really a Comptroller's bill. And the first  
13. provision is to make Statutory a policy the Comptroller's Office  
14. currently practices and...which is put through to reflect the  
15. legislative intent for appropriations. The second provision  
16. largely pertains to the Department of Revenue, which has a large  
17. amount of refund money that distorts any normal two percent  
18. transferability. An amendment was put on clarifying the line  
19. that...bill we passed last spring, providing items of equipment  
20. with a value of less than fifty dollars would be paid from  
21. commodities line items. Therefore under present law, library  
22. books with the unit value of less than fifty dollars would be  
23. paid from commodities line while those costing more than fifty  
24. dollars would be paid from the equipment line. Library books  
25. are a durable fixture and the cost of such purchases should  
26. be allowed to be expended from the equipment line item no  
27. matter if the cost is more or less than fifty dollars. Ask  
28. for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Is there discussion? The question is  
31. shall House Bill 3007 pass. Those in favor vote Aye. Those  
32. opposed vote Nay. The voting is open. Have all voted who  
33. wish? Have all voted who wish? Take the record. On that

1. question the Ayes are 57, the Nays are none, none Voting Present.  
2. House Bill 3007, having received the required constitutional  
3. majority is declared passed. House Bill 3014, Senator Rock.  
4. House Bill 3034, Senator Nimrod. Medical Center Commission.  
5. Read the bill, Mr. Secretary, please.  
6. SECRETARY:  
7. House Bill 3034.  
8. (Secretary reads title of bill)  
9. 3rd reading of the bill.  
10. PRESIDING OFFICER: (SENATOR BRUCE)  
11. Senator Nimrod.  
12. SENATOR NIMROD:  
13. Yes, that's the ordinary...contingent expenses for a medical  
14. center. Would ask for a favorable roll call.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Is there discussion? The question is shall House Bill 3034  
17. pass. Those in favor vote Aye. Those opposed vote Nay. The  
18. voting is open. Have all voted who wish? Have all voted who  
19. wish? Take the record. On that question the Ayes are 51,  
20. the Nays are 2, 1 Voting Present. House Bill 3034, having  
21. received the required constitutional majority is declared  
22. passed. House Bill 3048, Senator Grotberg. Read the bill,  
23. Mr. Secretary, please.  
24. SECRETARY:  
25. House Bill 3048.  
26. (Secretary reads title of bill)  
27. 3rd reading of the bill.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Grotberg.  
30. SENATOR GROTBURG:  
31. Yeah, thank you, Mr. President. This is the ordinary and  
32. contingent expenses of the Prisoner Review Board for six hundred  
33. and three thousand, four hundred dollars. I ask for a favorable  
34. roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Is there discussion? Senator...Demuzio.  
3. SENATOR DEMUZIO:  
4. Yes, thank you, Mr. President. I'd like to ask the  
5. sponsor a question in terms of...is this an increase over  
6. the previous year and if so, how much?  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Grotberg.  
9. SENATOR GROTEBERG:  
10. My rod and my staff will soon comfort me on that issue.  
11. I'd be glad to respond in one sense in...yeah, how much? Yeah,  
12. thirty thousand and the substantive bill to up the per diem  
13. is somewhere in the works, but the salary...the per diems for  
14. the Prisoner Review Board themselves is in the Executive Branch  
15. Appropriation is not in here, if that helps the question you're  
16. about to ask me.  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Demuzio.  
19. SENATOR DEMUZIO:  
20. Well, the only thing I can say is that many people in my  
21. district are terribly upset about the early release program  
22. and in the Prisoner Review Board...ought to be taking a very  
23. serious look at what the Governor is putting forth, you know,  
24. we're letting these people out a heck of a long time before  
25. their term is up and...thirty thousand dollar increase isn't  
26. a heck of a lot, but...I just want to point out that there  
27. are a lot of people in my district that are upset about it.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Further discussion? Senator Rock.  
30. SENATOR ROCK:  
31. Yes, thank you. I...I guess my question has been answered,  
32. frankly, I was distracted. Does this bill, as it currently  
33. sits before us, contain the money for the alleged increase for

1. these board members?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. The answer was no, Mr. President, it is in another budget.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Johns.

8. SENATOR JOHNS:

9. I'd just like to know what bill that increase of seven

10. thousand dollars a year is in? What's the number, please?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rupp indicates he may...

13. SENATOR JOHNS:

14. Senator Rupp, I understand Senator Rupp has that seven

15. thousand dollar per member increase.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rupp, can you enlighten us as to the bill number?

18. SENATOR RUPP:

19. Yes, it's...thank you, Mr. President. It's a very germane

20. child abuse bill. Yes, they gutted the child abuse bill and

21. put this very germane idea of the Pardon Review Board raise on

22. that bill instead so...that's what it is.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. And the bill number, Senator?

25. SENATOR RUPP:

26. 30...76, I think. 3076, something like that. 1707 is

27. that one.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 1707.

30. SENATOR RUPP:

31. And 1706 is...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion on House Bill 3048? The question is

1. shall House Bill 3048 pass. Those in favor vote Aye. Those  
2. opposed vote Nay. The voting is open. Have all voted who  
3. wish? Have all voted who wish? Take the record. On that  
4. question the Ayes are 49, the Nays are 7, none Voting Present.  
5. House Bill 3048, having received the required constitutional  
6. majority is declared passed. House Bill 3057, Senator Schaffer.  
7. Read the bill, Mr. Secretary, please.  
8. SECRETARY:  
9. House Bill 3057.  
10. (Secretary reads title of bill)  
11. 3rd reading of the bill.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Schaffer.  
14. SENATOR SCHAFFER:  
15. Mr. President, this is a, I think, a noncontroversial  
16. bill. When the Legislature met last year, we passed House  
17. Bill 326 which was vetoed by the Governor and subsequently  
18. overridden by the Legislature. Between the passage and the  
19. veto, the Executive Branch transferred some fifteen million,  
20. almost sixteen million dollars into the Special Use Fund  
21. and the veto override effectively trapped that money in that  
22. fund. This bill simply puts that money back into the General  
23. Fund. I don't think there's any controversy.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Is there discussion? Is there discussion? The question  
26. is shall House Bill 3057 pass. Those in favor vote Aye. Those  
27. opposed vote Nay. The voting is open. Have all voted who wish?  
28. Have all voted who wish? Take the record. On that question  
29. the Ayes are 57, the Nays are none, none Voting Present. Senate  
30. Bill...House Bill 3057, having received the required constitutional  
31. majority is declared passed. House Bill 3060, Senator Grotberg.  
32. Senator? Read the bill, Mr. Secretary, please.  
33. SECRETARY:

1. House Bill 3060.  
2. (Secretary reads title of bill)  
3. 3rd reading of the bill.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Senator Grotberg.  
6. SENATOR GROTBORG:  
7. I would like to ask Senator Buzbee if this bill is ready  
8. to roll. Dangerous drugs, Senator.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Senator Buzbee?  
11. SENATOR BUZBEE:  
12. The Director has indicated to me that he would like to  
13. talk about some items, so I...am assuming that he doesn't  
14. want it to be passed yet.  
15. SENATOR GROTBORG:  
16. Okay, this is a transfer bill...  
17. SENATOR BUZBEE:  
18. Oh, this is a transfer?  
19. SENATOR GROTBORG:  
20. This is a transfer.  
21. SENATOR BUZBEE:  
22. I'm sorry, I beg your pardon.  
23. SENATOR GROTBORG:  
24. No problem, yes...  
25. SENATOR BUZBEE:  
26. Sorry.  
27. SENATOR GROTBORG:  
28. A transfer of twenty-five thousand dollars. I move the  
29. favorable roll call.  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Is there discussion? The question is shall House Bill 30...  
32. Senator Demuzio.  
33. SENATOR DEMUZIO:

1. We're transferring twenty-five thousand from where to  
2. whom to which to where, you know.

3. SENATOR GROTBORG:

4. Oh, all right.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. You'll forgive me, Senator Demuzio, for rushing through  
9. that, but I just married off my thirty year old son and I  
10. spent three terrible days over the week-end and...and...and  
11. I had help from five of my grandchildren..I'm dying right  
12. now. It's a twenty-five thousand transfer from the Residential  
13. Services Grant Line...are you writing this down...to the  
14. General Office Contractual Services Line. All GRF...and  
15. any other questions anybody has, I'll be glad to answer. I've  
16. got a background sheet here a couple pages long.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Demuzio.

19. SENATOR DEMUZIO:

20. Well, thank you. Our...our sincere congratulations, both  
21. on your marriage as well as the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further discussion? The question is, House  
24. Bill 3060 pass. Those in favor vote Aye, those opposed vote  
25. Nay. The voting is open. Have all voted who wish? Have all  
26. voted who wish? Take the record. On that question the Ayes  
27. are 55, the Nays are none, none Voting Present. House Bill  
28. 3060 having received the required constitutional majority  
29. is declared passed. House Bill 3070, Senator DeAngelis. Read...  
30. read the bill, Mr. Secretary, please.

31. SECRETARY:

32. House Bill 3070.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator DeAngelis.

4. SENATOR DeANGELIS:

5. Thank you, Mr. President. House Bill 3070...sets the

6. dates for filing you State Aid claims. The bill was amended

7. in the Senate to include in it the validation of a House

8. Bill 2730, which was passed last year that would allow

9. the sale of State Aid Anticipation Warrants. I urge its

10. favorable passage.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Is there discussion? The question

13. is shall House Bill 3070 pass. Those in favor vote Aye.

14. Those opposed vote Nay. The voting is open. Have all

15. voted who wish? Have all voted who wish? Take the record.

16. On that question the Ayes are 56...7, the Ayes are 57, the

17. Nays are none, none Voting Present. House Bill 3070 having

18. received the required constitutional majority is declared

19. passed. House Bill 3079, Senator Shapiro. Read the bill,

20. Mr. Secretary, please.

21. SECRETARY:

22. House Bill 3079.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Shapiro.

27. SENATOR SHAPIRO:

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

29. This is a bill presented by the Illinois Office of Education

30. and is before us each year, since about the year 1976 and

31. what it does is extend the summer school grants for those

32. approved summer school programs that involve the severely

33. and profoundly handicapped children only. As you know, prior



1. to 1976, we used to fund nonmandated summer school programs  
2. for all school districts in the State and the cost was a  
3. little bit over thirty million dollars. At that time it  
4. was the collective wisdom of the...both Houses of the General  
5. Assembly that since...this program is nonmandated, that summer  
6. school reimbursement from the State should be for only special  
7. education programs and that's what the bill does. Hopefully,  
8. this year will be the last time you'll have the bill until  
9. FY '83, because instead of extending it for one year at a  
10. time, it extends it through Fiscal Year '83. In the categorical  
11. aid bill, appropriation bill, two million dollars is appropriated  
12. for the program. Other than that, I would appreciate a favorable  
13. roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is shall House Bill 3079  
16. pass. Those in favor vote Aye. Those opposed vote Nay. The  
17. voting is open. Have all voted who wish? Have all voted who  
18. wish? Take the record. On that question the Ayes are 58,  
19. the Nays are none, none Voting Present. House Bill 3079,  
20. having received the required constitutional majority is  
21. declared passed. House Bill 3080, Senator DeAngelis. Read the  
22. bill, Mr...for what purpose does Senator Johns arise?

23. SENATOR JOHNS:

24. Got a good friend back here, Eddie Kornowicz and I like  
25. his bill, House Bill 3204. I'd like to be shown as a hyphenated  
26. cosponsor, please.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there leave? Leave is granted. House Bill 3080.  
29. Read the bill, Mr. Secretary, please.

30.

31. End of Reel

32.

33.

1. SECRETARY:

2. House Bill 3080.

3. ( Secretary reads title of bill )

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator DeAngelis.

7. SENATOR DeANGELIS:

8. Thank you, Mr. President. This bill merely changes the  
9. filing dates for Child Nutrition Claims to the 15th of the  
10. month to the 25th of the month. The Auditor General found  
11. that it was almost impossible to meet that deadline. So  
12. the date was changed from the 15th to the 25th. I urge its  
13. favorable approval.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is shall House Bill  
16. 3080 pass. Those in favor vote Aye. Those opposed vote Nay.  
17. The voting is open. Have all voted who wish? Have all voted  
18. who wish? Take the record. On that question, the Ayes are  
19. 57, the Nays are none. None Voting Present. House Bill  
20. 3080, having received a required constitutional majority is  
21. declared passed. House Bill 3099, Senator Coffey. Read the  
22. bill, Mr. Secretary, please.

23. SECRETARY:

24. House Bill 3099.

25. ( Secretary reads title of bill )

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes, Mr. President, and members of the Senate. House Bill  
31. 3099 amends the Act which limits liability of landowners toward  
32. those who use land for recreation. It adds in the Act coverage  
33. of land within municipalities when land is naturally an extension

1. of roads, waterways, or privateways. And I'd ask for a favor-  
2. able roll call, and be glad to answer any questions.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Is there discussion? Senator Rhoads.

5. SENATOR RHOADS:

6. A question of Senator Coffey. Senator, in the...would  
7. this cover the situation of snowmobiling and if so, how would  
8. it limit the liability of the landowner?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Coffey.

11. SENATOR COFFEY:

12. Yes, it would depend if the...the land was adjacent, as  
13. I pointed out here. If the...if it's in connection with other lands,  
14. and is used for recreational purposes, if it's private lands,  
15. then there would not be the...the...the private owner would  
16. not be liable. It would...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Rhoads.

19. SENATOR RHOADS:

20. Are we speaking here with or without permission of the  
21. landowner. They...they...

22. SENATOR COFFEY:

23. With permission.

24. SENATOR RHOADS:

25. With permission. All right, thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Maragos.

28. SENATOR MARAGOS:

29. Senator Coffey, does this bill preempt the powers of  
30. home rule?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Coffey.

33. SENATOR COFFEY:

1. No.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. It does not?

6. SENATOR COFFEY:

7. No.

8. SENATOR MARAGOS:

9. And what..when you say extend the limits of liability,

10. what...what is now, what will this bill do...to what extent

11. will it give them better protection?

12. PRESIDING OFFICER:(SENATOR BRUCE)

13. Senator Coffey.

14. SENATOR COFFEY:

15. If there's agreement that this land can be used for

16. recreational purposes, and which will give incentive for

17. certain class of landowners to open their lands up for re-

18. creational purposes to the department, such as the Department

19. of Conservation, if it's adjoining land or...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Maragos.

22. SENATOR MARAGOS:

23. The...the example that I wanted to use...it has been brought

24. to our attention by our staff that the municipality...the

25. municipally owned power company here owns Lake Springfield is my

26. understanding. And they had a very bad accident a few years

27. back where there was a couple of people killed because of a...

28. touching of a power line. How will this bill affect their

29. liability?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Coffey.

32. SENATOR COFFEY:

33. Well, I'm not sure whether they have the...in this particular

situation, did have the right to use this land for recreational

1. purposes?

2. SENATOR MARAGOS:

3. Yes, the Lake Springfield..if you'll remember there were  
4. three people boating and one of the...of the lines or posts or  
5. mast of the boat hit a power line, which had been allowed to  
6. sag...had been allowed to sag into the lake, and the boat  
7. happened to strike that particular power line. As a result  
8. it electrócutéd two of the young ladies who were on that  
9. boat. Now, my concern is, whether this bill would not allow  
10. anybody to get after the negligent act of allowing that power  
11. line to sag in a recreational area. Lemke.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Coffey.

14. SENATOR COFFEY:

15. I'm sorry, I don't believe I can answer that question.

16. SENATOR MARAGOS:

17. That's the concern I have as to what extent are you extending  
18. the limits of liability, and maybe we'll be doing a disservice.  
19. That's the only fear I have. I'll have to vote Present.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Wooten.

22. SENATOR WOOTEN:

23. Just reading the bill, and provoked by Senator Maragos'  
24. question, it does, it takes them absolutely off the hook. I  
25. don't see how you could read it any other way. The changes in  
26. definition of land and owner absolutely would..in that case,  
27. would take them off the hook. And they simply could not be  
28. sued, they would not be liable in that particular case.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President. I also rise in opposition. I  
33. think that we're giving a windfall regarding liability as a result

1. of accidents far beyond the proper area of municipal...or  
2. sovereign immunity, even on a home rule basis. I don't know  
3. where the bill came from, but I'm not sure just why we want  
4. to do this. Maybe the sponsor can elaborate.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Coffey.

7. SENATOR COFFEY:

8. Mr. President, if you would like, I'd be glad to pull this  
9. from the record and maybe we could answer some of the questions  
10. that's being asked here, that I don't have the answers for.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there leave to take it from the record? Leave  
13. is granted. Take it from the record. House Bill 3106,  
14. Senator Vadalabene. Read the bill, Mr. Secretary, please.

15. SECRETARY:

16. House Bill 3106.

17. ( Secretary reads title of bill )

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President, and members of the Senate.  
23. House Bill 3106 implements a long standing audit recommendation  
24. to dissolve the State Fair Trust Fund. For several years this  
25. fund has served no purpose other than making change at the  
26. ...at the State Fair. This bill would establish an alternative  
27. means for making change and transfer the funds long dormant,  
28. two hundred and fifty thousand dollar balance to the Agricultural  
29. Premium Fund. This bill is supported by the Legislative Audit  
30. Commission, the Department of Agriculture, and the Office of  
31. State Comptroller. House Bill 3106, also as amended by committee  
32. by Senator Buzbee, to provide for replacement races for the  
33. Hambletonian, and I will refer now to Senator Buzbee's amendment  
to explain his...what his amendment does.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. This amendment that we were  
5. able to place on in the committee by unanimous vote, I might  
6. add, provides for the replacement race at the DuQuoin State  
7. Fair for the Hambletonian. It would be effective in calendar  
8. year 1981, which means it would not have a fiscal impact until  
9. FY'82. It would simply take those monies that currently go  
10. into the Hambletonian purse, which is the State share of the  
11. handle, off of the third and fourth races at harness tracks  
12. on Saturday. It would take those funds which currently go  
13. into the Hambletonian purse and transfer that over to this  
14. new race which would replace the...the Hambletonian at the  
15. DuQuoin State Fair. Also a portion of those funds, instead  
16. of going just into the...into this new classic three year  
17. old trot, a...portion would also go into the DuQuoin Grand  
18. Circuit, in the DuQuoin Illinois Program, into the Springfield  
19. Grand Circuit, and into DuQuoin expenses. I want to point  
20. out that once again to be able to attract the horses that are  
21. necessary for this kind of race, you have to provide the  
22. incentive for bringing these high quality horses, and all  
23. the expenses that go with that, from New York, from Kentucky,  
24. from California, from all over the country. So, we have  
25. sweetened the purse at Springfield, where they run one week  
26. in Springfield, they then ship them to Indianapolis for the  
27. next week's running, and then they ship them back to DuQuoin  
28. for the...for the third week's running. The folks that are  
29. in this business have indicated a sincere interest in this,  
30. say that with those three incentives that they would be willing  
31. to ship those horses, this would be the second most prestigious  
32. harness race in the world, and it's the sort of thing that we  
33. need to keep the DuQuoin State Fair and to keep southern Illinois

1. alive, and appreciate your support. And I might add once again,  
2. that the Governor has given his unqualified support after a  
3. long meeting with the folks from DuQuoin, and...and the  
4. Legislators involved, and the Governor, we walked outside  
5. his office, he held a press conference saying that he was  
6. in full support of this legislation, and wanted to see it  
7. pass. So, I would appreciate a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Mitchler.

10. SENATOR MITCHLER:

11. Mr. President, and members of the Senate. I would rise  
12. in support of the bill...even as amended. I spoke out in rather...  
13. some question about the appropriation of the funds down to  
14. foster the racing at the DuQuoin State Fair. But I've talked  
15. to several people in the race...I know very little about  
16. it, and really this goes a little bit farther than just the  
17. DuQuoin Fair, it bolsters what they call the circuit. And I'm  
18. not too well acquainted with that, but as they explained it to  
19. me and these are knowledgeable people and they're honorable  
20. people, it would assist in the races here at the State Fair.  
21. It would also over in Indiana, and I think it's a reinvestment  
22. of some of the money that we generate from the parimutuel  
23. betting in the State of Illinois, which was originally intended  
24. for the horse business and the breeding of colts and improving  
25. the racing in Illinois. And certainly the first part that  
26. Senator Vadalabene originally had in the bill is abolishing the State  
27. Fair Trust Fund and transferring this balance in the Ag Premium  
28. Fund, is a step in the right direction, something we've been  
29. trying to achieve for a long time...with the Governor's approval  
30. of that, and his knowledge...our knowledge that he will approve this  
31. legislation when it reaches his desk. I would ask for support  
32. of the bill as amended.

33. PRESIDING OFFICER: (SENATOR BRUCE)



HB 3116  
6-23-80  
3rd reading

- 1. Further discussion? Senator Vadalabene.
- 2. SENATOR VADALABENE:
- 3. Favorable roll call.
- 4. PRESIDING OFFICER: (SENATOR BRUCE)
- 5. Question is, shall House Bill 3106 pass. Those in favor
- 6. vote Aye. Those opposed vote Nay. The voting is open. Have
- 7. all voted who wish? Have all voted who wish? Take the record.
- 8. On that question, the Ayes are 52, the Nays are 4. None
- 9. Voting Present. House Bill 3106, having received the required
- 10. constitutional majority is declared passed. House Bill 3116,
- 11. Senator Nedza. For what purpose does Senator Buzbee arise?
- 12. SENATOR BUZBEE:
- 13. To the membership, thank you.
- 14. PRESIDING OFFICER: (SENATOR BRUCE)
- 15. Senator Nedza...Senator Nedza. Read the...3116, House Bill. Read
- 16. the bill, Mr. Secretary, please.
- 17. SECRETARY:
- 18. House Bill 3116.
- 19. ( Secretary reads title of bill )
- 20. 3rd reading of the bill.
- 21. PRESIDING OFFICER: (SENATOR BRUCE)
- 22. Senator Nedza.
- 23. SENATOR NEDZA:
- 24. Yes, thank you, Mr. President. This bill will provide
- 25. the Secretary of State with a procedure for dealing with
- 26. unclaimed bonds by transferring such proceeds to the Road
- 27. Fund if they're not claimed within three years. I know
- 28. of no opposition to the bill, and I'd request a favorable
- 29. roll call.
- 30. PRESIDING OFFICER: (SENATOR BRUCE)
- 31. Is there discussion? The question is, shall House Bill
- 32. 3116 pass. Those in favor vote Aye. Those opposed vote Nay.
- 33. The voting is open. Have all voted who wish? Have all voted who

1. wish? Take the record. On that question, the Ayes are 56,  
2. the Nays are...on that question, the Ayes are 57, the Nays  
3. are none. None Voting Present. House Bill 3116, having  
4. received the required constitutional majority is declared  
5. passed. House Bill 3127, Senator Berman. Read the bill,  
6. Mr. Secretary, please.

7. SECRETARY:

8. House Bill 3127.

9. ( Secretary reads title of bill )

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berman.

13. SENATOR BERMAN:

14. Mr. President, as the bill is amended, it does two things,  
15. both, of which I might add, are...can only be done by direct re-  
16. ferendum of the voters. The bill without the amendment allowed  
17. seven school districts that have coterminous boundaries between  
18. their unit district...I'm sorry, between their elementary  
19. district and their high school districts by direct referendum  
20. to combine into a unit district but at a higher...allowable  
21. tax rates than would be allowed under the present Statute. The  
22. amendment that was put on by Senator Keats is addressed to those  
23. elementary districts that have been hurting and would allow  
24. them to go by referendum again to a three dollar and fifty  
25. cent tax rate. Both of these, again, are by direct referendum of  
26. the voters. Be glad to respond to any questions. Front door  
27. referendum. Front...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is...is there a question? Discussion? The question is,  
30. shall House Bill 3127 pass. Those in favor vote Aye. Those  
31. opposed vote Nay. The voting is open. Have all voted who  
32. wish? Have all voted who wish? Take the record. On that question,  
33. the Ayes are 58, the Nays are none. None Voting Present. House

1. Bill 3127, having received the required constitutional majority  
2. is declared passed. House Bill 3132, Senator...Knuppel. Senator  
3. Knuppel. 3132. Read the bill, Mr. Secretary, please.

4. SECRETARY:

5. House Bill 3132.

6. ( Secretary reads title of bill )

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. This is the Secretary of State's bill. What it will do  
12. is change from quarterly reporting to semi-annual reporting of  
13. license plates. Save the Secretary of State's Office some money  
14. on mileage plates, that is. And it should be good legislation  
15. in any degree.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? The question is, shall House Bill  
18. 3132 pass. Those in favor vote Aye. Those opposed vote Nay.  
19. The voting is open. Have all voted who wish? Have all voted  
20. who wish? Have all voted who wish? Take the record. On  
21. that question, the Ayes are 57, the Nays are none. None  
22. Voting Present. House Bill 3132, having received the required  
23. constitutional majority is declared passed. House Bill 3137,  
24. Senator Vadalabene. Read the bill, Mr. Secretary, please.

25. SECRETARY:

26. House Bill 3137.

27. ( Secretary reads title of bill )

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, thank you, Mr. President, and members of the Senate.  
33. House Bill 3137, establishes a new schedule period for...vehicles

1. registered in the months of December, January, and February,  
2. all to be valid for tentwelfths of the years...of first registration.  
3. This proposal will simply...will simplify the registration  
4. procedure of newly registered cars during December through  
5. February for auto dealers, and their customers. This also  
6. is a Secretary of State bill and I would appreciate a  
7. favorable vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? The question is, shall House Bill  
10. 3137 pass. Those in favor vote Aye. Those opposed vote Nay.  
11. The voting is open. Have all voted who wish? Have all voted  
12. who wish? Senator Buzbee. Take the record. On that question,  
13. the Ayes are 56, the Nays are none. None Voting Present. House  
14. Bill 3137, having received the required constitutional majority  
15. is declared passed. House Bill 3148, Senator Chew. Read the  
16. bill, Mr. Secretary, please.

17. SECRETARY:

18. House Bill 3148.

19. ( Secretary reads title of bill )

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Chew.

23. SENATOR CHEW:

24. Mr. President, and members of the Senate. House Bill 3148  
25. is a Secretary of State's bill, and it's the result of many meetings  
26. and lots of travel on making auto theft more difficult. The  
27. crux of the bill is to make it a Class X felony for...for  
28. possession of a blank certificate of title. That's all the bill  
29. does. Class 4 felony.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Knuppel.

32. SENATOR KNUPPEL:

33. I'd like to ask a question. Is it...is it any kind of a  
crime at the present time?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)  
2. Senator Chew.  
3. SENATOR CHEW:  
4. I'm not aware of it being a crime at this time, Senator  
5. Knuppel. No.  
6. PRESIDING OFFICER: (SENATOR SAVICKAS)  
7. Senator Knuppel.  
8. SENATOR KNUPPEL:  
9. Is this the part of the whip crime movement here in the  
10. State by uping all the penalties and laying the whip on?  
11. PRESIDING OFFICER: (SENATOR SAVICKAS)  
12. Senator Chew.  
13. SENATOR CHEW:  
14. No, Senator, this is to try to prevent as much auto theft  
15. as possible. As you know, we've had several scandals about  
16. making of blank titles on stolen autos and trucks, and by  
17. making this a Class 4 felony we think the penalty is harsh  
18. enough to deter those persons that's been engaged in the Chop  
19. Shop Act, and et cetera.  
20. PRESIDING OFFICER: (SENATOR SAVICKAS)  
21. Senator Knuppel.  
22. SENATOR KNUPPEL:  
23. Well, I'm just not just quite sure what you mean by an  
24. open or blank certificate. Will you explian that to me?  
25. PRESIDING OFFICER: (SENATOR SAVICKAS)  
26. Senator Chew.  
27. SENATOR CHEW:  
28. An open certificate of title is one that resembles a blank  
29. title without any print whatsoever. Those are the titles that's  
30. been confiscated by some of the persons that's been operating  
31. on the Chop Shops.  
32. PRESIDING OFFICER: (SENATOR SAVICKAS)  
33. Senator Knuppel.

1. SENATOR KNUPPEL:  
2. In other...in other words it's a...it's a counterfeit form  
3. that can be filed in, is that what you're telling me by the  
4. Chop Shop owner or something?  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)  
6. Senator Chew.  
7. SENATOR CHEW:  
8. Yes, Sir, that is correct.  
9. PRESIDING OFFICER: (SENATOR SAVICKAS)  
10. Senator Knuppel.  
11. SENATOR KNUPPEL:  
12. What's the penalty for plain auto theft? Is that a Class  
13. 4 felony also?  
14. PRESIDING OFFICER: (SENATOR SAVICKAS)  
15. Senator Chew.  
16. SENATOR CHEW:  
17. No, it is not, Senator.  
18. PRESIDING OFFICER: (SENATOR SAVICKAS)  
19. Senator Knuppel.  
20. SENATOR KNUPPEL:  
21. What...what is the nature of the crime if I come over and  
22. steal that Rolls Royce?  
23. PRESIDING OFFICER: (SENATOR SAVICKAS)  
24. Senator Chew.  
25. SENATOR CHEW:  
26. You'd get killed.  
27. PRESIDING OFFICER: (SENATOR SAVICKAS)  
28. Senator Knuppel.  
29. SENATOR CHEW:  
30. Auto theft is a misdemeanor. Class 3...Class 3.  
31. SENATOR KNUPPEL:  
32. That's the Chew Law. That's the Chew Law, not the...not the  
33. law of Illinois. What's the penalty for auto theft?

1. SENATOR CHEW:  
2. ...3 felony now...theft.  
3. PRESIDING OFFICER: (SENATOR SAVICKAS)  
4. Senator Knuppel.  
5. SENATOR KNUPPEL:  
6. Is that...is that a more severe penalty than a Class 4?  
7. SENATOR CHEW:  
8. Yes.  
9. SENATOR KNUPPEL:  
10. All right. I...I just think that it's, you know, another  
11. case of sending more people to jail and having to support them  
12. at...at thirty thousand dollars a year. I don't understand  
13. it all.  
14. PRESIDING OFFICER: (SENATOR SAVICKAS)  
15. Senator Sangmeister.  
16. SENATOR SANGMEISTER:  
17. Will the sponsor yield?  
18. PRESIDING OFFICER: (SENATOR SAVICKAS)  
19. He indicates he will.  
20. SENATOR SANGMEISTER:  
21. Number one, not in the way of chastisement or anything, but  
22. this is certainly a criminal bill, and it has a...a Class 4  
23. felony. And I think it properly should have been in Judiciary  
24. II, but not for any pride of Chairmanship or anything else like  
25. that. But it doesn't...necessitate the question, which...was  
26. it ever explored as to who comes into possession of blank certificates.  
27. I mean I have no idea, someone can hand me a blank certificate  
28. for one reason or another and if I'm found in possession of  
29. it, I'm going to guilty of an Class 4 felony?  
30. PRESIDING OFFICER: (SENATOR SAVICKAS)  
31. Senator Chew.  
32. SENATOR CHEW:  
33. Senator, this is directed primarily at the auto theft people

1. those that have been stealing automobiles and then chopping  
2. them up, shipping parts to various parts of the country. As  
3. to why it came to our committee, the Secretary of State asked  
4. that it go through this committee, because it does deal in  
5. what...I'm on the Regional Committee on Auto Theft and my  
6. familiarity with the auto theft and Chop Shop is one of the  
7. reasons. Now, I have no objection...

8. SENATOR SANGMEISTER:

9. Now, I'm not going to argue with you which committee it  
10. should have went through, but I still don't think that we...  
11. just because the Secretary of State wants it and as you know  
12. I generally support what he wants, but I...one of things that  
13. we do look out for in our committee, is that we're not letting  
14. out or passing into law something that innocent people can become  
15. a victim of. And that's...that's why just by saying making  
16. possession of a blank certificate of title a Class 4 felony,  
17. I think is awfully broad.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. A question of the sponsor.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. He indicates he will yield.

24. SENATOR WOOTEN:

25. I noticed the other have of this bill reduces the...the  
26. renewal fee for a commercial vehicle relocater, and let's see  
27. what else, exempts them from security requirements...what is  
28. a commercial vehicle relocater? I don't even know what that  
29. is?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Chew.

32. SENATOR CHEW:

33. Well, first of all the part that you're making reference to



1. deals with the...commercial relocater who operates only one  
2. vehicle. And the difference is...

3. SENATOR WOOTEN:  
4.       What is it?

5. SENATOR CHEW:  
6.       ...the operator has more than...

7. SENATOR WOOTEN:  
8.       What is a commercial vehicle relocater? I...that's...

9. SENATOR CHEW:  
10.      A...a tow company.

11. SENATOR WOOTEN:  
12.      A tow truck, is that it?

13. SENATOR CHEW:  
14.      Well, you said an operator, that would be a tow company.  
15. As a locator, the person who owns the tow facility would be  
16. the locator.

17. SENATOR WOOTEN:  
18.      And then we..your bill would reduce their license fee from  
19. one hundred plus twenty-five for each towing vehicle, there  
20. we go, to just fifty dollars if they only have one vehicle.  
21. Instead of a hundred and twenty-five it would be fifty bucks.

22. SENATOR CHEW:  
23.      That's...that's correct, Sir. The Secretary of State  
24. explained to committee that that would make his records better  
25. suited for the best kind of bookkeeping and computer purposes.

26. SENATOR WOOTEN:  
27.      Well, also it would give the tow truck operator a break too.  
28. What are the security requirements that we're exempting them  
29. from?

30. SENATOR CHEW:  
31.      The security requirements that you're exempting them from,  
32. deals with the one vehicle operator, instead of the hundred dollars  
33. plus twenty-five, it's just reduced to fifty. They...they would

1. be exempt there.

2. SENATOR WOOTEN:

3. Now, this...I'm sorry, it's awkward to read this darn thing.  
4. It has something to do with...with security bonding and all the rest  
5. of that...

6. SENATOR CHEW:

7. They would be exempt from the security bond on this one vehicle  
8. operation.

9. SENATOR WOOTEN:

10. Why...why?

11. SENATOR CHEW:

12. Only one tow truck. Small business.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. We have the following Senators that sought recognition:  
15. Senator Bruce, Geo-Karis, Davidson, Bowers, and Lemke. Senator  
16. Bruce.

17. SENATOR BRUCE:

18. Senator Chew, I'm not as concerned about the possession  
19. of the title as I am about the fact that the bill exempts re-  
20. locators from security requirements. Now, can you explain to  
21. me why relocators ought not to have a security bond when  
22. they transport even a single vehicle?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Chew.

25. SENATOR CHEW:

26. Senator, simply because it's a one man operation, it is not  
27. a company that operates many vehicles, as to why the security  
28. is exempt...why it's exempt from the security.

29. SENATOR BRUCE:

30. But a person who buys a salvaged vehicle whether he buys  
31. one or a hundred, can go against the relocators' bond or security.  
32. This bill exempts...does away with the bond or security altogether  
33. as long as the locator only has in his possession one vehicle.

1. SENATOR CHEW:  
2.           That is correct, Sir.  
3. SENATOR BRUCE:  
4.           So, what is the protection for the consumer who...who buys  
5. a stolen vehicle that's been salvaged from a relocater. He  
6. has no recourse whatsoever, except against a...turnip, I mean  
7. he has no bond, no security, nothing.  
8. SENATOR CHEW:  
9.           If he has one vehicle, he does not.  
10. SENATOR BRUCE:  
11.           Okay, that's what I thought, thank you.  
12. PRESIDING OFFICER: (SENATOR SAVICKAS)  
13.           Senator Geo-Karis.  
14. SENATOR GEO-KARIS:  
15.           Would the sponsor yield to a question?  
16. PRESIDING OFFICER: (SENATOR SAVICKAS)  
17.           He indicates he will.  
18. SENATOR GEO-KARIS:  
19.           Is the Secretary of State the only one who has possession  
20. of the certificates of title?  
21. PRESIDING OFFICER: (SENATOR SAVICKAS)  
22.           Senator Chew.  
23. SENATOR GEO-KARIS:  
24.           Blanks and otherwise.  
25. SENATOR CHEW:  
26.           Yes, the Secretary of State is the only one that has it.  
27. SENATOR GEO-KARIS:  
28.           Mr. President, and Ladies and Gentlemen of the Senate. I'd  
29. like to speak in favor of the bill because no one should have  
30. any blank titles in their possession, and would...the way that  
31. I understand the bill, just having read it, it means blank  
32. title, it means an official title that's blank, and someone steals  
33. some of them from the Secretary of State's Office and writes all

1. kinds of cars and ownership on it. I think it's a good bill  
2. and it's a bill destined to...stop and stem some of the fraud that  
3. comes from the Chop Shops.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bowers.

6. SENATOR BOWERS:

7. Thank you, Mr. President. I just want to echo one of the  
8. points Senator Sangmeister touched upon. But if you'll read the  
9. bill, it says any person who is in possession of a blank certificate  
10. of title is guilty of a Class 4 felony. Now, it doesn't exempt  
11. anyone, it doesn't exempt the Secretary of State, it doesn't  
12. exempt the printer. It's in the same section where they talk  
13. about fraudulent, but they don't use the word fraudulent here.  
14. It's any person who has possession. The best you can say for  
15. it, it's a lousy piece of draftsmanship, and I'm not blaming  
16. the sponsor for that, but the least you ought to say, is that  
17. any person with some sort of an intent or any person with...that  
18. wants to commit a fraud. But you just can't let any person who  
19. has possession, because you don't make exception for the people  
20. who are legally entitled to have possession of this certificate.  
21. So, I would think that the least that ought to be done, it  
22. ought to be brought back to 2nd reading, so we could  
23. clarify the fact that we are covering those with some willful  
24. intent, and not just anyone who happens to have possession,  
25. including the Secretary of State, and including the printer.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Lemke.

28. SENATOR CHEW:

29. ...respond to that...

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. That wasn't a question, that was a statement, Senator.  
32. Senator Lemke. Is there further discussion? If not, Senator

33.

1. Chew may close debate.

2. SENATOR CHEW:

3. This is the Secretary of State's bill, and as I said previously  
4. it is to tighten up the Chop Shop operation as all of us are aware, that  
5. there were some ninety-eight thousand automobiles stolen in  
6. Illinois in 1978. They are being stolen every day, we know un-  
7. authorized persons do get these certificates of title that are  
8. blank. Anything that we may do to make it more difficult for  
9. Chop Shops to operate or persons dealing in stolen automobiles,  
10. I think we all should be willing to do it. Now, as far as the  
11. bill is concerned, if someone wants to amend the bill, I have  
12. no objection whatsoever bringing it back to 2nd for an amend-  
13. ment to make the language read as you see fit. I have no problems  
14. with that. The only thing I'm concerned about, is getting the  
15. bill, getting a good bill when if you have some ideas that will  
16. make the bill better, I'll certainly cooperate with you one...  
17. one hundred percent. And if you...and if you have any amendments  
18. that you'd like to have on this bill, I'd be glad to call it  
19. back to 2nd, and I'll take it out of the record if you get...if  
20. the Senate so desires. If not, I would ask that it get a favorable  
21. roll call.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is, shall House Bill 3148 pass. Those in  
24. favor will vote Aye. Those opposed vote Nay. The voting  
25. is open. Have all voted who wish? Have all voted who wish?  
26. Have all voted who wish? Take the record. On that question,  
27. the Ayes are 23, the Nays are 23. Senator Chew, for what purpose  
28. do you arise?

29. SENATOR CHEW:

30. Well, I'd be glad to bring the bill back, Mr. President.  
31. As I said before.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Chew moves to postpone consideration of House Bill

1. 3148...

2. SENATOR CHEW:

3. And let...let me say this, Mr. President. First of all,  
4. it's not a Chew Bill, if some of you didn't vote for it.

5. I don't care. The point is, those of you that spoke against  
6. the bill, offer something to make it better and I'll cooperate  
7. with you. Very frankly, I don't care whether the bill passes  
8. or not, because it's not my bill, I do want things tightened  
9. up where auto theft is concerned. And I'm willing to work  
10. with any member of the Senate that can make the bill better.  
11. That's all I can offer you.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. What is your desire, Senator? Let it up or down? Post-  
14. pone consideration. House Bill 3152, Senator Egan. House  
15. Bill 3158, Senator Coffey. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 3158.

18. ( Secretary reads title of bill )

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Coffey.

22. SENATOR COFFEY:

23. Yes, Mr. President, and members of the Senate. House Bill  
24. 3158, is a new Act authorizing the Vermilion County Conservation  
25. District to convey two hundred and nine acres, and seventy-  
26. seven-tenths to the Illinois Power Company for 74.5 acres, and  
27. a hundred and sixty-five thousand dollars. It's effective immediately,  
28. the reason for this bill is, is that Key Cup Cove Park, which  
29. is in Vermilion County is not able to utilize the land which  
30. lays on the opposite side of the river, and so they're wanting to  
31. transfer...trade this land plus the cash so they can utilize it  
32. in their educational program. I'd be glad to answer any questions  
33. you might have, and I'd ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is,  
3. shall House Bill 3158 pass. Those in favor will vote Aye.  
4. Those opposed vote Nay. The voting is open. Have all voted  
5. who wish? Have all voted who wish? Take the record. On that  
6. question, the Ayes are 58, the Nays are none. None Voting Present.  
7. House Bill 3158, having received the constitutional majority is  
8. declared passed. House Bill 31...House Bill 3173, Senator  
9. Demuzio. House Bill 3174, Senator Berning. Read the bill,  
10. Mr. Secretary.

11. SECRETARY:

12. House Bill 3174.

13. ( Secretary reads title of bill )

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President, and members of the Senate. House  
19. Bill 3174 amends the North Shore Sanitary District Act, and  
20. provides that in those rare instances when there is an emergency  
21. affecting the operation of the North Shore Sanitary District, they  
22. may, by action of the board, waive the...provision for a...advertising  
23. for bid, so that the emergency can be met. It is a matter that  
24. is of concern only to the North Shore Sanitary District, and is  
25. the result of the request of the board that this bill has been  
26. filed. If there are any questions, I will attempt to answer them.  
27. Other than that, I would appreciate a favorable roll call.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, the question is,  
30. shall House Bill 3174 pass. Those in favor will vote Aye. Those  
31. opposed vote Nay. The voting is open. Have all voted who wish?  
32. Have all voted who wish? Take the record. On that question, the  
33. Ayes are 51, the Nays are none. 3 Voting Present. House Bill  
3174, having received a constitutional majority is declared passed.

1. House Bill 3179, Senator Bruce. House Bill 3197, Senator  
2. Mitchler. Read the bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 3197.

5. ( Secretary reads title of bill )

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Thank you, Mr. President, and members of the Senate. House  
11. Bill 3197 amends a section of the Act on the University of  
12. Illinois, which provides for each county to award annually a  
13. scholarship to children of persons who served in the armed forces.  
14. And what this does, this adds so that the children of the  
15. Vietnam War can be included, in the awarding of those scholar-  
16. ships by the University of Illinois to each of the counties.  
17. It also, by amendment, allows about a hundred and fifty State  
18. employees that are involved in the reserve components to participate  
19. in Military training each year to be paid for their time off that  
20. they're in the service. This allows State employees to become  
21. members of any reserve component of the United State's Armed  
22. Forces or any of reserve components of the Illinois State  
23. Militia, after December 31, 1980, when they would be granted their  
24. leave from State employment for any period actively spent  
25. in such military service. And during such leave periods if  
26. such employees' compensation from military activities is less than  
27. his compensation as a State employee, he shall receive his regular  
28. compensation as a State employee minus the amount of his com-  
29. pensation from military activities. This is a very good bill  
30. to encourage enlistments in our National Guard, and military  
31. components. I would ask for a favorable roll call for these  
32. two important provisions contained in House Bill 3197.

33. PRESIDENT:



1. Any discussion? Senator Wooten.  
2. SENATOR WOOTEN:  
3. Thank you, Mr. President. A question of the sponsor.  
4. PRESIDENT:  
5. Indicates he'll yield. Senator Wooten.  
6. SENATOR WOOTEN:  
7. Am I clear on this? Now, for example, such a period would  
8. include basic training, right? Now, how long a period of time  
9. is basic training?  
10. PRESIDENT:  
11. Senator Mitchler.  
12. SENATOR MITCHLER:  
13. You're correct in that it would include basic training,  
14. and that's a period of eight weeks for the National Guard:  
15. PRESIDENT:  
16. Senator Wooten.  
17. SENATOR WOOTEN:  
18. Now, as I understand this, then, if you enlist in the National  
19. Guard you're working for the State, you get a leave of  
20. absence for eight weeks and if what you earn in the National  
21. Guard during that time is not equal to your State pay, the  
22. State makes up the difference. Is that right?  
23. PRESIDENT:  
24. Senator Mitchler.  
25. SENATOR MITCHLER:  
26. You're correct, Senator Wooten.  
27. PRESIDENT:  
28. Senator Wooten.  
29. SENATOR WOOTEN:  
30. Well, then my question is, is that right? What kind of  
31. money are we talking about and how serious is the need. You know, we've  
32. offered scholarships for kids to enlist in the National Guard.  
33. Are we now trying to get State employees to...beef up the ranks,

1. and are going to pay them, in effect, their full State salary  
2. to be in the National Guard? Is that a wise thing to do? Or  
3. is it necessary?

4. PRESIDENT:

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Senator Wooten, they are about seventy percent below  
8. their enlistment in the National Guard now, and in discussing  
9. this with the people out there at Camp Lincoln in...in the  
10. Adjutant General's Office, this would be a very worthwhile  
11. inducement to increase the enlistments at a time when they  
12. need it. The exact cost that maybe you're asking for, would  
13. be dependent upon the amount of enlistments after December  
14. 31, 1980 and the participation in that. I'm looking through  
15. my notes here to see if I can grab off a figure that I might  
16. have. If the State of Illinois, after January 1, 1981, paid the  
17. State employee's salary minus his military pay, the cost to  
18. the State would be approximately two hundred and seventy thousand.  
19. However, no additional or unbudgeted appropriation would be  
20. necessary since the State employee's compensation is already  
21. appropriated for...by the agency appropriation for Personal  
22. Services. I take that from my notes...

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Well, I...I don't think it's a good idea, Senator. We have  
27. a lot to answer to for the people of this State for the number  
28. of people we employ, and to be paying them to join the National  
29. Guard is, I think, not the pool that we want to draw from for  
30. National Guard participants. I just as soon not get our State  
31. employees to sign up, because it is...you know, because we will  
32. pay them. I've done everything I can think of to help them  
33. improve them, but I really don't think this is a step that is  
prudent for us to take.

1. PRESIDENT:

2. Further discussion? Senator Demuzio.

3. SENATOR DEMUZIO:

4. Well, thank you, Mr. President. I...I just have a question  
5. of the sponsor. My synopsis says that each county...currently  
6. each county in the State is statutorily allowed to award one  
7. honorary scholarship per year to show in a persons...who served  
8. during the Civil War, World War I, World War II, the Korean  
9. conflict, and now the Vietnam conflict, which this bill seeks  
10. to do. In the first place, how many counties have taken leave  
11. of awarding this scholarship, and indeed what is an honorary  
12. scholarship? What does that consist of?

13. PRESIDENT:

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Senator Demuzio, the students are selected in each county  
17. upon application...I...I would assume that there are instances  
18. where a county does not award that scholarship, but that would  
19. be really the fault of the counselors at the high school that  
20. they didn't alert their students when they're graduating to  
21. take advantage of it. There's a hundred and two scholarships  
22. available each year, and they can be awared to the children  
23. of the veterans...we want to just include...so they're included  
24. the Vietnam War veterans.

25. PRESIDENT:

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well, who...who awards the scholarship in each county? Who  
29. takes the applications, what criteria is involved in the selection  
30. process, and more importantly, does the State then pick up the  
31. bill? And if so, what do they pick up, just tuition or what,  
32. and what has been the experience of these counties throughout,  
33. let's say the last couple of years? How many have taken advantage  
of this, and what's the cost to the State of Illinois?

1. PRESIDENT:

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Senator Demuzio, the scholarships are awarded through the  
5. Regional Superintendent of Education that governs each of the  
6. counties. Let me see if I can check my notes here to give you  
7. a direct answer to your question on the cost. All I can really  
8. tell you, Senator, is that each county, that's a hundred and  
9. two scholarships are allowable and one honorary scholarship  
10. annually for the children of the veterans. However, I do  
11. understand that more than one scholarship can be granted, if  
12. the Board of Trustees of the University of Illinois feels it  
13. is appropriate. And this is one of the oldest scholarships that  
14. we have. It started back in 1867, and we've had really no  
15. problem with it. But this just includes the Vietnam War veterans'  
16. children along with the Korean War, and World War II, World War  
17. I, and on.

18. PRESIDENT:

19. Further discussion? Senator Demuzio.

20. SENATOR DEMUZIO:

21. Well, in terms of the criteria, for example, is a...is  
22. an honorary discharge a requirement during the selection  
23. process? What's been the cost to the State of Illinois, and  
24. what is...what is the selection criteria, you haven't answered  
25. my questions.

26. PRESIDENT:

27. Senator Mitchler, the board now looks like a Christman  
28. Tree. You want to take this out of the record, until we get  
29. this thing straightened out? There are one, two, three, four, five, six  
30. seven, eight, nine, ten, eleven, twelve, thirteen members who  
31. have indicated that wish to speak on this legislation.

32. SENATOR MITCHLER:

33. I'm assuming that all of them are rising in favor and support

1. because they...they heard a question answered here. I don't  
2. know what the problem is. It's a simple...very simple bill.  
3. I don't know, it's up to the Board of Trustees of the University  
4. of Illinois to set the criteria. That's been going on since  
5. 1867. Take it out of the record, if it'll help the...Mr.  
6. President.

7. PRESIDENT:

8. All right, take it out of the record, Mr. Secretary.  
9. 3204, Senator Lemke. Do you wish to call that bill, that's  
10. tax relief? Do you wish to call that bill, Senator? On the  
11. Order of House Bills 3rd reading, House Bill 3204. Read the  
12. bill, Mr. Secretary.

13. SECRETARY:

14. House Bill...

15. PRESIDENT:

16. Senator...hold it...hold it. Senator Shapiro, for what  
17. purpose do you arise?

18. SENATOR SHAPIRO:

19. Mr. President, could you hold this bill for another day?

20. PRESIDENT:

21. Senator Lemke, there's been request that the bill be held,  
22. with all the other tax relief bills. 3236 and 7, 3271, Senator  
23. Netsch. 3291, Senator Netsch. 3314, Senator Sangmeister. On  
24. the Order of House Bills 3rd reading, is House Bill 3314. Read  
25. the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 3314.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Sangmeister.

32. SENATOR SANGMEISTER:

33. Thank you, Mr. President, and members of the Senate. If you

1. recall, last month or a few weeks ago we had this same proposition  
2. before us in a Senate Bill, which I sponsored, and which we sent  
3. over to the House. Some of the opposition that was raised  
4. here, although it received an overwhelming vote, and...about  
5. 41 votes here. But Senator Knuppel, at that time, raised a question  
6. about what we were doing as far as the Death Penalty Statute  
7. was concerned, and that's now been taken out of this bill,  
8. and murder of a fetus no longer will qualify as a multiple  
9. murder, and therefore will no longer qualify for the death  
10. penalty. In addition to that, the definition is very similar  
11. to the one that I had in my bill. I will be happy to answer  
12. any questions about the bill.

13. PRESIDENT:

14. Any discussion? Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Will the sponsor yield?

17. PRESIDENT:

18. Indicates he'll yield. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Senator...thank you...Senator Sangmeister, is this bill  
21. now in the identical form that your bill is in?

22. PRESIDENT:

23. Senator Sangmeister.

24. SENATOR SANGMEISTER:

25. Yes, the House Judiciary Committee amended my bill to put  
26. it in exactly the same position that this bill is now. So,  
27. the bills are identical in both Houses.

28. SENATOR GEO-KARIS:

29. You bill provided a viable fetus, right?

30. SENATOR SANGMEISTER:

31. Well, whether you got the word viable or not in it, the word  
32. viable is not used here, it's not used over there, but it means  
33. the same thing. It's a fetus that's capable of living outside of

1. the womb with or without support devices. So, that's the  
2. same as it was previously.

3. SENATOR GEO-KARIS:  
4. Was that how your bill was?

5. SENATOR SANGMEISTER:  
6. Excuse...excuse me.

7. SENATOR GEO-KARIS:  
8. Was that how your bill was?

9. SENATOR SANGMEISTER:  
10. That's correct, yes.

11. SENATOR GEO-KARIS:  
12. Okay, thank you.

13. PRESIDENT:  
14. Further discussion? Senator Rhoads.

15. SENATOR RHOADS:  
16. A question of Senator Sangmeister.

17. PRESIDENT:  
18. He indicates he'll yield. Senator Rhoads.

19. SENATOR RHOADS:  
20. Senator, the...apparently, one of the problems with the  
21. bill was that...and I voted for your first bill a couple weeks  
22. ago, that you would not accept an amendment which would roll  
23. back the status of the fetus to conception rather than to  
24. viability. Could you explain why you resisted that amendment?

25. PRESIDENT:  
26. Senator Sangmeister.

27. SENATOR SANGMEISTER:  
28. Yes, well as you're all well aware of by now, those of you  
29. I'm sure that have received communication from the Right to  
30. Life people, and I want to make it very clear at this time, and  
31. they will not deny that, that I have always been with them. I've always  
32. supported their legislation on the Floor of the Senate when I  
33. was over in the House, and consider myself one of them. However

1. there comes a time when we have to take a look at the facts  
2. of life. We have a void in the criminal law of the State  
3. of Illinois right now, where...why a fetus that is only a fetus  
4. because it's inside the mother's womb, if it would have been  
5. outside it could have lived with or without support equipment,  
6. is in my opinion, and I would think in yours and certainly in  
7. the Right to Life people, is certainly a human being. And we  
8. ought to protect that life under the criminal law. Now, to  
9. take their amendment and roll back the definition of a viable  
10. fetus to that of one at the point of conception, is not going  
11. to pass here or anyplace else, because it makes the criminal  
12. law entirely unworkable, and I think that's where we have to  
13. separate our differences. We're dealing in the criminal law  
14. here, not in abortion law, we're dealing with criminal law.  
15. And to say that killing a woman the next day after she conceived  
16. amounts to murder, is certainly not going to sell here or any-  
17. place else.

18. PRESIDENT:

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Thank you, Mr. President, and members of the Senate. Well,  
22. in speaking to the merits of the bill, Senator Sangmeister, I  
23. thank you for that very complete explanation, and I think I  
24. understand the objection that the Pro-Life people have in terms  
25. of foreclosing future options that they might have to develop  
26. a theory of law that the...that the fetus is a live human being  
27. going all the way back to conception rather than relying on  
28. the question of viability. However Senator, I think you're  
29. right, and for that reason, I stand in support of House Bill 3314.  
30. I think we're going in the right direction with this bill, it's  
31. better than nothing. I agree with the Pro-Life groups that we  
32. need to add an extra element as I did try to do last year, Senator  
33. Sangmeister, in my amendment to the Wrongful Death Act, which  
I recall that you supported. I think we're going in the right



1. direction with this bill, and I'd urge a favorable vote.

2. PRESIDENT:

3. Further discussion? Senator Maragos. Senator Maragos.

4. Can we clear the aisle in front of Senator Maragos, please.

5. SENATOR MARAGOS:

6. Will the sponsor yield to a question?

7. PRESIDENT:

8. Indicates he will yield. Senator Maragos.

9. SENATOR MARAGOS:

10. George, what is the penalty that you prescribe here?

11. PRESIDENT:

12. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. The penalty would be the same as it is for...for murder

15. otherwise, except that the death penalty could not be applied.

16. PRESIDENT:

17. Senator...all right. Further discussion? Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, of course, this bill is much better than the other

20. bill that went through here. My opinion on everything that

21. Senator Sangmeister, from his standpoint, says is true. I

22. personally will vote Present, because it, in my opinion, compromises

23. my own morals with respect to the difference between conception

24. and viable. I just feel so strongly on the issue, that I'll

25. vote only Present.

26. PRESIDENT:

27. Further discussion? Senator Lemke.

28. SENATOR LEMKE:

29. Mr. President, and fellow Senators. When...when Senate

30. Bill...that...1524 which Senator Sangmeister had, I voted Present

31. because I felt there was some constitutional implications. Having

32. been to Washington before the Supreme Court on the funding bill

33. of 333, which denies funds for...for public funds for abortion,

1. having passed the amendments and working to come up with a  
2. amenable amendment to the seventy-five abortion laws in '79,  
3. to remedy the abuse by abortion clinics in this State, I  
4. am personally against this bill on constitutional grounds.  
5. And the reason I'm against it is very simple, Illinois in  
6. the past as it has ...in the present, has always recognized life  
7. at the conception and try to protect it, as much as possible.  
8. This bill...if this bill passes, next year, you can start  
9. working on a new abortion law, because when the Supreme Court  
10. rules, they're going to throw out the 1975 abortion law, and  
11. all the amendments that we have worked for to put on it, including  
12. the public funding. That's what you're going to do by voting  
13. for this bill. It's going to jeopardize everything we have.  
14. At the present time I say vote Present until the Supreme Court  
15. of these United States decides on the constitutionality of the  
16. bills that we have passed. If you go this way, you're going to  
17. have inconsistency in Illinois law, and the Illinois Statutes  
18. are going to be thrown out, and once again we're going to be  
19. faced with the...coming up with a new abortion law to remedy  
20. the situation. In all phases of...of life, whether it's three  
21. months, six months, or nine months, that's what you're doing.  
22. So, vote for this, 'cause you want to come back next year and  
23. work on revising the whole abortion law like we did in the  
24. past, and it's going to take us a long time. If you want  
25. to do that, vote for this bill. If you don't want to do it  
26. vote Present and let the bill fail.

27. PRESIDENT:

28. Further discussion? Senator Egan.

29. SENATOR EGAN:

30. Yes, thank you, Mr. President, and members of the Senate.  
31. Senator Sangmeister, as I expressed earlier, the...the concern  
32. that I have with defining what a human fetus is, at this point  
33. is, that we don't go back far enough. And I understand that if

1. we define the fetus as the...the conceived ovum that...that  
2. goes back so far that you cannot prove your crime, and I under-  
3. stand that, but in order to prove this crime anyway, you would  
4. have to show intent. And unless someone knew that there was  
5. a conception they would not be able to prove that there was  
6. intent in the crime to commit that murder. So, we're in a dilemma  
7. as I expressed earlier. I don't think that we ought to define  
8. a human fetus that could be otherwise used in the law unless  
9. we are absolutely certain that it cannot. And they you perhaps  
10. could define the fetus as...and I think in more definitive terms.  
11. It, in my opinion, you're doing exactly the right thing but you  
12. do not define exactly what you want to do to satisfy all of the  
13. antagonists, one of which I am. And consequently I cannot  
14. vote Aye. I certainly don't want to vote No, and Voting Present  
15. everybody knows I'm here. Is...Senator, I would just hope and wish  
16. that...that there was a better way today. And if you would  
17. be patient perhaps in the fall...would be able to do it. But  
18. that's the position that I must take.

19. PRESIDENT:

20. Any further discussion? Senator Sangmeister may close  
21. the debate.

22. SENATOR SANGMEISTER:

23. Thank you, Mr. President. In response, and I think we all  
24. understand Senator Lemke's position and feeling on this, and  
25. I have some empathy with him also. However, as far as whether this has  
26. anything to do about redoing the Abortion Act, the bill as  
27. we are proposing specifically states, "however nothing herein  
28. shall be construed to apply to the performance of an abortion  
29. under the Illinois Abortion Law of 1975 as amended," not only has  
30. it nothing to do with that, it specifically excludes that  
31. area of the law. I know that everyone feels in some respect it  
32. may be related but it certainly is not as far as the criminal  
33. law. And as to Senator Egan who says we...we could better define  
it, maybe even this fall, I'd like to see somebody come up with

1. a better definition than what we presently have, because I  
2. don't know how else to do it either. It may be a difficult  
3. decision on your part, the people that are opposed to this  
4. as I say, I've been a part of also, and I can understand  
5. their feeling. However, and I don't say it as a threat in any  
6. respect, but you have to consider it. There's a void in  
7. our present criminal law. The Illinois Supreme Court decision  
8. and particularly, the remarks made by Justice Clark clearly state  
9. that there is this void, and if we don't put this into the law  
10. what you're doing is you're allowing a fetus that could live out-  
11. side the mother's womb, with or without support equipment, certainly  
12. regardless of how you want to define what a living being is,  
13. there's no question that that is a living being. And if  
14. you don't pass this law you can kill it with no criminal respon-  
15. sibility.

16. PRESIDENT:

17. The question is, shall House Bill 3314 pass. Those in favor  
18. will vote Aye. Those opposed will vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Have all  
20. voted who wish? Take the record. On that question, the Ayes  
21. are 25, the Nays are 3. 28 Voting Present. House Bill 3314,  
22. ...the sponsor requests that further consideration of House Bill  
23. 3314 be postponed. So ordered. 3346, Senator Martin. On the  
24. Order of House Bills 3rd reading, the bottom of page 8, is  
25. House Bill 3346. Read the bill, Mr. Secretary.

26.  
27.  
28. (END OF REEL)  
29.  
30.  
31.  
32.  
33.

1. SECRETARY:

2. House Bill 3346.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Martin.

7. SENATOR MARTIN:

8. Yes, last year when we passed House Bill 2042, which  
9. granted county boards, in counties of less than a million,  
10. the authority to establish real estate indexing systems, in  
11. the office of the recorders, it turned out we had to amend  
12. additional sections of the law to clarify that authority.  
13. That is what this bill does; it has an amendment that makes  
14. sure that counties over one million are exempted. There is,  
15. not only no opposition to the bill, it is supported by  
16. counties under one million; I ask your support.

17. PRESIDENT:

18. Any discussion? If not, the question is shall House  
19. Bill 3346 pass. Those in favor will vote Aye. Those opposed  
20. will vote Nay. The voting is open. Have all voted who wish?  
21. Have all voted who wish? Take the record. On that question,  
22. the Ayes are 54, the Nays are 2, none Voting Present. House  
23. Bill 3346, having received the required constitutional majority,  
24. is declared passed. 3365, Senator Grotberg. I understand  
25. that's to be amended. Senator Vadalabene, for what purpose  
26. do you arise?

27. SENATOR VADALABENE:

28. Yes, I...yes, thank you, Mr. President and members of the  
29. Senate. I would like to have leave to be shown as hyphenated  
30. sponsor to House Bill 3197.

31. PRESIDENT:

32. 3197. Mitchler-Martin, and now Vadalabene. Is leave  
33. granted? Leave is granted. So ordered. If I can have the

1. attention of the members, this seems a fairly...it's now...  
2. the hour is now five-thirty. I understand from the Greek  
3. contingent that there is a notable event this evening. My  
4. suggestion is that we would proceed...I've just had a list  
5. compiled by the Secretary and distributed to the minority,  
6. with respect to the twenty-seven or so bills that members  
7. have asked to be recalled from 3rd to 2nd for purpose of an  
8. amendment. It seems to me that we might try to do some or  
9. all of these tonight; and then when we adjourn at approximately  
10. six-thirty, so that everyone can have an opportunity to be  
11. present this evening. We will return here tomorrow morning  
12. at the hour of nine o'clock sharp, and begin again on 2nd  
13. reading, and then begin again on 3rd reading. And as you  
14. well know, Wednesday is the deadline. Senator Berman, for  
15. what purpose do you arise?

16. SENATOR BERMAN:

17. Mr...for purpose of an announcement, Mr. President. Everyone  
18. received a notice of a meeting of the School Problems Commission  
19. this afternoon; that was scheduled for four o'clock. That will  
20. take place immediately upon adjournment, which will be some-  
21. time, as the Chair has indicated, around six or six-thirty in  
22. D-1, and that's to hear the proposals regarding bonding  
23. authority of the Chicago Board of Education and the Chicago  
24. School Finance Authority. D-1 after adjournment this afternoon.

25. PRESIDENT:

26. All right. If I can have your attention, with leave of  
27. the Body we will continue on the Order of House Bills 3rd  
28. reading. We will return to page two on the Calendar. Certain  
29. sponsors have indicated they wish bills returned for the  
30. purpose of amendments. I would ask the members to remain in  
31. their seats. We will try to work for about another hour, but  
32. there are some substantial, and I might add, controversial  
33. amendments, it appears. 303, on the...Senator...Senator Gitz.

1. SENATOR GITZ:

2. Mr. President, there are amendments filed on this; however,  
3. I do not believe they have been distributed to the membership.  
4. Is there leave that we can come back to this tomorrow?

5. PRESIDENT:

6. Yeah, we'll...we'll...

7. SENATOR GITZ:

8. They are controversial, and I'm sure that everybody will  
9. feel better if they have them.

10. PRESIDENT:

11. ...we'll keep working on them until Wednesday. 1400, Senator  
12. Martin. 1407, Senator Netsch. On the Order of House Bills  
13. 3rd reading, on the bottom of page two, is House Bill 1407.  
14. Senator Netsch seeks leave of the Body to return that bill  
15. to the Order of 2nd reading for purposes of an amendment.  
16. Is leave granted? Leave is granted. On the Order of House  
17. Bills 2nd reading, House Bill 1407, Mr. Secretary.

18. SECRETARY:

19. Amendment...Amendment No. 2, offered by Senators Netsch,  
20. Shapiro and Carroll.

21. PRESIDENT:

22. Senator Shapiro. Senator Netsch.

23. SENATOR NETSCH:

24. Thank you, Mr. President. The amendments which are reflected  
25. in this amendment are the provisions of what was originally  
26. Senate Bill 1977, sponsored by Senators Shapiro and Rock, that  
27. were not controversial. That is they are clarifying, with  
28. respect to the powers of the Illinois Housing Development  
29. Authority, making clear its right to seek conjunctive relief, to  
30. modify the mortgage agreement where there has been an added  
31. expense and so forth. The...I hasten to add that the provisions  
32. with respect to the interest rate are not in this amendment; nor  
33. are any of the provisions that deal with rules and procedures.

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Recalled  
HB 1400  
Carroll

- 1. All of that has been stricken, and all of these are simply
- 2. clarifying amendments with respect to the Illinois Housing
- 3. Development Authority's powers.

4. PRESIDENT:

- 5. Senator Netsch has moved the adoption of Amendment No. 2
- 6. to House Bill 1407. Is there any discussion? If not, all in
- 7. favor signify by saying Aye. All opposed. The Ayes have it.
- 8. The amendment is adopted. Further amendments?

9. SECRETARY:

- 10. 3, offered by Senator Carroll.

11. PRESIDENT:

- 12. Senator Carroll.

13. SENATOR CARROLL:

- 14. Thank you, Mr. President and Ladies and Gentlemen of the
- 15. Senate. This deals with the other part of the bill that was
- 16. controversial before; however, we have gotten the IHDA people
- 17. to recognize the errors of their ways, and they have reduced
- 18. by about half their request for an increase, to bring it in
- 19. the ten range at 10.75. I would move adoption of Amendment
- 20. NO. 3.

21. PRESIDENT:

- 22. Senator Carroll has moved the adoption of Amendment No.
- 23. 3 to House Bill 1407. Any discussion? If not, all in favor
- 24. signify by saying Aye. All opposed. The Ayes have it. The
- 25. amendment is adopted. Further amendments?

26. SECRETARY:

- 27. No further amendments.

28. PRESIDENT:

- 29. 3rd reading. On the Order of House Bills 3rd reading,
- 30. the middle of page two is House Bill 1400. Senator Martin
- 31. seeks leave of the Body to return that bill to the Order of
- 32. 2nd reading for purposes of an amendment. 1400, Mr. Secretary.
- 33. Is leave granted? Leave is granted. On the Order of House



1. Bills 2nd reading is House Bill 1400, Mr. Secretary.  
2. SECRETARY:  
3. Amendment No. 5, offered by Senator Martin.  
4. PRESIDENT:  
5. Senator Martin.  
6. SENATOR MARTIN:  
7. Yes, you may have problems with the bill; that may be  
8. one thing. I don't think you will with the amendment. Two  
9. technical errors were made; the word "affected" was put in  
10. instead of the word "unaffected." It makes...that change in  
11. two places, and that is the totality of the amendment.  
12. PRESIDENT:  
13. All right. Senator Martin moves the adoption of Amendment  
14. No. 5 to House Bill 1400. Is there any discussion? If not,  
15. all in favor signify by saying Aye. All opposed. The Ayes  
16. have it. The amendment is adopted. Further amendments?  
17. SECRETARY:  
18. No further amendments.  
19. PRESIDENT:  
20. 3rd reading. 1522, Senator Sangmeister. On the Order  
21. of House Bills 3rd reading, on the bottom of page two is House  
22. Bill 1522. Senator Sangmeister seeks leave of the Body to  
23. return that bill to the Order of 2nd reading for purposes of  
24. an amendment. Is leave granted? Leave is granted. On the  
25. Order of House Bills 2nd reading, House Bill 1522, Mr. Secretary.  
26. SECRETARY:  
27. Amendment No. 2, offered by Senator Sangmeister.  
28. PRESIDENT:  
29. Senator Sangmeister.  
30. SENATOR SANGMEISTER:  
31. Thank you, Mr. President. Excuse...I finally got one.  
32. Excuse me for not having that; I didn't know you were going  
33. to call that. All we're doing to House Bill 1522 is to make

1. sure that the law that we are proposing does not apply to  
2. vocational programs of training for the physically or mentally  
3. handicapped persons. I don't think anybody has any quarrel  
4. with that, and I would ask that that amendment be adopted.

5. PRESIDENT:

6. Senator Sangmeister has moved the adoption of Amendment  
7. No. 2 to House Bill 1522. Is there any discussion? If not,  
8. all in favor signify by saying Aye. All opposed. The Ayes  
9. have it. The amendment is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. 1673, Senator Merlo. On the Order of House  
14. Bills 3rd reading, top of page three is House Bill 1673.  
15. Senator Merlo seeks leave of this Body to return that bill to  
16. the Order of 2nd reading for purposes of an amendment. Is  
17. leave granted? Leave is granted. On the Order of House Bills  
18. 2nd reading, House Bill 1673, Mr. Secretary.

19. SECRETARY:

20. Amendment No. 1, offered by Senator Merlo.

21. PRESIDENT:

22. Senator Merlo.

23. SENATOR MERLO:

24. Thank you very much, Mr. President. The amendment was drafted  
25. by the Illinois State Bar Association and supported by the  
26. Illinois Association of Realtors. It does not change the basic  
27. legal concept embodied in the bill at the present time. However,  
28. it does provide a more practical approach to a problem in which  
29. the tenant may conveniently exercise his claim against a transferee  
30. for return of security deposit or any prepaid rent. It's a  
31. good amendment, and I ask your favorable support of it.

32. PRESIDENT:

33. Senator Merlo has moved the adoption of Amendment No. 1

1. to House Bill 1673. Is there any discussion? If not, all  
2. in favor signify by saying Aye. All opposed. The Ayes have  
3. it. The amendment is adopted. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 2823. Senator Berning, do you wish to  
8. return that? I understand an amendment has been filed. On  
9. the Order of House Bills 3rd reading is House Bill 2823.  
10. Senator Berning seeks leave of the Body to return that bill  
11. to the Order of 2nd reading for purposes of an amendment. Is  
12. leave granted? Leave is granted. On the Order of House Bills  
13. 2nd reading, House Bill 2823, Mr. Secretary.

14. SECRETARY:

15. Amendment No. 5, offered by Senator D'Arco.

16. PRESIDENT:

17. Senator D'Arco.

18. SENATOR D'ARCO:

19. Thank you, Mr. President. What the amendment provides  
20. is that the Inheritance Tax, collected by the county, which  
21. is redistributed to the county, at a four percent rate, shall  
22. be now an additional one percent rate, and that money...it would  
23. be counties with populations over one million; and that money  
24. would be used for the expenses of the office of the public  
25. guardian of that county.

26. PRESIDENT:

27. Any discussion? Senator McMillan.

28. SENATOR McMILLAN:

29. Mr. President and members of the Senate, I'd like to get  
30. the attention of the members of the Body, so that they know  
31. what this particular amendment does. This particular amendment,  
32. on behalf of Cook County, rips off several million dollars  
33. from the State. The law, as it presently reads, lets every

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1. county keep four percent of the Inheritance Tax; the other  
2. ninety-six percent goes to the State. But this amendment  
3. would allow Cook County one additional percentage point. I  
4. see absolutely no justification for coming up with this kind  
5. of an amendment, which essentially takes from the rest of the  
6. State money so that Cook County can keep more of the Inheritance  
7. Tax than the rest of the State. It's unfair; it's wrong; it's  
8. greedy, and it ought to be killed immediately.

9. PRESIDENT:

10. Senator D'Arco has moved the adoption of Amendment No. 5  
11. to House Bill 2823. Is there any further discussion? Senator  
12. D'Arco, you wish to close?

13. SENATOR D'ARCO:

14. Roll call, Mr. President.

15. PRESIDENT:

16. Senator D'Arco has moved the adoption of Amendment No. 5  
17. to House Bill 2823. Those in favor signify by saying Aye.  
18. Roll call has been requested. Those in favor of the adoption  
19. of the amendment will vote Aye. Those opposed will vote Nay.  
20. The voting is open. Have all voted who wish? Have all voted  
21. who wish? Have all voted who wish? Take the record. On that  
22. question, the Ayes are 27, the Nays are 27. Amendment No. 5  
23. fails. Further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. 2845, Senator Hall. On the Order of House  
28. Bills 3rd reading is House Bill 2845. Senator Hall seeks  
29. leave of the Body to return that bill to the Order of 2nd  
30. reading for purposes of an amendment. Is leave granted? On  
31. the Order of House Bills 2nd reading, House Bill 2845, Mr.  
32. Secretary.

33. SECRETARY:

1. Amendment No. 1, offered by Senator D'Arco.

2. PRESIDENT:

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Thank you, Mr. President. Amendment No. 1 creates, in  
6. the Department of Commerce, a Division of Small Business  
7. Administration. We also provide that there shall be included  
8. within that a advisory council. Right now the Department of  
9. Commerce has the Business Administration Division relegated  
10. to a program and nothing more. This would enhance its position  
11. to be a division of that department. It also provides for  
12. the creation of local economic councils to be administered  
13. by the local and municipal governments, with matching grants  
14. from the Department. It also provides for a council to be  
15. created at the universities throughout the State of Illinois,  
16. to advise local small businessmen on how to better utilize their  
17. facilities and to provide advice on how to expand on bookkeeping,  
18. accounting and other procedures that they employ in their business.  
19. I would be happy to answer any questions that anyone may have  
20. about the amendment.

21. PRESIDENT:

22. Any discussion? Senator Moore.

23. SENATOR MOORE:

24. Will the sponsor yield, Mr. President?

25. PRESIDENT:

26. Indicates he will yield, Senator Moore.

27. SENATOR MOORE:

28. Senator, do you have an idea of how much additional monies  
29. would have to be appropriated to the Department of Commerce  
30. and Community Affairs in order to implement this proposed amend-  
31. ment?

32. PRESIDENT:

33. Senator D'Arco.

1. SENATOR D'ARCO:

2.           There would be no new monies in the creation of the  
3. Division of Small Business. The money that is already being  
4. used for the program would be transferred to the new division,  
5. and there would be no increase in the appropriation for that  
6. purpose. The new monies would come into effect for the creation  
7. of the development centers at the universities. There would  
8. be, on that level, a five hundred thousand dollar appropriation  
9. in the FY-'81 budget.

10. PRESIDENT:

11.           Senator Moore.

12. SENATOR MOORE:

13.           Well, as I understand the amendment, the Small Business  
14. Division of the Department of Commerce and Community Affairs  
15. is authorized to provide dollar for dollar matching grants to  
16. local economic development commissions and to port districts,  
17. engaged in similar programs, to be used for the operating expenses  
18. of such commissions or districts; and then, we go on that the  
19. local contribution to be matched, may include contributed  
20. services and money and Federal funds. Now, let's say that I  
21. have a community that has a Economic Development Commission  
22. and I get a five million dollar Federal grant for this program;  
23. I then come to the Small Business Division of the Department  
24. of Commerce and Community Affairs, and I want five million  
25. from them, because I've already got five million from the Feds.  
26. If you look on page seven, lines twenty-four to thirty-two,  
27. I think it's quite clear, I think that we're opening up, by  
28. this amendment, millions and millions and millions of dollars  
29. that we are going to be obligated to come up with in the future  
30. in order to make these dollar for dollar matches; particularly,  
31. when you can use services, money and Federal funds as the  
32. Local Economic Development Commissions' part of the match. I  
33. think this is wrong, I don't think it is your intent; if you

1. insist on putting this on, I think it just makes a bad bill  
2. worse, which might be all right, too. But I think that we're  
3. going on a wrong vein here, by this dollar for dollar match  
4. of State monies.

5. PRESIDENT:

6. Further discussion? Senator Collins.

7. SENATOR COLLINS:

8. A question of the sponsor.

9. PRESIDENT:

10. Sponsor indicates he will yield, Senator Collins.

11. SENATOR COLLINS:

12. Not...not for all of the reasons that Senator Moore raised,  
13. but Senator D'Arco, I have some reservations too, as to the  
14. necessity of this particular amendment, at this time on this  
15. bill. I think we should move the bill as is; and then, if there  
16. need to be some amendments to this particular law at a later  
17. date, that you can do it; and I most certainly don't see the  
18. need for local intervention into this kind of project at this  
19. point in time.

20. PRESIDENT:

21. Further discussion? Senator Regner.

22. SENATOR REGNER:

23. Yes, Mr. President and members. I'd just like to inform  
24. Senator D'Arco that two years ago, myself and Senator Daley  
25. amended the appropriation bill and it did add a small business  
26. office to this particular agency. It does exist; and the director  
27. of that, or the supervisor, or manager, whatever his title is  
28. is Pete Synski, and he has his office in Chicago; and he's done  
29. a heck of a job. So, since we have it already; we don't need  
30. it again.

31. PRESIDENT:

32. Further discussion? Senator Hall.

33. SENATOR HALL:

1. Thank you, Mr. President and Ladies and Gentlemen of the  
2. Senate. I'm going to accept this amendment. It was given to  
3. me by the people who worked on it from...from the House staff,  
4. and I'm going to accept Senator D'Arco's amendment.

5. PRESIDENT:

6. Any further discussion? Senator D'Arco may close.

7. SENATOR D'ARCO:

8. Thank you, Mr. President. As far as Senator Moore's concerns  
9. are, the amount of the appropriation from the Department of  
10. Commerce for this particular purpose is one million dollars.  
11. So, no matter what local commission had...how much Federal money  
12. they had, if they...if they had five million or ten million,  
13. you're making the Body believe that the State match would have  
14. to be an equal amount to the Federal monies that the Commission  
15. received from the Federal Government. That is not true. They  
16. don't have to give them one dollar of State money if they don't  
17. want to. Just because the Local Economic Development Commission  
18. received Federal funds, doesn't mean the State has to participate  
19. and contribute State dollars for that matching purpose; and if  
20. they do participate, they can participate at a level that they  
21. feel is consistent with the program and the amount of funding  
22. that they receive from the Department of Commerce and Community  
23. Affairs, which is one million dollars total. And we're talking  
24. about many local economic commissions of many municipalities.  
25. As far as...and it is...I think it's a great idea that part of  
26. the matching funds can be contributed services of people in the  
27. municipality, working to prosper small businesses in that area.  
28. As far as Senator Collins' concerns are, the truth of the matter  
29. is, small business needs some stimulation in this State, and  
30. this is going to provide that stimulus to help small businessmen  
31. in the State of Illinois get off their feet. If you think a  
32. technical reason for not accepting this amendment is valid, I  
33. understand that; but the small businessman needs our help. And,



1. Senator Regner, this is not a division within the department,  
2. and it has not been established at that level, and that's what  
3. the bill intends to do. I would ask my colleagues...colleagues  
4. for their support; the Democratic Task Force worked on this bill,  
5. and they thought it out, and it has some very good provisions  
6. to help the small businessman in the State of Illinois; and in  
7. these times of recession and inflation, it's my understanding  
8. that that's one of the reasons why we're here in Springfield.  
9. I ask for a favorable vote.

10. PRESIDENT:

11. All right. Senator D'Arco has moved the adoption of Amend-  
12. ment No. 1 to House Bill 2845. Those in favor signify by saying  
13. Aye. Those opposed. Roll call...those in favor of the adoption  
14. of Amendment No. 1 will vote Aye. Those opposed will vote No.  
15. The voting is open. Have all voted who wish? Have all voted  
16. who wish? Have all voted who wish? Take the record. On that  
17. question, the Ayes are 31, the Nays are 25, none Voting Present.  
18. Amendment No. 1 is adopted. Are there further amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. 3rd reading. If you will turn to page four on the Calendar,  
23. in the middle of the page is House Bill 2892. Senator Martin,  
24. 2892, the middle of page four. I understand an amendment has  
25. been filed. Do you wish to call the bill back for the...Senator  
26. Martin seeks leave of the Body to return House Bill 2892 from  
27. the Order of 3rd reading to that of 2nd for the purpose of an  
28. amendment. Is leave granted? Leave is granted. On the Order  
29. of House Bills 2nd reading, House Bill 2892, Mr. Secretary.

30. SECRETARY:

31. Amendment No. 1, offered by Senator Regner.

32. PRESIDENT:

33. Senator Regner.

1. SENATOR REGNER:

2. Well, Mr. President and members, this is an amendment that we've  
3. offered, and we've put on several bills, we've passed it several  
4. times, the Governor's vetoed it a few times; but it's true tax  
5. relief for the people, and it's tax indexing. I don't think we  
6. have to debate it at any great length; we all know what it is.  
7. I'd move its adoption.

8. PRESIDENT:

9. Senator Regner has moved the adoption of Amendment No. 1  
10. to House Bill 2892. Any discussion? Senator Egan.

11. SENATOR EGAN:

12. Yes, thank you, Mr. President and members of the Senate.  
13. I wasn't consulted that there was any reason to bring this  
14. bill back to 2nd reading. I would not have...to that  
15. request. I'm a hyphenated co-sponsor; and if...if we're  
16. going to proceed in some fashion of just kindness, one to the  
17. other around here, I'd like to know what's happening. Of  
18. course, I oppose the amendment, because it has nothing to do  
19. with the underlying bill; it ought to be even nongermane, and  
20. the underlying bill is more important than the exercise of  
21. Senator Regner's habit. So, I would ask either that you...you  
22. do not allow the bill to come back, Senator Martin, or we  
23. oppose the amendment. One or...

24. PRESIDENT:

25. Further discussion? Senator Martin.

26. SENATOR MARTIN:

27. As the lead sponsor on this bill, I have mixed emotions.  
28. I have supported tax indexing all the way through; I allowed  
29. it on a bill, or at least, allowed it to be put on another  
30. bill of this same type and the bill went down. I don't know  
31. for that reason or not; and it is a time, of course, of courtesy  
32. to the joint sponsor of it, Senator Egan. It is always the  
33. Senate's pleasure, but I would not like to see this base bill

1. defeated either. For some of you, it may make the bill more  
2. attractive; for others, it may diminish the bill, and luckily,  
3. Senator Egan has another bill without that amendment; so that  
4. that choice is, to a degree, open. I had forgotten, quite  
5. truthfully; when the President asked the bill to be brought  
6. back, I just said sure. I just had not seen the amendment;  
7. so, I guess at this point, it either goes on or it goes off.  
8. I let it on once, I don't know what I can do the second  
9. time.

10. PRESIDENT:

11. Further discussion...further discussion? Senator Gitz.

12. SENATOR GITZ:

13. Well, Mr. President, I guess, in a sense I'm raising...  
14. rising in opposition to this amendment for this reason; the  
15. Senate, to its credit, has tried to keep some bottom line close  
16. to the Governor's original budget in terms of expenditures.  
17. Now, likewise, I think that both sides of the aisle are cognizant  
18. that we cannot simply pass every tax relief measure out of  
19. here without really putting ourselves in an irresponsible  
20. position. Now, I think that there's a lot of merit to indexing,  
21. particularly if inflation is a permanent way of life; I'm not  
22. convinced it has to be that way. I think there's a lot of  
23. merit to savings exemptions, particularly; I think that's very  
24. important, but if we had to assign some priority, my personal  
25. priorities would fall in the line of the Sales Tax exemption  
26. in food and medicine, the Sales Tax exemption on machinery.  
27. And my concern is, is that when we offer these kind of amend-  
28. ments over and over again, I guess I'm convinced whether we're  
29. doing this for the purpose of a roll call to use on people, or  
30. whether we're serious about a particular kind of tax relief;  
31. and I think the circuit breaker, for example, and the Sales  
32. Tax on food and medicine is far more important than tax indexing.  
33. That's just a personal appraisal. What I would urge each member

1. in this Body to do, is to take a look at what we're doing,  
2. and to make some choices; because I don't think that there  
3. is enough money in the budget to do everything the House  
4. would have us to do in the expenditure budget, and to adopt  
5. simply helter skelter, every form of tax relief no matter  
6. what's involved in it in every roll call.

7. PRESIDENT:

8. Further discussion? Senator Regner may close.

9. SENATOR REGNER:

10. You know, Mr. President and members, a lot of people  
11. have talked about tax relief that we've done here in the  
12. General Assembly and on behalf of the Governor, that he talked  
13. about but never did. Actually, we've never done anything in  
14. the way of true...tax relief for the basic taxpayer. If we  
15. would have had indexing in 1969, when we first initiated the  
16. Income Tax, we'd have about an eighteen hundred dollar exemption  
17. now. In 1969, when the...Income Tax was first passed, the  
18. exemption was worth about nine percent of a person's...or  
19. twenty-two percent; today it's only worth about nine percent,  
20. and that's what's happening. The...taxeaters, the State of  
21. Illinois, they are benefiting by windfall profits due to  
22. inflation. The only true tax relief that will go with inflation,  
23. and save the taxpayer some money, the taxpayers, that is, is  
24. tax indexing. It's the only thing we've talked about; we have  
25. passed it in...before, and I feel very, very strongly that it's  
26. extremely necessary on behalf of the taxpayers of Illinois  
27. that we do have tax indexing at this time, and I'd ask for  
28. a favorable roll call on this amendment.

29. PRESIDENT:

30. All right. Senator Regner has moved the adoption of  
31. Amendment No. 1 to House Bill 2892. Those in favor of the  
32. amendment will vote Aye. Those opposed will vote Nay. The  
33. voting is open. Have all voted who wish? Have all voted who

1. wish? Have all voted who wish? Take the record. On that  
2. question, the Ayes are 27, the Nays are 28, 2 Voting Present.  
3. The amendment fails. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 2893, Senator Knuppel. Yes, Senator Regner,  
8. for what purpose do you arise?

9. SENATOR REGNER:

10. I want...I wanted to verify the negative roll call.

11. PRESIDENT:

12. All right. There's been a request for a verification.  
13. Will the members please be in their seats. Senator Regner  
14. has requested a verification of the negative votes. Mr.  
15. Secretary, read the negative votes.

16. SECRETARY:

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

22. PRESIDENT:

23. Senator Regner.

24. SENATOR REGNER:

25. Senator Bruce.

26. PRESIDENT:

27. Is Senator Bruce on the Floor? Senator Bruce is on the  
28. Floor. Roll has been verified. On that question, there is 27 Ayes,  
29. 28 Nays. The amendment fails. 2893. Senator Knuppel, do you  
30. wish that...you do not wish to return that. 2903 and 5 we'll  
31. hold till tomorrow...okay. 2917, Senator Nash. On the Order  
32. of House Bills 3rd reading, the bottom of page four is House  
33. Bill 2917. Senator Nash seeks leave of the Body to return that

1. bill to the Order of 2nd reading for purposes of an amendment.  
2. 2917. Senator Nash seeks leave of the Body to return that  
3. bill to the Order of 2nd reading. Is leave granted? Leave  
4. is granted. On the Order of House Bills 2nd reading, House  
5. bill 2917, Mr. Secretary.

6. SECRETARY:

7. Amendment No. 2, offered by Senator Nash.

8. PRESIDENT:

9. Senator Nash. All right. Senator Maragos.

10. SENATOR MARAGOS:

11. Mr. President and members of the Senate, this amendment is a technical  
12. amendment which we need to the Consolidation Act, and it is  
13. authorized to...where we say...anyone who is authorized to  
14. administer oaths for absent voters, as required by the General  
15. Election Law; and it's a technical amendment which has to be  
16. corrected on the General...on this particular bill, which deals  
17. with consolidated elections, and I ask for your support.

18. PRESIDENT:

19. All right. Senator Maragos has moved the adoption of  
20. Amendment No. 2 to House Bill 2917. Any discussion? If not,  
21. all in favor signify by saying Aye. All opposed. The Ayes  
22. have it. The amendment is adopted. Further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. There are...there is another amendment that my sheet  
27. indicates.

28. SECRETARY:

29. Amendment No. 3, offered by Senator Maragos.

30. PRESIDENT:

31. Senator Maragos.

32. SENATOR MARAGOS:

33. Mr. President and members of the Senate, this is another

HB 2921  
6-23-80  
Revised

1. amendment to correct an error in the amendment which we just  
2. adopted, and...because the language on the amendment we just  
3. adopted was drafted on the base..of language was not up to date;  
4. and therefore, we ask...we had to put that on, so then we  
5. had to correct it by this amendment; and I ask for your  
6. support.

7. PRESIDENT:

8. Senator Maragos has moved the adoption of Amendment No.  
9. 3 to House Bill 2917. Any discussion? If not, all in favor  
10. signify by saying Aye. All opposed. The Ayes have it. The  
11. amendment is adopted. Further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. 2921, Senator Buzbee. On the Order of House  
16. Bills 3rd reading, top of page five is House Bill 2921. Senator  
17. Buzbee seeks leave of this Body to return that bill to the  
18. Order of 2nd reading for purposes of an amendment. Is leave  
19. granted? Leave is granted. On the Order of House Bills 2nd  
20. reading, House Bill 2921, Mr. Secretary.

21. SECRETARY:

22. Amendment No. 2, offered by Senator Buzbee.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Thank you, Mr. President. This is merely a technical  
27. amendment where we changed the title; the title as originally  
28. written was not inclusive enough, and this would make it  
29. inclusive enough to cover the whole Act, and I would move its  
30. adoption.

31. PRESIDENT:

32. Senator Buzbee moves the adoption of Amendment No. 2 to  
33. House Bill 2921. Any discussion? If not, all in favor signify

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recall

1. by saying Aye. All opposed. The Ayes have it. The amendment
2. is adopted. Further amendments?
3. SECRETARY:
4. No further amendments.
5. PRESIDENT:
6. 3rd reading. Senator Vadalabene, for what purpose do you
7. arise?
8. SENATOR VADALABENE:
9. Yes, on a point of personal privilege, Mr. President.
10. PRESIDENT:
11. Yes, state your point, Senator.
12. SENATOR VADALABENE:
13. Yes, in...in the gallery behind me is the wife of Senator
14. Demuzio and their daughter Stephanie, and on the Floor is their
15. son Brad. This is their eighteenth wedding anniversary, and
16. I might add, that as liberal as Senator Demuzio is, he's taking
17. his wife to the Greek cook-out at the Illinois Building at the
18. State Fair Grounds tonight; and I would like for Deanna to
19. stand and be recognized, and their daughter Stephanie.
20. PRESIDENT:
21. Welcome. 2955, Senator Knuppel, do you wish that returned?
22. On the Order of House Bills 3rd reading...on the Order of House
23. Bills 3rd reading, the middle of page five is House Bill 2955.
24. Senator Knuppel seeks leave of the Body to return that bill to
25. the Order of 2nd reading for purposes of an amendment. Is
26. leave granted? Senator Walsh.
27. SENATOR WALSH:
28. Mr. President, I would object at this time, and would like
29. to state the basis of my objection.
30. PRESIDENT:
31. Well, when...when a request for leave; obviously, a member
32. is entitled to object. More often than not, we have...allow
33. that as a matter of course, but you...you...if you're going



1. to state an objection, now is the time.

2. SENATOR WALSH:

3. When this...the membership will recall, this is the  
4. Chrysler guarantee in its present form, or loan bill, as  
5. it was when it reached the Senate. And Senator Knuppel came  
6. to me after the...after the vote last week, and suggested that  
7. I consult with a representative of Chrysler, which I did; and I  
8. was told by them that they would prepare an amendment to the  
9. bill, which would have provided for the...as collateral for  
10. the loan, the pledging of the Belvidere plant. I have not  
11. yet received that amendment, and I had indicated that I would  
12. have no objection to that amendment going on, and the bill  
13. reverting to its original form, if it was in the proper shape;  
14. which I assume it would be, since knowledgeable people were to  
15. prepare it. Now, since that amendment has not been presented  
16. to me, and that was my understanding at the time of the vote  
17. last week, I would object to the bill being brought back for  
18. any other purpose.

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, of course, I don't know what the representation was  
23. about the amendment; but it's been on your desk for about twenty  
24. or thirty minutes, and it was distributed here as soon as I  
25. knew that...that we might be calling these bills this afternoon.  
26. The...it's there, I'd be glad to explain...the only amendment  
27. that is there; and it is the amendment that Chrysler talked about,  
28. it's Senator Buzbee's amendment. It's on your desk, and...I  
29. promised Senator Schaffer that I would bring it back for his  
30. amendment; he attempt...to put it on there, and that's what I'm  
31. bringing it back for. I...it didn't go to 3rd reading with the  
32. understanding that it was necessarily going to stay there. It  
33. went there with the understanding, and the promise to Senator

1. Schaffer, that I would bring it back, and since then, I under-  
2. stand, there is more amendments even than Senator Buzbee's; so,  
3. I...I...you know, the bill is here, it's before the Body, I'd  
4. like to bring it back, there's a great number of the people  
5. that are here this evening, they might not be here some other  
6. time; I'd like to have them have a chance to vote on Senator  
7. Schaffer's amendment, and Senator Buzbee's.

8. PRESIDENT:

9. Do you persist in your objection, Senator Walsh?

10. SENATOR WALSH:

11. Yes, Mr. President. Quite simply, the representation was  
12. made to me that an amendment would be drafted to provide that  
13. there would be collateral for the twenty million dollar loan,  
14. and that that collateral be the Belvidere plant, which is owned  
15. by the Chrysler Corporation. I, now, for the first time see  
16. this Buzbee amendment; I see no reference to that in the Buzbee  
17. amendment, and since we don't have what was said would be here,  
18. I don't think we should take it back.

19. PRESIDENT:

20. ...Can we have for the moment...I'll afford you the opportunity  
21. ...John, I will afford you the opportunity to walk over there  
22. with the pieces of paper in hand. Let's move on. Take it out  
23. of the record. 2976. Senator Lemke, not on the Floor. 3151.  
24. While we've got a lull here, looking for sponsors or other-  
25. wise, Channel Three News has asked permission to shoot some silent  
26. film; they are up in the gallery. Is leave granted? Leave is  
27. granted. 3152, Senator Egan. On the Order of House Bills 3rd  
28. reading, the bottom of page seven is House Bill 3152. Senator  
29. Egan seeks leave of the Body to return that bill to the Order  
30. of 2nd reading for purposes of an amendment. Is leave granted?  
31. Leave is granted. On the Order of House Bills 2nd reading, House  
32. Bill 3152, Mr. Secretary.

33. SECRETARY:

HB 3365  
Re call  
6-27-80

1. Amendment No. 1, offered by Senator Egan.
2. PRESIDENT:
3. Senator Egan.
4. SENATOR EGAN:
5. Yes, thank you, Mr. President and members of the Senate.
6. I...I have agreed that I would have done this on 2nd reading,
7. and I forgot. It is the request of the committee to conform
8. the investment authority for this specific investment to the
9. same as the authority is on the rest of the specific investments,
10. at the rate of forty percent, which makes the entire investment
11. authority uniform, and I move its adoption.
12. PRESIDENT:
13. Senator Egan has moved the adoption of Amendment No. 1
14. to House Bill 3152. Is there any discussion? If not, all
15. in favor signify by saying Aye. All opposed. The Ayes have
16. it. The amendment is...the amendment is adopted. Any further
17. amendments?
18. SECRETARY:
19. No further amendments.
20. PRESIDENT:
21. 3rd reading. 3365, Senator Grotberg, top of page nine.
22. 3365, Senator Demuzio. 3365. On the Order of House Bills 3rd
23. reading, top of page nine is House Bill 3365. Senator Grotberg
24. seeks leave of the Body to return that bill to the Order of
25. 2nd reading for purposes of an amendment. Is leave granted?
26. Leave is granted. On the Order of House Bills 2nd reading,
27. House Bill 3365, Mr. Secretary.
28. SECRETARY:
29. Amendment No. 4, offered by Senator Demuzio.
30. PRESIDENT:
31. Senator Demuzio.
32. SENATOR DEMUZIO:
33. Thank you, Mr. President. Thank you, Senator Grotberg,

1. for allowing me the opportunity to offer this amendment.  
2. Amendment No. 4 to House Bill 3365, is a...identical to a  
3. provision that the Governor vetoed this past Session in  
4. Senate Bill 659, which would strengthen the Environmental  
5. Protection Agency's ability to control hazardous and toxic  
6. waste in Illinois. Simply stated, what this bill would do  
7. is that this bill would allow for the disposal of hazardous  
8. waste in the landfill, only after it's been demonstrated  
9. that it is not technologically feasible nor economically  
10. reasonable to recycle, to incinerate or to otherwise  
11. neutralize the waste. Thus, alternatives must be explored  
12. before hazardous materials are dumped in the ground. I  
13. think that's a...a very simplified...statement as to what  
14. this does, and I think there are a lot of people in business  
15. and industry throughout the State of Illinois...have put more  
16. into this statement than what is actually there. We are  
17. moving into a...a decade of the eighties; we're having  
18. ...each day of...of new waste sites that are being  
19. found and discovered both in Cook County and DuPage County,  
20. and although this particular amendment will not address  
21. specifically that problem, it will certainly go toward making  
22. industry come forth with some positive recommendations and  
23. some stances in the area of the...of...of materials and chemicals  
24. to which they make up. I think it's a reasonable approach.  
25. I think it's one that can be, certainly, administered by  
26. the EPA. It is not as strict as everyone seems to believe.  
27. I think it's...it's a matter of public policy that we ought  
28. to adopt in Illinois, and I would urge my colleagues to support  
29. Amendment No. 4.

30. PRESIDENT:

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. Well, thank you, Mr. President and members of the Senate.

1. I would hope that the sponsor of this amendment does not  
2. get any support for this bill, in spite of the fact that his  
3. lovely family is here. This amendment is the one that he  
4. acknowledges was vetoed by the Governor, placing upon the  
5. generator and the disposal site owner the onus of all of the  
6. analyses, before they bring it to the EPA; and then the EPA  
7. would have to act on that. We have gone so far so fast, and  
8. Mr..Senator Demuzio has been a great part of that effort. I  
9. have supported things beyond my wildest dreams in the area  
10. of hazardous waste. The Act that we have on the books now,  
11. is about as far as we feel we should go this year. I am  
12. speaking now for the Administration, for myself, that this  
13. amendment will, again, be vetoed if placed upon it. There  
14. is no need. We have had dialogue in both Houses for pre- ,  
15. senting this controversial amendment again. I would urge  
16. everyone that has a feeling that we are making good headway  
17. in the area of hazardous waste and the disposal thereof,  
18. let us not accept an amendment like this that will keep this  
19. bill in Conference Committee from now until October...or  
20. November. Please, vote No on this amendment.

21. PRESIDENT:

22. All right. Any further discussion? Senator Demuzio may  
23. close. Oh, I beg your pardon, Senator Gitz. Senator Demuzio  
24. may close.

25. SENATOR DEMUZIO:

26. Thank you, Mr. President. And...all due regards to my  
27. learned and distinguished colleague on the other side of the  
28. aisle. I might point out that Senator Grotberg...that he was  
29. the principal co-sponsor of Senate Bill 659, the previous  
30. Session; and this is the identical language that we are putting  
31. in Amendment No. 4 to House Bill 3365 that we are attempting  
32. to put back on the Governor's Desk. I...I appreciate his support  
33. the last time, and am looking for his support again this evening.

HB 3365  
Amend 5  
6-23-80

1. Bill Scott, I think, put this amendment, which is old Senate  
2. Bill 659, I think, in the proper perspective, when he said  
3. that this would more adequately provide the long-range guidance  
4. that the public policies...the public policy sees as a proper  
5. role of government, that the entire question of the disposal  
6. of hazardous waste is self-evidently going to be the burning  
7. social issue of the next decades. And I would urge you to the  
8. opportunity that you have now to look beyond the temporal  
9. considerations of the present, and to try to course on this  
10. question which will be of greater benefit to both the  
11. citizenry and responsible industry in Illinois. I would point  
12. out, in a recent publication of the Illinois State Chamber  
13. of Commerce, the headline was "Waste Bill is Not Hazardous to  
14. Your Economic Health," which, of course, is in reference to  
15. their...to their membership. This, House Bill 3365, doesn't  
16. do very much at all, if anything, to protect the citizens of  
17. Illinois; and I would hope that all of you would join with  
18. me to make Illinois a place in which we can show the Congress,  
19. the President and the remaining States in this great country  
20. that we are determined, as a matter of public policy, to  
21. come to grips with this problem in the area of hazardous...  
22. hazardous and toxic waste; and I would urge for the adoption  
23. and favorable support for 3365, and I assume the roll call  
24. would be necessary. Thank you.

25. PRESIDENT:

26. Senator Demuzio has moved the adoption of Amendment No.  
27. 4 to House Bill 3365. Those in favor of the amendment will  
28. vote Aye. Those opposed will vote Nay. The voting is open.  
29. Have all voted who wish? Have all voted who wish? Have all  
30. voted who wish? Take the record. On that question, the Ayes  
31. are 33, the Nays are 24, none Voting Present. Amendment No.  
32. 4 is adopted. Are there further amendments?

33. SECRETARY:

34. Amendment No. 5, offered by Senator Jerome Joyce.

1. Amendment No. 5, offered by Senator Jerome Joyce.

2. PRESIDENT:

3. Senator Joyce. Senator Joyce. Senator Joyce.

4. SENATOR JEROME JOYCE:

5. Mr. President and members of the Senate, this amendment  
6. goes along with the amendment I offered the other day. It  
7. says that no permit for refuse collection or refuse disposal  
8. operator shall be issued by the EPA until background for applying the  
9. operator has been evaluated. The amendment I put on the  
10. other day went along...said that it...the EPA could refuse  
11. the operator certification on this basis. Well, it turns out  
12. that the EPA is not certifying at the present time; they  
13. intend to in the future, but this would let them do the same  
14. thing with the permit. Just say, that for repeated violation  
15. of Federal, State and local regulations, convicted of a felony  
16. or proof of carelessness or incompetence in dealing with  
17. hazardous waste. I'd be glad to answer any questions.

18. PRESIDENT:

19. Senator Joyce has moved the adoption of Amendment No. 5  
20. to House Bill 3365. Any discussion? Senator Grotberg.

21. SENATOR GROTBORG:

22. Yes, Senator Joyce represents it exactly the way it is.  
23. The only reason I am not violently opposing this amendment  
24. is it's permissive, and they may deny, not shall deny; but  
25. it does make sense at hearing level to have something like  
26. this in the Statute, and I have no objection to it.

27. PRESIDENT:

28. Further discussion? Senator Nimrod.

29. SENATOR NIMROD:

30. Thank you, Mr. President. It seems to me that the EPA  
31. would not reissue another permit in the first place, if they found  
32. him to be unfit, and it seems to me that this is superfluous,  
33. unnecessary and can cause continuous harassment to the people

1. who want to legitimately approach the EPA, where there are  
2. already enough problems involved. I think that this was  
3. totally unnecessary, and I think it's not in the best interest  
4. of the State.

5. PRESIDENT:

6. All right. Senator Joyce has moved the adoption of Amend-  
7. ment No. 5 to House Bill 3365. All in favor signify by  
8. saying Aye. All opposed. The Ayes have it. The amendment  
9. is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. If I can have the Body's attention, it  
14. appears that, being human, we made a mistake with respect  
15. to House Bill 1400. With leave of the Body, we will return  
16. to the Order of House Bills 3rd reading, on page two,  
17. House Bill 1400. We...we have, it seems, or the records  
18. indicate that we adopted 5 without first having adopted  
19. Amendment No. 4, which is the monumental one. All right.  
20. So we will move to reconsider the vote by which Amendment  
21. No. 5 to House Bill 1400 was adopted. Any discussion? If  
22. not, Senator Martin moves to reconsider the vote by which  
23. Amendment No. 5 was adopted. All in favor signify by saying  
24. Aye. All opposed. The Ayes have it. The vote on Amendment  
25. No. 5 is now reconsidered. It seems to me we're right back  
26. where we started now...now we're on Amendment No. 4. Mr.  
27. Secretary.

28. SECRETARY:

29. Amendment No...the bill was on 3rd reading, and then it  
30. was...went back to committee with three amendments adopted;  
31. and then it was referred out of committee again with amendment...  
32. Committee Amendment No. 4.

33. PRESIDENT:



1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President. Just a point of clarification.

4. We moved to reconsider, but we did not reconsider, did we?

5. PRESIDENT:

6. Yeah, we did move to reconsider the vote by which it  
7. was adopted, and that was answered favorably. So, the vote  
8. was, in fact, reconsidered; and then, we're back at the  
9. point where Amendment No. 5 was in...was next in order, and  
10. it turns out that we had yet to take action on Amendment No.  
11. 4, so, we just backed up one.

12. SENATOR BERNING:

13. I...I understand; but it appears to me that the motion  
14. and the vote to reconsider is only step one.

15. PRESIDENT:

16. And then, we asked leave of the Body to go back to  
17. Amendment No. 4. Thank you. All right. Senator Martin.

18. SENATOR MARTIN:

19. No, you may not have that amendment read. That amendment  
20. is what will become the bill; it is everything you want to  
21. argue about tomorrow. It is the committee amendment to put  
22. on the bill that defines the duties and responsibility of the  
23. new department. I'd ask that it go on. And on 3rd reading  
24. you can make the determination if this is the direction in  
25. which you want to go.

26. PRESIDENT:

27. All right. Senator Martin has moved the adoption of  
28. Committee Amendment No. 4 to House Bill 1400. Any discussion?  
29. If not, all in favor signify by saying Aye. All opposed. The  
30. Ayes have it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. Amendment No. 5, offered by Senator Martin.

33. PRESIDENT:

HB 2955  
Recall  
6-23-80

- 1. Senator Martin.
- 2. SENATOR MARTIN:
- 3. Changes two words.
- 4. PRESIDENT:
- 5. Senator Martin moves to again adopt Amendment No. 5
- 6. to House Bill 1400. Is there any discussion? If not, all
- 7. in favor signify by saying Aye. All opposed. The Ayes have
- 8. it. The amendment is adopted. Further amendments?
- 9. SECRETARY:
- 10. No further amendments.
- 11. PRESIDENT:
- 12. 3rd reading. Most of the other bills that were related
- 13. to or...either the sponsors have indicated they don't wish
- 14. to call them back, or the sponsors are not here, or they were
- 15. already moved from 2nd to 3rd, so we will hold this...the re-
- 16. mainder on the list until tomorrow. Well, I...you now wish
- 17. to return to 2955? All right. On the Order of House Bills
- 18. 3rd reading, the middle of page five is House Bill 2955.
- 19. Senator Knuppel seeks leave of the Body to return to the
- 20. Order of 2nd reading for purposes of an amendment. Is
- 21. leave granted? Senator Walsh.
- 22. SENATOR WALSH:
- 23. Mr. President and members of the Senate, having made an
- 24. objection, I would just like to state that Senator Knuppel
- 25. has presented me with the amendment, which I, of course,
- 26. do not support; but since it appears to be the will of the
- 27. Body to consider Senator Schaffer's amendment and Senator
- 28. Buzbee's amendment, I withdraw my objection.
- 29. PRESIDENT:
- 30. All right. Senator Knuppel seeks leave of the Body to
- 31. return 2955 to the Order of 2nd reading for purposes of an
- 32. amendment. Is leave granted? Leave is granted. On the Order
- 33. of House Bills 2nd reading, House Bill 2955, Mr. Secretary.

1. SECRETARY:

2. Amendment No. 2, offered by Senator Buzbee.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. I'm not quite sure how I got  
7. involved in the Chrysler bail-out, given the fact that the  
8. Belvidere plant is about four hundred miles from my district.  
9. To the best of my knowledge, I have no United Auto Workers  
10. members in my district; maybe a very, very few who would  
11. commute over to St. Louis to work in some of the auto plants  
12. there. I'm philosophically opposed to direct loans to  
13. corporations to bail them out; and so, I am the sponsor of  
14. the amendment that would do just that. I really and truthfully  
15. believe..as I said, I'm philosophically opposed to the bail-out  
16. of businesses; I have a...I was a partner in a business that  
17. just is in the process of about to go under; nobody's going  
18. to bail me out. I get to keep on paying the bank back for  
19. all that money that I borrowed to invest in that business.  
20. I'm sure there are several in this Body who have been there  
21. many times before. However, I determined a long, long time  
22. ago, that as far as my voting in this Body, that I would take  
23. the stance, in contrast...or rather contrary to my philosophy;  
24. that I felt the Chrysler Corporation...the...the loss of the  
25. Chrysler Corporation to the economy of this country, to the  
26. economy of this State was something we simply could not afford  
27. and was something we had to attempt to do. At the Federal  
28. Government level, there has been other bail-outs of this type;  
29. the Lockheed bail-out a few years ago; there was a railroad,  
30. I've forgotten the name now; I guess it was the New York Central  
31. or the Penn, wasn't it? The Penn Central, we bailed them out  
32. at the Federal level a few years ago. So, I determined, early  
33. on, that instead of a direct loan, that I would support a loan

1. guarantee from the State of Illinois. I have become convinced  
2. by the advocates that what we present here is even better  
3. than a loan guarantee; and that is that we provide a direct  
4. loan, which will come from the revenue from the lottery,  
5. with the State of Illinois having a first mortgage on the  
6. Belvidere plant property. Now, because the Constitution  
7. prohibits the exact naming of...of this sort of...of  
8. corporations and so forth, it had to be...in the bill..it had  
9. to be put in terms that were not that specific. So, in  
10. effect, the new language that we've put in here is what was...  
11. well, first of all, the language is the same as it passed  
12. the House, with this exception. The new language says the  
13. Corporation has agreed to secure the loan it receives, under  
14. this Act, with such parcels of its real property in this State,  
15. used in its business operations that the director deems  
16. sufficient to secure the loan. The director being, the  
17. Director of the Department of Business and Economic Development.  
18. Further new language, on page five of the amendment, Section 7,  
19. the borrower has provided security for the loan by pledging,  
20. assigning, mortgaging or otherwise conveying to the State  
21. such...parcels of its real property in this State, used in  
22. its business operations as the director deems sufficient  
23. to secure the loan.

24. (End of reel)

25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. I have here a letter dated June 18th, signed by a Mr. E. Howard  
2. Bagelman, I believe it is, Vice-President of Chrysler Corporation  
3. that addresses two concerns that I had. First of all, what about  
4. the call that the bondholders of Chrysler Corporation would  
5. have on that Belvidere property over and above the State  
6. of Illinois? I've become convinced that that is not a problem  
7. for us. In his letter he says, "in the event that Illinois  
8. House Bill 2955 becomes law, Chrysler Corporation would be willing  
9. to pledge a first lien on the Chrysler Corporation assembly  
10. plant located in Belvidere, Illinois, as security for the loan  
11. of twenty million dollars." My second concern was, how about  
12. the Federal Loan Guarantee Board, he goes on to say, "any such  
13. lien before finalizing, would have to be cleared by the Federal  
14. Loan Guarantee Board, and we would not anticipate any difficulty  
15. with such clearances." So, I'm of the opinion that the safety  
16. valve that we will have over the Chrysler Corporation will be  
17. that our mortgage would take precedence over any bonds that  
18. bondholders of Chrysler may have, and that none of this can  
19. go through unless the Federal Loan Guarantee Board approves it.  
20. That answered my objections, satisfactorily, and so I present  
21. this amendment at this time for your consideration. Thank you,  
22. very much.

23. PRESIDENT:

24. Senator Buzbee has moved the adoption of Amendment No. 2 to  
25. House Bill 2955. Any discussion? Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, Senator Buzbee, I'm a little confused and I will defer  
28. to our...our legal experts here in the Body, what exactly will  
29. that first mortgage mean to us in the...in the, what I hope is  
30. unlikely event that Chrysler does, in fact, go under? Will we,  
31. in fact, be able to extract that plant rather quickly from the  
32. bankruptcy proceedings so that we can encourage another, hopefully  
33. American or second choice foreign, automobile manufacturer to use

1. that very modern and valuable asset?

2. PRESIDENT:

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, I, like you, Senator, am not an attorney, nor an  
6. expert in these areas. But, it's my understanding that we will,  
7. in fact, receive when we foreclose after five years if they  
8. don't pay back, and maybe I should not couch it in those terms,  
9. of when we foreclose. In the event we have to foreclose, that  
10. we will own the plant, lock, stock, and barrel, for the State  
11. of Illinois, at which time then we could hopefully attract  
12. another industry to go into that plant. Let me read to you from  
13. page 4, Section 2, "the qualified corporation," which of course,  
14. in this case is Chrysler,"A, provides to the director waivers  
15. from its current lenders or trustees if required under the terms  
16. of any agreements with those lenders or trustees, allowing  
17. a pledge of assets to the State and waiving any prior or equal  
18. rights or claims of the lenders or trustees to a security interest  
19. or lien in the property to be mortgaged, pledged, or assigned.  
20. Provides...B, provides evidence of good and marketable title  
21. for all commercial or industrial, real, or personal property  
22. to be mortgaged, pledged, or assigned. And C, provides to the  
23. State a security for loans, any first and second liens on all  
24. commercial or industrial, real and personal property, that the  
25. director requires. And assigns to the State of Illinois all  
26. related production and patent licenses pertaining to that property.  
27. A loan shall not exceed seventy-five percent of the appraised  
28. value of the commercial or industrial real or personal property to  
29. be mortgaged, pledged or assigned as determined by primary  
30. appraisal of the property made by qualified appraisers selected  
31. by the director. A loan shall not be totally disbursed until  
32. the director obtains every review...review appraisal, which sub-  
33. stantiates the primary appraisal..."

1. PRESIDENT:  
2. Further discussion? Senator Schaffer.  
3. SENATOR BUZBEE:  
4. ...I hope that answers your question. Apologize for the  
5. length of the answer.  
6. PRESIDENT:  
7. Senator Schaffer.  
8. SENATOR SCHAFFER:  
9. Let me ask again, I guess in...in simplistic terms. If  
10. Chrysler goes belly up, where do we stand? Who gets the money  
11. first, the Feds, the State, the banks, the creditors, the employees?  
12. Where do we stand in that pecking order, and what would be a  
13. reasonable estimation of how long it would take the State to  
14. extract...control..at least control of the plant to the degree  
15. that we can start negotiating and getting that plant reopened?  
16. Now, frankly it's a very important question to me, and I don't  
17. think Chrysler is going under, but if they do, obviously rep-  
18. resenting Belvidere I want that plant opened as quickly as  
19. possible. Reopened.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Further discussion? Senator Buzbee.  
22. SENATOR BUZBEE:  
23. Yes, as I understand the language of this bill, and as I  
24. understand the language of the letter, and as I understand the  
25. way the Feds have guaranteed their...or required their loan  
26. guarantees, we would be a first mortgage holder, the State of  
27. Illinois, we would get title to the...to the land, to the buildings,  
28. to the machinery, to the patents, and we would take over the whole  
29. system.  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Senator Schaffer.  
32. SENATOR SCHAFFER:  
33. In front of the Feds, the banks, the employees, would...we  
would be first in line?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Yes.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. I have the following Senators who have sought recognition:  
7. Senators Johns, Walsh, Gitz, Knuppel, and Geo-Karis, and Senator  
8. Martin are you...okay. Senator Johns.

9. SENATOR JOHNS:

10. Thank you, Mr. President. We're talking about the salvation  
11. of six thousand workers, fifteen hundred allied jobs, for example.  
12. Then it goes on even further, we've got a transport carrier  
13. down in East St. Louis, in St. Clair County, Edwardsville.  
14. Madison County, about four hundred right there that would be  
15. out of work. Thanks Sam. But I was...get a curious thing,  
16. Senator Knuppel, did you have something to do with the drafting  
17. of this amendment to answer his questions?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, what this...what this amendment does, is just what  
22. I said, we would promise as far as we can go. We can't put  
23. the legal description in a...in a piece of legislation as  
24. I told Senator Bloom the other day, because it would be special  
25. legislation. We've got the letter, this says that the director  
26. and the Governor have to be satisfied. The plant has to be worth  
27. at least a hundred percent as opposed to seventy-five percent.  
28. The loan can only equal seventy-five percent of the pledged  
29. property. It's the best kind of loan I know of, it's a mortgage  
30. on real estate, and as my old law partner used to say, by God that's  
31. why they call it real. You know it's the only thing you can  
32. find, it's not paper, they call it real estate because it's real.

33. PRESIDING OFFICER: (SENATOR BRUCE)



1. Senator Johns.

2. SENATOR JOHNS:

3. You don't have to sell me, friend. I've already been sold.  
4. I'm...I'm in favor of doing this rather than having them on  
5. unemployment and food stamps and the works. I just asked you  
6. a simple question, okay? I got the answer. Thank you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Walsh.

9. SENATOR WALSH:

10. Mr. President, and members of the Senate. I think Senator  
11. Buzbee's opening remarks were the...were the most cogent. He...  
12. he's against this proposal, yet he's sponsoring it, and I don't  
13. think he satisfied himself, he sure didn't satisfy me. I  
14. would like to point out that what we're doing here is, undoing  
15. what we accomplished last week. The only language that's new  
16. in this amendment, just indicates that the corporation agrees  
17. to secure the loan. It doesn't say anything about a first  
18. mortgage, and I would take issue with Senator Knuppel when  
19. he says that to identify the collateral, the Bellvidere  
20. plant, would be special legislation, nothing is more special  
21. than House Bill 2955. We insert legal descriptions in legis-  
22. lation every day, and to me this legislation would be con-  
23. stitutional with or without. And to say that we're not going  
24. to get the collateral, we're not going to provide for the  
25. collateral, merely because the Constitution wouldn't permit  
26. us, I think is...is ludicrous. There's nothing new in here,  
27. and Senator Schaffer should not be satisfied that this is a  
28. first mortgage. It's not a first mortgage. Whether we'd be  
29. third, fourth, fifth in line, who knows. It just means that  
30. the corporation is willing to pledge whatever interest it may have  
31. in their real estate. And I'm just afraid their refusal to say  
32. first lien means they cannot make that pledge. And it's un-  
33. fortunate that they made the representation that they would  
make it a first lien on that real estate, when the issue was...

1. was brought up last week. So, Ladies and Gentlemen, what  
2. we're doing here is restoring this legislation to a loan  
3. rather than a guarantee. We're providing for twenty million  
4. dollars of State funds being allocated for a minimum of five  
5. years, maybe ten years, and maybe forever, because it's  
6. possible if not likely there would not be repayment. But  
7. in any event, it is not a proper State function without proper  
8. collateral, and I would urge a No vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Gitz.

11. SENATOR GITZ:

12. Thank you, Mr. President, and members of the Senate. My  
13. comments are geared to precisely what Senator Walsh was talking  
14. about. When the loan guarantee amendment was adopted, so-called  
15. loan guarantee, I went and started to look through it to see  
16. what kind of an animal we had recreated. One of the things that  
17. bothers me, as I'm sure it bothers many of the people in this  
18. Body, if some form of this bill does pass the General Assembly,  
19. that the State have as great a collateral or interest as possible.  
20. Now, if you were to look to the amendment that we adopted the  
21. other day you would note on page 4, in Section 2, that the  
22. loan guarantee as issued, the director determines that. And  
23. it says quote, "property or assets equal to at least one-third  
24. of the original principal amount of the loan has been pledged,  
25. assigned, mortgaged, or otherwise conveyed either to the State  
26. of Illinois as collateral for the guarantee of the loan or to  
27. the lender of such loan as security for the repayment thereof."  
28. Now, if you're going to vote on this amendment, I would hope  
29. that all of us will take a very goodhard look at what we're  
30. buying, because the present amendment, the present amendment  
31. in this bill has far less security than the amendment that we  
32. are about to adopt. This doesn't only talk about the State  
33. of Illinois, this talks about the lender. One-third of that

1. collateral. Now, I think we all agree there isn't any bank  
2. in the State of Illinois, or probably in the country, that  
3. would be willing to make that kind of a loan. Why should  
4. we subject ourselves to it? I submit to you, that I doubt  
5. very few of us the other day when we were looking through  
6. that amendment, knew that this language is there. For that  
7. reason, I think we are far better off to adopt this amendment,  
8. and in fact there is the subsequent amendment that I've just  
9. filed, which I think will make this bill even tighter should  
10. it pass. Thank you.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Netsch.

13. SENATOR NETSCH:

14. I have one question. It elaborates on the questions that  
15. Senator Schaffer was asking of the sponsor. As I understand  
16. it, Senator Buzbee, you are saying that the...the first lien,  
17. which this purports to create, is perfectly acceptable under the  
18. Federal Act that set up the Loan Guarantee Board to begin with.  
19. And it is acceptable under all of the arrangements that has...  
20. that have been made since that time. Is that the understanding?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Yes...yes, Senator. In that...in the new language, it  
25. says the corporation has agreed to secure the loan that it  
26. receives under this Act, that's on page 3. On page 5, it says  
27. the borrower has provided security for the loan by pledging, as-  
28. signing, mortgaging, or otherwise conveying to the State such  
29. parcels of its real estate, et cetera. Then the letter, which  
30. was dated June 18th, to whom it may concern, in the event that  
31. Illinois House Bill 2955, becomes a law, Chrysler Corporation  
32. would be willing to pledge a first lien on the Chrysler Corpor-  
33. ation assembly plant." It goes on in the second...located in

1. Belvidere. On the second paragraph it says,"any such lien  
2. before finalizing, would have to be cleared by the Federal  
3. Loan Guarantee Board, and we would not anticipate any difficulty  
4. with such clearances."

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Netsch.

7. SENATOR NETSCH:

8. Do you know if there are any liens on the Belvidere property  
9. at the present time, whether for tax...Federal Taxes unpaid,  
10. or for any other purpose?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. First of all, let me say I prefer your pronunciation of  
15. the word also, but I...I thought lien was the proper pronunciation  
16. maybe it is lien. I like that better. No, I don't know.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Does...can anyone answer that question? The sponsor of  
21. the bill perhaps? Senator Knuppel, can you answer that question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, I...I can't answer that part of it, but it says in  
26. number seven, the...says the barrower has provided  
27. security for the loan by pledging, assigning, mortgaging, or  
28. otherwise conveying to the State, such parcels of its real  
29. estate in this State, using its business operations as the  
30. director deems sufficient to secure the loan. And if our  
31. man, the director, doesn't think it's sufficient, he doesn't  
32. have to make the loan. That's a condition of him making the  
33. loan.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Netsch.  
3. SENATOR NETSCH:  
4. All right then, let me understand, your answer to the  
5. question then is, if, for example, some of the property has  
6. existing Federal Tax liens for unpaid taxes of whatever kind,  
7. that that is something that would then be taken into account  
8. by the director in determining whether the security was sufficient  
9. and in effect, lien free to being with. Is that...  
10. PRESIDING OFFICER: (SENATOR BRUCE)  
11. Senator Knuppel.  
12. SENATOR KNUPPEL:  
13. The answer is, absolutely, that it's that conditional.  
14. PRESIDING OFFICER: (SENATOR BRUCE)  
15. Further discussion? For what purpose does Senator Buzbee  
16. arise?  
17. SENATOR BUZBEE:  
18. To that point. I think it's very important that...that  
19. the legislative intent is, in fact, established here today,  
20. with this dialogue, and when...if it ever gets into the courts,  
21. and it goes through the records, we have expressed legislative  
22. intent...intent here today with this conversation.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Senator Knuppel.  
25. SENATOR KNUPPEL:  
26. Well, I've been practicing law for thirty years, and all  
27. I can say is from my standpoint, one hundred and thirty-three  
28. percent collateral is one hell of a lot better than thirty-three  
29. and a third percent collateral. And a mortgage...a loan secured  
30. by a loan on real estate, that is a loan from a bank secured by  
31. a lien on real estate, is the highest form of collateral. This  
32. is not just going from a guaranteed loan back to a direct loan,  
33. it's going from a guaranteed loan by a bank to a secured first  
mortgage lien on real estate worth one hundred and thirty-three

1. and a third percent of what the loan is.  
2. PRESIDING OFFICER: (SENATOR BRUCE).  
3. Senator Geo-Karis.  
4. SENATOR GEO-KARIS:  
5. Mr. President, and Ladies and Gentlemen of the Senate.  
6. I read this amendment, and I would like to call the attention,  
7. particularly, to page 3. There's no doubt in my mind that this  
8. loan will not go forth unless the Governor and the Director of the  
9. Budget approve. And certainly they're not fools, the Governor's  
10. an able lawyer, and he has an able legal staff. If they don't  
11. have clear property on which to put the lien on, it's not going  
12. to go. I think we got to do something, because I cannot fathom  
13. six thousand employees going on unemployment or what have you  
14. if we can't save a big company. And I'm a little tired of the General  
15. Motors monopoly. And I speak for the amendment.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Senator Martin.  
18. SENATOR MARTIN:  
19. Well, I've got four thousand of the employees in my district.  
20. So, I've got some interest in the bill. Senator Buzbee, you said  
21. that we would have first lien on the property, but then that it  
22. would...that would have to be approved by the Federal Loan  
23. Guarantee Board. What if they said no?  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Senator Buzbee.  
26. SENATOR BUZBEE:  
27. The loan would not be made by the State of Illinois.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Martin.  
30. SENATOR MARTIN:  
31. Where does it say that that would not happen, then?  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, first of all, I think it says it..in the paragraph  
3. that Senator Geo-Karis just quoted, the corporation has agreed  
4. to secure the loan it receives under this Act with such parcels  
5. of its real property in this State used in its business operations,  
6. that the director deems sufficient to secure the loan. If we  
7. don't have the approval of the Federal Loan Guarantee Board,  
8. the director is not going to approve the loan.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Martin.

11. SENATOR MARTIN:

12. Senator Buzbee, you have to understand something, I don't  
13. think anybody in this Chamber should vote for anything with  
14. the reliance on a director or Governor no matter who that  
15. person is. I mean, we're supposed to be making our own judgments.  
16. And I do...you know, obviously I'd like to vote for this thing  
17. because of my own district. But at the same time there have got  
18. to be some answers, not just, I didn't practice law, and I'm  
19. not for this, or I have practiced law. We're getting different  
20. opinions from legal advice on this side of the aisle. And just...  
21. I'm not sure, and I don't practice law, when we hear over here,  
22. that maybe we...the State of Illinois would be fifth in. Now, we've  
23. got a responsibility to all of the taxpayers of the State.  
24. This is coming out of the Lottery Fund, that everybody knows  
25. was going to go for the old, and education and all that  
26. junk. Now, we're going to give it to Chrysler, with four  
27. thousand employees from my district. But I want to know that  
28. that loan is truly secure, not just...they'll have a mortgage  
29. maybe if the Feds approve, but if they don't maybe the director  
30. will then say it's not a good loan.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Senator. I...I share your concerns. I am  
2. convinced the language is there, but in case it isn't, just  
3. in case it isn't, I would direct your attention to page 6 of  
4. the amendment, Section 10, "no loan may be made until the  
5. General Assembly has appropriated funds sufficient therefore."  
6. We have the final say.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Martin. Senator Shapiro.

9. SENATOR SHAPIRO:

10. Well, Mr....Mr. President, and Ladies and Gentlemen of  
11. the Senate. I think all this argument about whether it's a  
12. loan, a direct loan, a loan guarantee, and whether it's...  
13. collateralized by real estate or not, is really a redundant  
14. argument. The Federal Government has already preempted anyone  
15. from claiming any of the assets of Chrysler if it should go  
16. bankrupt, and anyone who has the type of collateral that we  
17. are speaking of here, will probably be about fourth or fifth  
18. in line. The second point I would like to make, and it is  
19. the most important, and very pertinent to this discussion, is  
20. that all we're doing, if we adopt this amendment, is change  
21. the vote requirement from a three-fifths to a simple majority.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Sommer.

24. SENATOR SOMMER:

25. Briefly, Mr. President. If I were a lawyer in a large  
26. metropolitan law firm and were presented with Senator Schaffer's  
27. question, as to what our opportunities to recover this property  
28. would be in the event the loan defaulted, I would have to  
29. honestly say, we would be in real trouble. If my job depended  
30. on my giving a true answer. We, probably under the language  
31. of this, and under what Senator Shapiro has pointed out, would  
32. not be able to recover the plant. That's very important, I would  
33. think, to the future of the employees there. I would like to see



1. us in a position where we could do that.

2. PRESIDING OFFICER:(SENATOR BRUCE)

3. Further discussion? Senator, for the second time...

4. Senator Berning, I don't believe you've been...addressed

5. the Body a first time. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. I just have one comment that's  
8. probably almost the same as Senator Shapiro's, and then one  
9. question. With all this debate and arguing going on, I think  
10. we are deluding ourselves, because in my opinion, there will  
11. be just absolutely no way that the State of Illinois is going  
12. to prejudice the position of the Federal Government, which has  
13. priority and preemptory action on anything that Chrysler  
14. has, and we will be left holding the so-called bag. That's  
15. my own personal opinion in spite of all the debating by the legal  
16. authorities. Now, my next question then to the...or my question  
17. to the sponsor, is simply this. Assuming that the bill may  
18. pass and it has several amendments, one having to do with  
19. Lottery money, would you object, Sir, to including another  
20. amendment that any and all employees of Chrysler be required  
21. to buy at least one Lottery ticket every week?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Two things, I'd like to respond to you and then to Senator  
26. Sommer. I would hope they would.I'd hope they'd appreciate, you know,  
27. which side their bread was buttered on. And as far as Senator  
28. Sommer is concerned, he like I, am an attorney in a small town.  
29. I understand the amendment one hell of a lot better than I under-  
30. stand that stuff with Cutler and Hammer with bonds and all  
31. that stuff, Senator, maybe you're brighter than I am, maybe  
32. you've handled more foreclosures, I don't know. But I'd rather  
33. have a plain real estate mortgage, that I know how to foreclose  
and I know something about, than to have bonds that are issued

1. and all that jazz under the present existence.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Maragos.

4. SENATOR MARAGOS:

5. I just want to warn the members of the Senate, that if

6. this continues there won't be any food left, because the House

7. has already arrived at the scene. So, please...so, please,

8. let's cut this debate as soon as possible.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Best suggestion we've had, Senator. Further discussion?

11. The motion is to adopt Amendment No. 2. Senator Buzbee, do

12. you wish to close?

13. SENATOR BUZBEE:

14. I ask for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is on the adoption of Amendment No. 2.

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

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

19. who wish? Take the record. On that question, the Ayes are

20. 31, the Nays are 26. 1 Voting Present. Amendment No. 2 to

21. House Bill 2955, having received the required majority vote

22. is deemed adopted. Further amendments?

23. SECRETARY:

24. Amendment No. 3 offered by Senator...Gitz, and this is

25. the short amendment. Okay. Amendment No. 3 offered

26. by Senator Schaffer.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Schaffer is recognized on Amendment No. 3.

29. SENATOR SCHAFFER:

30. I am informed by staff...that Senator Buzbee's amendment

31. has made my amendment defective. And I...I guess if there

32. are some other amendments, we have staff working on...on a

33. ...revised version. If we could go on with those..I thought

I'd covered all contingencies, but evidently not. I had two

1. filed and I guess I'll have to withdraw them, and ask the  
2. indulgence of the Body to give me an opportunity to get back  
3. at it when it...properly drafted. We had anticipated every-  
4. thing, but what Buzbee...the direction he came from.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Are there further amendments?

7. SECRETARY:

8. Amendment No. 3 offered by Senator Gitz.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Gitz.

11. SENATOR GITZ:

12. Thank you, Mr. President, and members of the Senate.  
13. There were two things that were...concerns to me if this bill  
14. was to ever pass the General Assembly. The first was the level  
15. of collateral, which is why I supported the previous amendment.  
16. I felt it was much better to have one hundred and thirty-  
17. three percent as opposed to one-third. There's another thing  
18. at issue though, and something I think is very important to the  
19. workers at the Belvidere plant, which is close to my district.  
20. And that is, what would happen in the event, the State of  
21. Illinois was to extend a loan, but Chrysler and its reorganization  
22. was to terminate or substantially reduce its Illinois operations.  
23. For that reason, I am offering this amendment, which is rather  
24. simple, direct, and straightforward. It says quote,"in Section  
25. 5, the corporation agrees that it will not reduce its permanent  
26. employee work force employed in this State at the time application  
27. is made under this Act by more than forty percent during the  
28. time the loan is outstanding." One further brief comment, why  
29. the figure forty percent? In any kind of a corporate  
30. hierarchy, or business enterprise, reorganization is going to  
31. cause some pain, so we're not suggesting as New Jersey did, that  
32. you've got to maintain prorata every employee. We are suggesting  
33. if you go below sixty percent, then this loan is going to be in

1. jeopardy, and indeed subject to recall. That is the sum  
2. and total and reason for the amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Senator Knuppel.

5. SENATOR KNUPPEL:

6. I have no...I have no objection to this. The purpose of  
7. the...of the loan is to keep Chrysler underway, and if they  
8. have any kind of success at all, they'll be able to employ  
9. at least sixty percent of the people they now have. Their  
10. most...profitable operation is here in Illinois. So, I have  
11. no objection to that type of a condition.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt. Further discussion? All in favor  
14. say Aye. Opposed Nay. The Ayes have it. And Amendment No. 3  
15. is adopted. Further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. 3rd reading. Senator, we have two messages we'd like to  
20. get in. Messages from the Governor.

21. SECRETARY:

22. A Message from the Governor by Jim Edgar, Director of  
23. Legislative Affairs.

24. Mr. President - the Governor directs me to lay before  
25. the Senate the following message. To the Honorable members of  
26. the Senate of the 81st General Assembly. I have nominated and  
27. appointed the following named persons to the offices enumerated  
28. below, and respectfully ask concurrence in and confirmation of  
29. these appointments by your honorable Body.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Executive Appointments. Message from the House.

32. SECRETARY:

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

1. Mr. President - I am directed to inform the Senate  
2. the House of Representatives has concurred with the Senate in  
3. the passage of the following bills...the title, to-wit:  
4. Senate Bill 1480, with House Amendments 1 and 3.  
5. Senate Bill 1500, with House Amendment 1.  
6. Senate Bill 1505, with House Amendments 1 and 4.  
7. Senate Bill 1510, with House Amendments 2, 3, and 4.  
8. Senate Bill 1559, with House Amendment 1.  
9. Senate Bill 1639, with House Amendments 1, 2, 3, 4, 5, 6, and 7.  
10. Senate Bill 1707, with House Amendments 1 and 2.  
11. Senate Bill 1710, with House Amendment 1.  
12. Senate Bill 1712, with House Amendments 1, 3, 4, and 7.  
13. Senate Bill 1713, with House Amendment 3.  
14. Senate Bill 1716, with House Amendment 2.  
15. Senate Bill 2007, with House Amendment 1.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Senator Rock.  
18. SENATOR ROCK:  
19. I will yield to Senator Wooten, if he has an announcement.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Senator...Senator Wooten.  
22. SENATOR WOOTEN:  
23. No, Mr. President, I just sought leave to be shown as a  
24. joint sponsor on House Bill 2997.  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Is there leave? Leave is granted. Senator Rock.  
27. SENATOR ROCK:  
28. Thank you, Mr. President, and Ladies and Gentlemen of the  
29. Senate. I would now move you, Mr. President, that we stand  
30. adjourned until nine o'clock tomorrow morning, and I would  
31. urge the membership to please be prompt, we have a great deal  
32. of work yet to be done. We did a lot today, but there's a lot  
33. more to do tomorrow. Nine o'clock tomorrow morning.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2.           The motion is that the Senate stand adjourned until  
3. Tuesday, June the 24th, at the hour of nine o'clock. Those  
4. in favor of the motion say Aye. Opposed Nay. The Ayes  
5. have it. The Senate stands adjourned until tomorrow morning,  
6. nine o'clock.

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