

81st GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1980

1. PRESIDENT:

2. The Senate will come to order. Will the members please
3. be in their seats. Will our guests in the gallery please rise.
4. Prayer this afternoon by Senator John Davidson. Senator.

5. SENATOR DAVIDSON:

6. (Prayer given by Senator John Davidson)

7. PRESIDENT:

8. Reading of the Journal. Senator Johns.

9. SENATOR JOHNS:

10. Thank you, Mr. President. I move that reading and approval
11. of the Journals of Monday, June the 23rd, Tuesday, June...June
12. the 24th, Wednesday, June the 25th, Thursday, June the 26th,
13. Friday, June the 27th and Saturday, June the 28th in the year
14. 1980 be postponed pending arrival of the printed Journals.

15. PRESIDENT:

16. You have heard the motion. Is there any discussion? If not, all
17. in favor signify by saying Aye. All opposed. The Ayes have
18. it. So ordered. Messages from the House.

19. SECRETARY:

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

21. Mr. President - I am directed to inform the Senate
22. the House of Representatives has concurred with the Senate
23. in the passage of a bill with the following title, to-wit:

24. Senate Bill 1662, with House Amendments 1, 2, 3, 4,
25. 5, 6, 7 and 10.

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

27. Mr. President - I am directed to inform the Senate
28. the House of Representatives refused to concur with the Senate
29. in the adoption of their amendments to bills with the following
30. titles:

31. House Bill 821, with Senate Amendments 1 and 2.

32. 929, with Senate Amendments 3 and 4.

33. 2710, with Senate Amendment 2.

1. 2723, with Senate Amendments 1, 2, 3 and 4.
2. 3038, with Senate Amendments 1 through 14, 16, 17
3. and 18.
4. House Bill 3084, with Senate Amendments 2, 3, 5, 8,
5. 10, 11, 12, 14, 15 and 16.
6. 3197, with Senate Amendments 1 and 2.
7. 3289, with Senate Amendment 4.

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

9. Mr. President - I am directed to inform the Senate
10. the House of Representatives refused to recede from their
11. Amendment No. 1 to Senate Bill 934, and the Speaker has appointed
12. the members of the Conference...and requests a first Conference
13. Committee...and the conference...and the Speaker has appointed the
14. members on the part of the House.

15. On Senate Bill 1404, a like message with Senate Amendment
16. No. 1. They request a First Conference and the Speaker has
17. appointed the members on the part of the House.

18. A like message on 1480, and Senate Amendment No. 3.
19. They request a First Conference, and the Speaker has appointed
20. the members on the part of the House.

21. A like message on Senate Bill 1505, with Senate Amendments
22. 1, 2 and 4, requesting a First Conference, and the Speaker has
23. appointed the members on the part of the House.

24. A like message on Senate Bill 1510, with Amendment No...
25. House Amendment No. 4 and requesting a First Conference, and
26. the Speaker has appointed the members on the part of the House.

27. A like message on 1613, with Amendment No. 1, and the...
28. requesting a First Conference, and the Speaker has appointed
29. the members on the part of the House.

30. A like message on 1616, with House Amendment No. 1,
31. requesting a First Committee of Conference, and the Speaker
32. has appointed the members on the part of the House.

33. A like message on 1632, with House Amendment No. 2,

1. requesting a First Conference, and the Speaker has appointed
2. the members on the part of the House.

3. A like message on 1726, Senate Amendments 1, 2, 5 and...
4. or House Amendments, rather. They are requesting a First
5. Conference and the Speaker has appointed the members on the
6. part of the House.

7. A like message on 17...Senate Bill 1747, with House
8. Amendment 1, requesting a First Conference, and the Speaker
9. has appointed the members on the part of the House.

10. A like message on 1752, with House Amendment 1, requesting
11. a First Conference, and the Speaker has appointed the members
12. on the part of the House.

13. A like message on 1760, House Amendment 2, requesting
14. a First Conference, and the Speaker has appointed the members
15. on the part of the House.

16. A like message on 1812, with Senate...House Amendments
17. 11 and 12, requesting a First Conference, and the Speaker has
18. appointed the members on the part of the House.

19. A like message on Senate Bill 1828, with House Amendments
20. 4 and 7, requesting a First Conference, and the Speaker has
21. appointed the members on the part of the House.

22. And a like message on Senate Bill 2000, with House Amendments
23. 1 and 2, requesting a First Conference, and the Speaker has
24. appointed the members on the part of the House.

25. PRESIDENT:

26. Senator Donnewald, for what purpose do you arise?

27. SENATOR DONNEWALD:

28. Well, yes, Mr. President, I would...on the messages received,
29. I would move to accede to the...accede to the Message from the House and get
30. the Conference Committees on the way.

31. PRESIDENT:

32. All right. The question is shall the Senate accede to
33. the request of the House that a Conference Committee be appointed

1. with respect to Senate Bill 934, 1404, 1480, 1505, 1510, 1613,
2. 1616, 1632, 1726, 1747, 1752, 1760, 1812, 1828, and 2000.
3. All in favor signify by saying Aye. All opposed. The Ayes
4. have it. The motion carries and the Senate does accede to
5. the request to appoint Conference Committees. Resolutions.
6. SECRETARY:
7. Senate Resolution 621, offered by Senator Mitchler. It's
8. congratulatory.
9. Senate Resolution 622, offered by Senator Sangmeister.
10. It's congratulatory.
11. And, Senate Resolution 623, offered by Senators Mitchler
12. and all Senators, and it's a death resolution.
13. PRESIDENT:
14. Consent Calendar.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Resolutions.
17. SECRETARY:
18. Senate Joint Resolution 123, offered by Senators Rock
19. and Shapiro.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Rock.
22. SENATOR ROCK:
23. Thank you, Mr. President and Ladies and Gentlemen of
24. the Senate. There are two Senate Joint Resolutions up there;
25. I would ask for the...that they be read in, and I would move
26. to suspend the applicable rules so that these can be reported
27. to...to the Secretary's Desk on the Order of Resolutions, so
28. that they'll show up on the Calendar tomorrow.
29. SECRETARY:
30. Senate Joint Resolution 124...also offered by Senator
31. Rock.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Well, the motion...motion is to suspend the rules on both

1. of these resolutions, in order that they may be considered
2. immediately. They will be placed on the Secretary's Desk
3. for...on tomorrow's Calendar. Is there leave? Leave is
4. granted. Senator Mitchler, for what purpose do you arise?

5. SENATOR MITCHLER:

6. Mr. President...Mr. President and members of the Senate,
7. on the Order of Resolutions, on the...in the Executive Committee
8. is Senate Resolution 565 and Senate Resolution 566, and I spoke
9. to President Rock and I would...move that both of those resolutions
10. be discharged from the Senate Executive Committee and placed
11. on the Secretary's Desk, Resolutions on the Calendar. I spoke
12. this morning with...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. ...Senate Resolutions 565 and 566, Senator Mitchler moves
15. that they be discharged from the Committee on Executive and placed
16. on tomorrow's Calendar. Is there leave? Leave is granted.
17. Senator Maragos, for what purpose do you arise?

18. SENATOR MARAGOS:

19. I rise for a form of a motion. Senate Joint Resolution
20. 118 is in Executive, and I would like to have, at this time, a
21. Motion to Discharge Executive and have it passed today, if
22. possible; so I could have it in the House tomorrow, so...it's
23. a resolution dealing with the question of...of memorializing
24. the President and the Olympic Committee to allow the Olympic
25. Games to be held in the country of Greece in the future, and
26. I would...that's...that's...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Maragos moves to discharge the Executive Committee
29. from further consideration of Senate Joint Resolution 118 and
30. those in favor of that indicate by saying Aye. And those opposed
31. Nay. The Ayes have it. Now, Senator Maragos moves for the
32. adoption...moves for the adoption of Senate Joint Resolution
33. 118. Those in favor indicate by saying Aye. Those opposed.

1. The Ayes have it. The Senate Joint Resolution is adopted.
2. Senator Maragos.

3. SENATOR MARAGOS:

4. I would also like to have leave for all the Senators
5. to become joint sponsors of that resolution.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The record will so show...Order of Resolutions on the
8. Calendar, page two, Secretary's Desk, Resolutions. House
9. Joint Resolution 104, Senator Rock.

10. SENATOR ROCK:

11. Yes, thank you, Mr. President and Ladies and Gentlemen
12. of the Senate. I have just filed...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Will the Senate please be in order? Proceed.

15. SENATOR ROCK:

16. ...this is the joint resolution as requested from the
17. House leadership, with respect to setting up a committee to
18. propose an argument against the proposed amendment to the
19. Illinois Constitution to alter the size and manner of election
20. of the House of Representatives. I have placed with the
21. Secretary, an amendment which should be adopted, because it
22. calls for the reporting date, instead of being today, that
23. the reporting date will be tomorrow. And I would move the
24. adoption of Amendment No. 1 to House Joint Resolution 104,
25. and then ask that that resolution be adopted and sent back to
26. the House.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Why...a question of the sponsor. Why should we be put in
31. the position of commenting on the size and composition of the
32. House?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rock.

2. SENATOR ROCK:

3. By Statute, we are required to, when there is a public
4. referenda, under Article IV of the Constitution, we are required
5. to put together a committee to propose the arguments against
6. the proponents...now, we went through this whole thing the
7. other day. The proponents submit their argument to the
8. Attorney General and then both are given to the Secretary of
9. State and they are mailed out to all the electors.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator McMillan.

12. SENATOR McMILLAN:

13. Well, I apologize if I wasn't listening fully, because
14. it was a resolution; but what are we about to vote on, that's
15. my question.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. We are considering a amendment to postpone...Senator
18. Rock.

19. SENATOR ROCK:

20. Yeah. The amendment...the original reporting date for
21. the committee to report back to both Houses was the 29th day
22. of June. It's too late; today's the 29th day of June. So,
23. my amendment, which is under consideration right now, says
24. June 30th; and I would like that adopted, and then we can
25. speak to the resolution.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. ...Is there further discussion? The question is shall
28. Amendment No. 1 to House Joint Resolution 104 be adopted.
29. Those in favor indicate by saying Aye. Those opposed. The
30. Ayes have it. Amendment No. 1 is adopted. Are there further
31. amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Rock.
3. SENATOR ROCK:
4. Now, I would move for the adoption of House Joint Resolution
5. 104, and what it does, it sets up a twelve-member committee,
6. three from each side of the aisle in each House to sit down
7. and write the argument against the proposed Constitutional
8. initiative concerning the size and the manner of election
9. of the House of Representatives.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Rhoads.
12. SENATOR RHOADS:
13. Thank you, Mr. President and members of the Senate.
14. I rise in support of House Joint Resolution 104. After lengthy
15. discussions with the Senate President two days ago, we de-
16. termined that this is a mandate under the State Statutes that
17. were passed last year. The State Board of Elections will
18. select proponents who will write arguments in favor of a
19. Legislative initiative that came on by...came on by petition
20. if it does, in fact, get on the ballot; and that argument
21. will be submitted to the Attorney General for fairness and
22. accuracy, and then they will be printed and published pursuant
23. to State law. Were it not for the fact that we had another
24. Constitutional Amendment also on the ballot, we would go...be
25. going to considerable expense to do this; but since we have
26. another Constitutional Amendment explanation going out in
27. addition to this one, the head of the Index Division of the
28. Secretary of State tells me that they can put it into the same
29. booklet, mail it at the same time; and although there will be
30. some added cost, it won't be as expensive as it otherwise would
31. be, so, I...I urge an Aye vote on House Joint Resolution 104.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator McMillan.

1. SENATOR McMILLAN:

2. Well, Mr. President and members of the Senate, I rise
3. in opposition to House Joint Resolution 104. I don't claim
4. to be an authority on that particular part of the Constitution,
5. but I see no way why the Legislature, quite apart from our
6. particular or individual views on the question, should be cast
7. with the responsibility of writing the argument against the
8. proposed amendment to the Constitution. I could understand it
9. if we had responsibility for doing both the proponents and the
10. opponents, but it seems highly inappropriate and, in fact, a
11. very unwise act as far as I am concerned for the Legislature
12. to be placed in this position and to take on that responsibility.
13. I firmly believe we ought to...to defeat House Joint Resolution
14. 104 and I would ask for a roll call at the appropriate time.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Keats.

17. SENATOR KEATS:

18. Thank you, Mr. President. I just pose a question to the
19. sponsor of the amendment. I am sitting here looking at our
20. Constitution, and we are being told that we need to do this;
21. we, as the Legislature, have to take a position in opposition to
22. a constitutional amendment. I don't mean to be cynical, but
23. I'm sitting here reading the Constitution, I've got it right
24. in front of me and I'll be dogged if I can find where it
25. says, we, the Legislature, must be put in the position of opposing
26. a Constitutional Amendment that some of us happen to support.
27. Could someone explain to me why this has to be done, when it
28. doesn't seem to be written in law?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock. Do we have leave for Channel 20 for
31. permission to video tape? Leave is granted. Senator Rock.

32. SENATOR ROCK:

33. Well, we...we passed, last year, a bill which says we have

1. to do this. It's in the Statute.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Keats.

4. SENATOR KEATS:

5. Could you please give us, or tell us, how and why we
6. are only doing opposition; because, as I look at the Constitution,
7. the wording is simple, we are to send them something. Now,
8. perhaps, we should check the Statute, but I have to admit at
9. this point, I cannot, number 1, see any need for us to take a
10. position in opposition to many of our wishes; and number 2,
11. the mandate is certainly unclear that we do anything at all,
12. and perhaps your staff could explain to us why this needs to
13. be done.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator...Senator Rhoads.

16. SENATOR RHOADS:

17. Well, Senator Keats, if I may take the liberty of speaking
18. to that point. We did research this in great detail about two
19. days ago when I first raised the question, the same questions
20. that you and Senator McMillan are now raising with regard to
21. this resolution. Number 1, we are writing the opposition...not
22. we, but those members of the General Assembly who are, in fact,
23. opposed to it, will be appointed by leadership on both sides,
24. and they will write the arguments in opposition. That is mandated
25. by the Statute that was passed last year, to take the opposite
26. side of the question on this initiative affecting the Legislative
27. Article from those who proposed the petition and who are getting
28. the petition on the ballot. They will dictate the form of the
29. ballot, the ballot question, that's governed by the petition.
30. They will also write the arguments in favor and the explanation
31. of the ballot question. The reason we're not writing both sides
32. of the...of the question is because this wasn't proposed by the
33. General Assembly. If it had been proposed by the General

1. Assembly, we would write pro and con arguments. As a matter
2. of fact, in the...in the other constitutional amendment that
3. Senator Rock sponsored, we did write pro arguments and that
4. will be mailed out at the same time.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Keats.

7. SENATOR KEATS:

8. Would you mind, Senator Rhoads, could you perhaps get
9. someone to quote the Statutes? I mean, we have attorneys on
10. this side who are saying, I'm sorry, that interpretation is
11. just plain in error, and the second factor that I think we
12. should look at is number 1, if you are correct, which is open
13. to question, of course, I would never want to quarrel with my
14. friends; but the second part is, if you are correct, one thing
15. I remember from Constitutional Amendments that we passed in
16. 1977 or 8, I guess it was 8, was the Senate and the House
17. then ruled on whether or not these were accurate. And if this is
18. to be included this quickly, what we're saying is this will
19. be written by people we don't agree with and you and I will
20. not get another chance to look at it, and it will be sent out
21. under you and my name without us getting to check it. I think
22. that is certainly unreasonable and not within the Statute, if
23. the Statute claims we should write something at all.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Well, the...if Senator Rock's resolution passes, a...a
28. report is drafted, and if I'm not mistaken, Senator Rock, that
29. report comes back to us for approval or disapproval. That...
30. that is the...that is the procedure. And...and, Senator Keats,
31. now, you know, I'd be happy to come over there and talk to you
32. about this, but our...our staff counsel has looked at this,
33. extensively; staff counsel on both sides. So, don't make a

1. representation here that...that you don't...you know, when
2. you don't know what you're talking about. We...we have checked
3. this out very thoroughly two days ago.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Keats.

6. SENATOR KEATS:

7. Mr. Senator, I know you to be an honest man, because
8. you're not a lawyer, but you know, if you've got three lawyers,
9. you've got four opinions. Now, what we're saying is, let's
10. be sure before we run this resolution out and number two,
11. you say it comes back to Legislature, well, there's a good
12. chance we will not be having a regularly scheduled session
13. in time to deal with...in order to get it all printed and sent
14. out. I mean there are certain complications involved, and
15. then we'll go from there. Let's hold it up until we get this
16. solved.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Knuppel. Oh, I'm...yes, Senator Knuppel, you're next.

19. SENATOR KNUPPEL:

20. Well, regrettably, I don't know...didn't notice when
21. this legislation passed, but regrettably, we're caught in a
22. no-win position, because on these petitions, I'm sure the people
23. will believe that...that we've been...even though we've been
24. trapped into it, that that is the position of everybody in this
25. body; that we're anti the petition, rather than pro. That doesn't
26. speak for all of us. I'm...I'm personally in favor of the
27. petition. I'm actually in favor of a unicameral Legislature.
28. I think that's what the Statute says. I think it's very regrettable.
29. I think that whatever goes out of here damn well ought to be
30. approved or disapproved by all of us, because I'm...I'm afraid
31. that the thing will be written inaccurately, because the House
32. is involved, and I think that the Senate and the members appointed
33. there should be very, very damn careful what goes into it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Geo-Karis.
3. SENATOR GEO-KARIS:
4. Mr. President and Ladies and Gentlemen of the Senate,
5. I think that the...the only fair thing to do is to approve
6. this resolution as amended, because you and I all know, here,
7. that the Quinn petitions have gotten a lot of publicity, very
8. one-sided, the people all think that Quinn is right, and the
9. only way they're going to know the difference is if they have
10. a comparison. Now, I have constituents in my area who do not
11. want to cut down the Legislature, because they feel it'll
12. cost the taxpayers far more money...far more money for staff
13. and then the...Legislators who will be remaining, will be
14. wanting far more salary. There are a lot of things that can
15. be done, and I think they should be done. The only fair thing
16. to do is to give the opposite side. And I haven't taken a
17. position either way on this issue, and I support the resolution.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Weaver.
20. SENATOR WEAVER:
21. A question of Senator Rock.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Indicates...Senator Rock indicates he will respond.
24. SENATOR WEAVER:
25. Senator Rock, if at some time in the future, there comes
26. a petition before us that all of us in the General Assembly
27. agree to, who would we get to write the dissent?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Rock.
30. SENATOR ROCK:
31. The dissent in that instance is, in fact, not necessary;
32. and that is just the position we have been in with respect...
33. to the Constitutional Amendment, which we, in fact, passed.

1. It passed out of this Body unanimously, and passed the House
2. with only 2 dissenting votes; so, there were, in fact, no
3. opponents. That's the one with respect to the right of...
4. shortening the period of the right of redemption.

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

7. SENATOR WEAVER:
8. Then, is there anyone who writes a dissent to be sent
9. out along with the explanation from the Secretary; or in that
10. case, is there no dissent?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Rock.

13. SENATOR ROCK:
14. In that case there is no dissent.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there further discussion? Senator Grotberg.

17. SENATOR GROTBORG:
18. A parliamentary inquiry on a different matter entirely,
19. but we...we have Conference Committees, do we...can we sneak
20. out and go to them...or are we going to recess for those?
21. That's what I wanted to ask.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. I'll...I'll defer to Senator Rock. Senator Rock.

24. SENATOR ROCK:
25. No, I think at this point, it's the intent of both...I
26. spoke with the Speaker and the Majority Leader a little earlier.
27. They intend to work for a couple of hours this afternoon, and
28. not recess for Conference Committees. I suggest that that
29. probably would be a better procedure, also, for us, 'cause I...
30. the way the Calendar looks, frankly, we shouldn't have to be
31. here much beyond six o'clock, if...once we start through the
32. Calendar, and then we'll come back in at nine o'clock tomorrow
33. morning and, we have just, in fact acceded to sixteen requests

1. from the House for Conference Committees; and those are...now
2. having been formed, those are ready to go at the call of the
3. respective Chairman.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Grotberg.

6. SENATOR GROTBORG:
7. Thank you, Mr. President. You did not leave it clear in
8. my mind; the four-thirty, five, five-thirty tonight meetings
9. should be shelved 'till tomorrow? Is that...?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Rock.

12. SENATOR ROCK:
13. No, I'm not suggesting that at all. All I'm...I think
14. you can judge what's on the Calendar and where you have to
15. be or should be at the...any given moment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Let your seatmate know. Senator Keats, for what purpose...
18. did you wish recognition? Senator Keats, getting back to the
19. order of business.

20. SENATOR KEATS:
21. Just a clarification, after being told I don't know what
22. I'm talking about, which I was sure glad to be told. I've got
23. a copy of the Constitution, I've got a copy of the Statute, and
24. if you can tell me where it says we're supposed to write this...
25. I mean, I've got it right here. I'm sitting here looking at it.
26. I got..our staff looked at the part. It just plain does not say
27. it is the responsibility of the Legislature to take a position
28. on opposition, period. Here's the Statute and here's the
29. Constitution. Please, somebody tell us why we have to take a
30. position in opposition to this amendment.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Rock.

33. SENATOR ROCK:

1. I...I don't think anybody ever suggested that we
2. have to take a position in opposition to this amendment. That,
3. I suggest to you, is a matter for your own personal choice,
4. if and when that proposed amendment gets on the ballot. What
5. the Statute that we did pass says, however, is that the minority
6. of the General Assembly, if they so desire, or the opponents of
7. an amendment to Article IV of the Constitution, submitted by
8. petition, if they so desire, may prepare a brief argument against
9. such amendment. In the case of an amendment to Article IV of
10. the Constitution, initiated pursuant to Section 3 of Article
11. XIV, the proponents shall be those persons so designated at
12. the time of filing. I assume that's Mr. Quinn and his followers.
13. And the opponents...and the opponents shall be those members
14. of the General Assembly opposing such amendment, period. Now,
15. that's what it says, and the Speaker and the Minority Leader
16. are numbered among the opponents, and they have asked that we
17. address and consider a House Joint Resolution to see if we can
18. find six members of the Senate who are also opposed and who
19. will help them write this argument. And I suggest to you, that
20. it's not an unreasonable request. We have, for a long time,
21. been in favor of arguments for and against virtually everything,
22. and we ought to be in a position to find six members of the
23. Senate, three appointed by the Minority Leader and three by the
24. President, who can, in fact...prepare an...an argument against
25. this proposed amendment.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Keats.

28. SENATOR KEATS:

29. Number 1, you did read out loud, and I'm looking at it in
30. front of me, the word is may; the word is not shall, the word is
31. may, and if...if we are in disagreement and if there is a minority
32. position, the Legislature, which may in reality be a Majority
33. position. I won't argue one way or the other, I mean, you know,

1. it's not a point to be argued. Then, how can it be listed?
2. And you know the format and you remember seeing the...Con-
3. stitutional Amendment the same way I did, on the last set of ballots
4. in '78, where it says, you know, the General Assembly explains
5. pro and con. Well, in this case, you'll have the opponents
6. say yes and the General Assembly says no, and that's how to
7. explain it. That is not the correct position. And with the
8. wording of may in the Statute, and we're both looking at
9. Section 103, Publication of Amendments, Arguments, et cetera,
10. and that's Section 2. If it's a may...if we're going to have an
11. opposition, we should have a minority report that might, in
12. reality, disagree with some of what the opposition says. If
13. we're to have it all, which is a may.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bloom.

16. SENATOR BLOOM:

17. Well, thank you, Mr. President and fellow Senators. Senator
18. Rock, to get back to my original question, without all the other
19. stuff. It seems to me that the intent of the Statute could be
20. fulfilled by a House resolution. I...I still get back to my
21. original question, why should the Senate be put in a position
22. of commenting on the size and composition of the House? Follow?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Rock.

25. SENATOR ROCK:

26. The Statute says, "and the opponents' argument shall be
27. adopted by the General Assembly." If the General Assembly does
28. not adopt the opponents' argument, there is no opponents' argument
29. that will be submitted to the electors of this State.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Keats, for the third or fourth time.

32. SENATOR KEATS:

33. I...I wouldn't call it the third or fourth time, Mr. President.

1. This is, I would think, a debate back and forth. You mentioned
2. something, Mr. President...you're saying there will be no opposition
3. published. I do say, tongue in cheek, on this resolution that
4. has had some mild controversy, there will be some opposition, I
5. am sure. And what I am saying is, if it's not mandated clearly
6. that the Senate need not be doing it, or that we should have some
7. background in terms of the minority position here, or majority
8. position, whichever it is, why must the Senate take this position?
9. If the House wishes to oppose it, let them. I see no reason why
10. we should be doing it.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. All I'm...all I'm suggesting is what the Statute suggests;
15. that if the opponents wish to have an argument in opposition,
16. that has to be done by action of the General Assembly. The
17. opponents, who number among them the Speaker and the Minority
18. Leader and many, many others, have made this request of us. I
19. think it's a reasonable request, and I think House Joint Resolution
20. 104 should be adopted.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. All right. There has been a request...just a moment, there
23. has been a request for a roll call. Senator Rock may close if he
24. so desires.

25. SENATOR ROCK:

26. Yes, thank you, Mr. President and Ladies and Gentlemen of
27. the Senate. It seems to me we...it's much ado about nothing.
28. We are in a position that we know that the proponents will submit
29. their...their argument in favor of that proposal, assuming it gets
30. on the ballot to the Attorney General, who shall in turn give it
31. to the Secretary of State to be printed and published. The
32. opponents are members of the House in the main, and they have
33. requested General Assembly action on an argument against. It

1. just seems to me, only in...fair, that if something is going to
2. be published and promulgated under the aegis of the Secretary
3. of State, that we ought to have...we ought to afford the opportunity,
4. for those who oppose it, to also have their views printed and
5. distributed. That's all the House is requesting of us at this
6. time and I would urge the adoption of House Joint Resolution 104.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The question is shall House Joint Resolution 104 pass. Those
9. in favor vote Aye. Those opposed Nay. The voting is open...those
10. voted who wish? Have all those voted who wish? Take the record.
11. On that question, the Ayes are 34, the Nays are 8, 5 Voting
12. Present. House Joint Resolution 104 is adopted. On the Order
13. of Secretary's Desk, page two, Concurrences. May I have the
14. attention of the membership? Senate Bill 569, Senator Berman.
15. Senate Bill 1378, Senator Sommer. Senate Bill 1500, Senator
16. Jerome Joyce. Senate Bill 1578, Senator DeAngelis. Senate
17. Bill 1624, Senator Nimrod. Senator Nimrod. This is on the
18. Order of Concurrences, do you wish recognition? Senator Nimrod.

19. SENATOR NIMROD:

20. Thank you, Mr. President. I seek leave to...I ask that we not
21. concur in House Amendment No. 1. What this is, is a restoration
22. of two positions, and we can't seem to reach any agreement; so,
23. I would suggest we send it back so we can get in a conference on it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Nimrod moves to nonconcur in House Amendment No. 1
26. to Senate Bill 1624. Those in favor say Aye. Those opposed say
27. Nay. Voting is open...or no, we don't need that.

28. SECRETARY:

29. No...No.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Motion carries. The Secretary shall so advise the House.
32. Senate Bill 1640, Senator Grotberg. 1640. Senate Bill 1642,
33. Senator Regner. Senate Bill 1650, Senator Nimrod. Senator Nimrod.

SENATOR NIMROD:

Yes, Mr. President, I would ask that we not concur in

1. Amendment No. 4. And this amendment is an additional of...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Now, Senator, for the sake of being orderly, would you

4. restate your motion for concurrence of whatever amendments might

5. be affected, and then ask for a nonconcurrence.

6. SENATOR NIMROD:

7. ...all right. Why don't we say we concur in Amendments 1

8. and 2.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Do you...do you wish to...do you wish to...

11. SENATOR NIMROD:

12. I want to handle the others individually, if I can.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. ...all right. We're going...you're moving for concurrence?

15. You're moving for concurrence of Senate...or House Amendments No.

16. 1 and 2?

17. SENATOR NIMROD:

18. 1 and 2.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there discussion? The question is shall the Senate

21. concur in House Amendments...Senator Bowers. There is a request

22. for explanations of House Amendments 1 and 2. Senator Nimrod.

23. SENATOR NIMROD:

24. Thank you, Mr. President. What this is is a transfer bill,

25. and what these do is transfer within the line items...Amendment

26. No. 1 transfers eleven thousand five hundred within the Fiscal

27. '80 appropriation for Historical Library, and Amendment No. 2

28. makes a transfer totaling of..fifty thousand within the appropriation

29. for the Department of Personnel. There's no new money in these

30. two amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll is recognized.

33. SENATOR CARROLL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. We join with Senator Nimrod in seeking concurrence in
3. House Amendments 1 and 2; these two transfers in the two departments
4. mentioned and would urge that the Senate do concur with House
5. Amendments 1 and 2 to Senate Bill 1650.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? The motion is to concur in Amendments
8. 1 and 2. Further discussion? The question is shall the Senate
9. concur in House Amendments 1 and 2 to Senate Bill 1650. Those in
10. favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Take the
12. record. On that question, the Ayes are 52, the Nays are...the
13. Ayes are 53, the Nays are none, none Voting Present. The Senate
14. does concur in House Amendments 1 and 2. Senator Nimrod.

15. SENATOR NIMROD:

16. Thank you, Mr. President. I would now move that we not concur
17. in Amendment No. 4. Amendment No. 4 is an appropriation of four
18. hundred thousand dollars, that's been added in for construction of
19. a district headquarters in the Illinois Department of Transportation,
20. District No. 6. I would move that we not concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to nonconcur in House Amendment No. 4. Is there
23. discussion? Senator Demuzio. The motion is to nonconcur.

24. SENATOR DEMUZIO:

25. Yes...thank you, Mr. President, and members of the Senate.
26. Parliamentary inquiry. Can another member make a motion to
27. concur? If so, I would move to concur in Amendment 4 to...to
28. Senate Bill 1650.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well, Senator Nimrod is the sponsor, and I think the better
31. procedure might be to allow him to proceed with his motion to non-
32. concur; and if that is not successful, then the Chair will be faced
33. with the problem of what happens if someone else wishes to, in fact,

1. concur. The motion before the Body is on a nonconcurrency. If
2. Senator Nimrod is not successful, we will face the question of...
3. of what happens on a concurrency. Is there discussion? Senator
4. Demuzio.

5. SENATOR DEMUZIO:

6. Well, thank you, Mr. President. I wish to rise in opposition to
7. the nonconcurrency on House Amendment 4 to Senate Bill 1650.
8. What precisely this amendment does, is it provides four hundred
9. thousand dollars for the initial planning and development of a
10. highway headquarters...a District 6 Headquarters in Jacksonville.
11. There has been a study that has been made by the Capital
12. Development Board that has recommended the site to be in Jackson-
13. ville, it is a substantial savings to taxpayers of about a quarter
14. of a million dollars per year. It will provide better service to
15. the people of this district, by virtue of the fact that it will
16. be located in the center of the main district for...for highways.
17. And, it is also supported by the Governor's Office, who has the
18. support, as well as the Illinois Department of Transportation.
19. I can remember in the last Session, we were talking about a
20. State Police Headquarters that was to be in my district, also;
21. and I can remember that the good Gentleman from Springfield got
22. that too; with a study that had recommended the site be in
23. Carlinville. This is a...a matter of concern, not only to me,
24. but also to all of the members of my district; Representative
25. Riley, a member of the opposite party of myself, who attached this
26. amendment to this bill is supportive of this, and I would ask my
27. colleagues on this side to nonconcur in...to vote No on this...
28. on this nonconcurrency...to vote No on this nonconcurrency. Thank
29. you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Davidson.

32. SENATOR DAVIDSON:

33. Inquiry. Friday, I think it was, we had a position where

1. the sponsor of the bill moved to nonconcur or concur or, I forgot
2. which it was, and the ruling at then...the sponsor of the bill
3. has control of the bill and it was taken out of the record in
4. relation to that vote when it went contrary to what he wished.
5. Is that still the order of the day?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. No. The Chair did not rule that way, Senator Davidson.
8. Senator Schaffer took his bill out of the record and later
9. decided, in fact, he wished to nonconcur, and that...we pro-
10. ceeded in that way, and we avoided, in fact, explicitly a
11. ruling on that question. For what purpose does Senator Nimrod...
12. I would point out to the Chair that we are on the motion to non-
13. concur, that is before the Body, not any rulings on that motion.

14. SENATOR NIMROD:

15. Well, Mr...President. The only thing I would say is that
16. I still have two more concurrences...two more amendments on this
17. that I have not even addressed. Would that not still leave that
18. bill in my control until I do something about those two other
19. amendments?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Well, Senator, I would advise, again, that we are on a
22. nonconcurrency motion on Amendment No. 4, and it might be best
23. to dispose of that and find out where we are before we speculate
24. as to where we are. The motion is on a nonconcurrency. Discussion?
25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President and members of the Senate, I rise in support
28. of the motion to nonconcur. This project has been kicked around
29. and talked about. You all have received notice that the road
30. projects in your districts are being cut down because of the lack
31. of road funds. Four hundred thousand dollars is not much; but it's
32. the opening gun of 4.8 million, up to six million, depending on
33. who you're talking to. Comes strictly out of the Road Fund; money

1. that should be going to highway repair, the potholes you want
2. fixed or a road bridge you want fixed. I urge all of you to
3. vote to nonconcur.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Knuppel.

6. SENATOR KNUPPEL:

7. Well, the place where we've got to build the highways is
8. west central Illinois. We got to get those swinging vines out of
9. the trees and so forth, and that's where it ought to be. They
10. ought to be on the job. They ought not to be driving back and
11. forth. This...this Highway Department in Jacksonville will be
12. one hell of a lot closer to the problem. I could tell you a couple
13. of jokes, but I don't think they'll do here.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Further discussion? Senator Demuzio.

16. SENATOR DEMUZIO:

17. Yes...apologize for rising a second time, but I would like
18. to point out that the study that was...that recommended the
19. State Police Headquarters to be in my district, was a substantial
20. savings to the taxpayers, and Senator Davidson now, was talking
21. about money out of the Road Fund. You know, whenever the facility
22. is going to be built in Sangamon County, right here in Springfield,
23. it's always good government, and if it goes someplace else, it's
24. always pork barrel. The study has clearly indicated that this is
25. where the District 6 Headquarters ought to be and I would ask my
26. colleagues on this side to vote No on the...on this motion.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nimrod may close. Senator Davidson.

29. SENATOR DAVIDSON:

30. Since he addressed me by name, I don't like to rise a
31. second time, but there's a few other items. One, is you're all
32. talking about, there is no...there's not enough funds in the
33. Road Fund, first thing; so, we sure shouldn't be building new

1. buildings. Secondly, the other little item is, you're going to
2. move this headquarters that should be in the center; then, those
3. Gentlemen who live in other...and women who live in other districts,
4. where the headquarters is at the far edge of the district, such as
5. Paris and Streator and Dixon and a few other places better start
6. demanding about another fifty million dollars to build new head-
7. quarters to move them to the center of the district. The majority
8. of the work, the majority of the people live in the west...the east
9. side of this highway district, and if there's going to be con-
10. struction, they move a construction engineer on site, as they
11. do everywhere else, I urge you to vote to nonconcur.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Nimrod may close.

14. SENATOR NIMROD:

15. Thank you, Mr. President. I...I just might remind my fellow
16. Senators that I look at this rather objectively. I don't live
17. in Springfield and I don't live in Jacksonville, but I have taken
18. a look at what the problem seems to be here. In fact, there is no
19. study that recommends that there will be any savings. I've read
20. both the Capital Development Board report and the Illinois Depart-
21. ment of Transportation reports. The thing that bothers me is that
22. it seems that we are going to spend six million dollars to build
23. a building, when, in fact, a building can be bought right here in
24. Springfield, with thirty thousand foot more space than what they're
25. even talking about; a building that, was...that would have fifty
26. years of life and use for the interest that it would cost to sell
27. the bonds. In other words, for sixty...for six hundred thousand
28. dollars, you can buy a total building that would do the job. You
29. know, when you're talking about some things that are close, that's
30. one thing; but when you're talking about something that..costs
31. you ten times more to do the job, it really disappoints me. I've
32. had...I went to the people that were involved on my own, and has
33. been sent to the Secretary of Transportation and I can tell you

1. right now, I've got blueprints and plans that meet all the
2. specifications for existing facility, that for one million
3. and a half dollars, you can have a building that gives you
4. a life of fifty years, and provides all the needs. We will
5. not be displacing a hundred and fifty families, for which
6. the State would have to move the people; and by the time you're
7. through paying the interest on the bonds for six million dollars,
8. you're talking about over nine million dollars that you're going
9. to have to spend. It seems to me that that's a total waste of
10. taxpayers' money, and when we're talking about fifty years, we
11. can't say that...whether the roads are going to be built on one
12. end or the other end. It seems to me that this is best suited
13. to be here, with facilities that are already here, and not dislocate
14. families which, in fact, would have to put on the distance of
15. traveling alone back and forth to the employees. The Highway
16. Engineers are opposed to this, the people have been coming to me,
17. they're opposed to it. I think we ought to do that which is in
18. the best interest of the State employees; that which is in the
19. best interest of the State taxpayers; and I think that which is
20. in the best interest of the State, and I think we ought to not
21. concur, and I would so ask for support...in not concurring in
22. this Amendment No. 4.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to nonconcur. Those in favor will vote
25. Aye. Those opposed will vote Nay. The voting is open. It's
26. on a nonconcurrence, a majority vote will prevail. Have all
27. voted who wish? Have all voted who wish? Take the record.
28. On that question, the Ayes are 25, the Nays are 30. The motion
29. to nonconcur is lost. For what purpose does Senator Demuzio
30. arise? For what purpose does Senator Nimrod arise?

31. SENATOR NIMROD:

32. Can we have a verification of the Noes, since we better find
33. out who's here today? A verification of the negatives?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. There has been a request for a verification of those who
3. voted in the negative. Will the members please be in their
4. seats. There's been a request for a verification of those who
5. voted in the negative. Members be in their seats. The Secretary
6. will call those who voted in the negative and will you please
7. respond when your name is called.
8. SECRETARY:
9. The following voted in the negative: Berman, Bruce, Buzbee,
10. Carroll, D'Arco, Daley, Demuzio, Donnewald, Egan, Gitz, Hall,
11. Johns, Jerome Joyce, Knuppel, Lemke, Maragos, McLendon, Nash,
12. Nedza, Nega, Netsch, Newhouse, Ozinga, Philip, Sangmeister,
13. Savickas, Vadalabene, Washington, Wooten, Mr. President.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Nimrod, do you question the presence of any member
16. who voted in the negative?
17. SENATOR NIMROD:
18. Senator Nash.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Is Senator Nash on the Floor? Standing by Senator Carroll.
21. SENATOR NIMROD:
22. Senator Daley.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Is Senator Daley on the Floor? Senator Daley is at Senator
25. Shapiro's desk.
26. SENATOR NIMROD:
27. Senator Buzbee.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Buzbee was...I'm sorry. Is Senator Buzbee on the
30. Floor? Senator Buzbee? He's in...he just came out of the phone
31. booth, Senator.
32. SENATOR NIMROD:
33. Okay, I'll take this out of the record.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Well, you can't take it out of the Senate record, Senator...
3. SENATOR NIMROD:
4. Yeah, it's my bill, Mr. President...
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. ...No, Senator. I announced the roll call. We have never
7. allowed a Senator to withdraw it...
8. SENATOR NIMROD:
9. ...well...well, let me tell you, I have two amendments that
10. are still left that I haven't called yet, and I have the right
11. to withdraw...
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. ...well, Senator, I don't care what you do about the other
14. two amendments...
15. SENATOR NIMROD:
16. Oh, Okay. Well, this one, that's right...
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. ...The Body has acted on this amendment and the
19. Chairs way to rule on this, on a verified roll call on the
20. motion to nonconcur, there were 25 Ayes, 30 Nays, and the motion
21. to nonconcur is lost. Further action? For what purpose does
22. Senator Demuzio arise?
23. SENATOR DEMUZIO:
24. Yes. I more to concur on Amendment 4 to Senate Bill 1650.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. For what purpose does Senator Nimrod arise?
27. SENATOR NIMROD:
28. I move to take it out of the record...I ask to take the
29. bill out of the record. It's my bill, Sir.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Is there...Senator Nimrod, there are two pending motions.
32. You do not desire to take any action on those at this time, is
33. that correct?

1. SENATOR NIMROD:

2. I do...I do not desire to take any action at this time.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right. The bill will remain on the Calendar on the
5. Order of Concurrence with two amendments yet to be acted upon.
6. Senate Bill 1664, Senator Sommer. Senator Sommer is recognized
7. on Senate Bill 1664 with House Amendments 2, 3, 4, 5 and 6.

8. SENATOR SOMMER:

9. Mr. President and members, I move to nonconcur on all
10. House amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to nonconcur in House Amendments 2, 3, 4,
13. 5 and 6. Is there discussion? All in favor say Aye. Opposed
14. Nay. The Ayes have it. The Senate nonconcur with the above-
15. mentioned House amendments. Senate Bill 1707, Senator Rupp.
16. Senate Bill 1710, Senator Coffey. Senate Bill 1713, Senator
17. Bloom. Residential Wholesale Fishing License. No. Senate...
18. House Bill 276, Senator Sangmeister, Sales Tax on a nonconcurrence,
19. with your Senate amendment. Do you wish to recede or to...yes,
20. Senator. Senator Sangmeister is recognized on page four of your
21. Calendar, on Nonconcurrence...Nonconcurrence with Senate amendments
22. to House Bill 276.

23. SENATOR SANGMEISTER:

24. Thank you, Mr. President and members of the Senate. The
25. motion will be to recede from Senate Amendment No. 1 to House
26. Bill 276. For your information, this is the Sales Tax Relief,
27. which removes one more cent from the Sales Tax on food and drugs.
28. I, frankly, even as a Senate sponsor, do not think that this is
29. the right way to go. We have passed over in the House, they
30. receded from the amendment they put on over there. As a result,
31. the removal of the Sales Tax, by way of categories, is already
32. on the Governor's Desk. We have reached an agreement whereby
33. this one should also go there, but I say, I hope, in doing so,

1. that the Governor will take a good look at the three proposals,
2. and this is not the one that I think he ought to sign; but he
3. ought to have the opportunity to make his own decision. And,
4. Senator DeAngelis, this is your...your day in the sun, fella,
5. you've been waiting a long time for this. I'll defer to Senator
6. DeAngelis on the motion. No. All right. Then, at this point,
7. the motion has been made.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to recede, which will be final passage, on
10. House Bill 276 and Senate Amendment 1, attached thereto. Is
11. there discussion of the motion? Senator Rhoads.

12. SENATOR RHOADS:

13. I'm sorry, Senator Sangmeister, Senate Amendment No. 1
14. was, what?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Sangmeister.

17. SENATOR SANGMEISTER:

18. Well, what happened is, I amended into Representative
19. Darrow's Bill my categorical removal; over in the House, he
20. amended the one penny off into mine. We're both receding on
21. each side, so that our pristine, original intents of the bill
22. will reach the Governor's Desk. This is a one penny off.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right. And Lindsay Gedge, Channel 3 News has requested
25. permission to film the proceedings. Is there leave? Leave is
26. granted. All right. The motion is to...the question is shall
27. the Senate recede from Senate Amendment No. 1 to House Bill 2...
28. Senator Walsh, did you wish to...Senator Walsh.

29. SENATOR WALSH:

30. Just to urge my colleagues on this side to support Senator
31. Sangmeister's motion. What this does is just extend the...the
32. program begun last year by taking an additional penny off the
33. Sales Tax and I urge your support.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? If not, Senator Sangmeister, you
3. may close.

4. SENATOR SANGMEISTER:

5. Well, thank you again. I think the Governor, obviously,
6. should have the alternative to do what he wants, but again in
7. passing this; and I urge all...everybody on this side to vote
8. for this bill; but I would say to the Governor, if he should
9. be listening, that I would hope you take a good look at the
10. categorical removal rather than this penny.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is shall the Senate recede from Senate Amendment
13. No. 1 to House Bill 276. Those in favor vote Aye. Those opposed
14. vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Take the record. On that question,
16. the Ayes are 52, the Nays are 1, none...1 Voting Present. House
17. Bill 276, having received...the Senate does recede from Senate
18. Amendment No. 1 to House Bill 276, and the bill, having received
19. the required constitutional majority, is declared passed. House
20. Bill 2823, Senator Berning.

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(End of Reel)

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We'll alert the membership as soon as we conclude here, we're going to go back one more time through the Concurrences, Secretary's Desk. But we are on the Order of Non-Concurrences on page 4 of your Calendar. Senator Berning is recognized.

SENATOR BERNING:

Thank you, Mr. President, and members of the Senate. House Bill 2823, was the Inheritance Tax Deferral Bill, identical in most respects to Senate Bill 1497. However, at the request of Senator D'Arco, when 2823 was before the Senate, I...I pulled it back to 2nd reading and an amendment was attached which raised the percentage by which the counties would be reimbursed from four percent to five percent. And I should add, this was with the agreement of the House sponsor, Representative Pierce. The bill was then passed and sent to the House, they now have refused to concur in Senate Amendment No. 6 and the House sponsor, Representative Pierce has advised me that he is agreeable to our receding from Senate Amendment No. 6, and so, I would therefore, move you, Mr. President, that the Senate recede from Amendment No. 6.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I rise in opposition to the motion to recede. We did, I thought, have an agreement on the Floor of this Senate, that when the bill as...was introduced it increased the Cook County share only one percent. It just seems to me this was the amendment that was offered by Senator D'Arco that raised the rest of the counties a like amount. I thought the amendment was a good one then, and I think it's a good one now, and for us to recede, simply isn't the way to go. I would oppose the motion to recede.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. The discussion is to recede, and that will be final passage.
3. Further discussion? Senator Netsch.
4. SENATOR NETSCH:
5. Again, thank you, Mr. President. In light of the noise on
6. the Floor, I was attempting to determine exactly the effect of
7. Amendment No. 6. I gather it...Senator Berning, this is the
8. amendment that deals with increasing the amount of the county
9. share of the Inheritance Tax, is that correct?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Berning.
12. SENATOR BERNING:
13. Yes, from four to five percent.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Netsch.
16. SENATOR NETSCH:
17. And your motion is that the Senate retreat from the...from
18. that position, and in effect leave the county share at four
19. percent State-wide where it is right now, is that correct?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Berning.
22. SENATOR BERNING:
23. Yes.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Further discussion? Senator Bowers.
26. SENATOR BOWERS:
27. Well, because of Senator Berning's location in this State,
28. I'm a little confused on this motion. If I understand it correctly,
29. Senator Berning, and I would ask first if you'd yield to a question.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Berning.
32. SENATOR BOWERS:
33. Well, I want to ask the question if he'll yield.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. He'll yield.
3. SENATOR BOWERS:
4. If...if we take this amendment off, that will, in effect,
5. mean that Cook County will collect one percent more than the
6. rest of the counties in the State, or get one percent more of the collections
7. than the rest of the counties of the State. Is that...that's
8. the way it's been explained, it seems to me.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Berning.
11. SENATOR BERNING:
12. No.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Senator Bowers.
15. SENATOR BOWERS:
16. Then you're taking off the one percent for both Cook County
17. and downstate, is that correct?
18. SENATOR BERNING:
19. Yes.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator...is there further discussion? Senator D'Arco.
22. SENATOR D'ARCO:
23. Well, thank you, Mr. President. I thought we were all
24. agreed that this was a good amendment, in fact, Senator McMillan
25. was the first to rise when we presented the amendment and he
26. did, in fact, say that it was much more equitable because we
27. were giving all the counties in the State of Illinois a one
28. percent increase and not just Cook County. Now, I don't see
29. why we should recede from an amendment that is agreeable for the
30. entire State of Illinois in terms of the percentage increase.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator McMillan.
33. SENATOR MCMILLAN:

1. Mr. President, and members of the Senate. If at any
2. point we were discussing changing the percentage of Inheritance
3. Tax kept by the counties, I'm sure I, in fact, did say, that
4. if we're going to...to change it, it ought to be changed for
5. all counties. The question here, is not that. It is
6. wise that we recede from this amendment, it is wise to leave
7. the bill in the form in which we...we worked on it and passed
8. it. And it is wise to take off this amendment which creates
9. a lot of controversy and...and causes a lot of problems. So,
10. I support the motion to recede.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Martin.

13. SENATOR MARTIN:

14. A question for the sponsor.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he will yield.

17. SENATOR MARTIN:

18. What would be the fiscal impact on the State changing it
19. State-wide from four percent to five percent? How much revenue
20. would switch from the State to counties?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Berning.

23. SENATOR BERNING:

24. Senator, I can't tell you. That was an...this was an amendment
25. which was offered on the Floor of the Senate when we were on
26. passage stage, I pulled it back from 3rd to 2nd to put the amend-
27. ment on. No one raised the question as to what the impact would
28. be, and I didn't undertake it personally, actually had no time
29. to check to see what it would cost the State. So, I can't
30. tell you.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Martin.

33. SENATOR MARTIN:

1. Would...I believe it was Senator D'Arco, then who was
2. the originator of the amendment. Would you have any idea,
3. Senator D'Arco?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. No, I don't know what the fiscal impact was, the whole
8. discussion...the whole discussion involved the fact that Cook
9. County was getting the extra one percent, and the rest of the
10. State wasn't. So, we took the amendment off, and put on an
11. amendment so the one percent applied for the entire State of
12. Illinois for all the counties in the State. And I don't know
13. why we should recede from that, because it is much more equitable
14. and it is fair for all the counties. We wanted the Office of
15. the Public Guardian in Cook County to get the extra one percent
16. because all other offices for the Office of Public Guardian are
17. funded by the State except the Office of Public Guardian in
18. Cook County. So, we thought this would be a...a fairer way to
19. distribute the money so they would be funded equitably also.
20. And I worked long and hard on this amendment.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Martin.

23. SENATOR MARTIN:

24. Well, I understand Senator D'Arco's position. I think for
25. some of us it...you know maybe we'd favor all counties getting
26. a percent more, and certainly not just Cook. But it is rather
27. difficult to make a decision like that without knowing the
28. fiscal impact. It...in other words, it might be a very responsible
29. vote, or an irresponsible one. I understand why you wanted it
30. on for Cook County, and I understand that you then agreed to
31. let it for the rest of the State. But somehow...do not have a
32. fiscal impact of...of a change in State revenues makes it a very
33. difficult decision for some of us to make.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Gitz.

3. SENATOR GITZ:

4. Mr. President, and members of the Senate. I have a question
5. of the sponsor. But before I ask that question, I think I
6. can speak directly to Senator Martin's question. The fiscal
7. impact of adding an additional one percent for the balance of the
8. State is about 1,2 million dollars. The total impact per year
9. I'm told is six million dollars. Now, those are the best
10. figures that I have available. I think that takes care
11. of the question. Now, my question to you Senator Berning,
12. initially I was a little bit concerned about this amendment
13. because I wanted to be sure that we were not establishing a
14. differential for Cook County, as opposed to the balance of the
15. State. Now, this amendment has language of plus one percent
16. of such revenue collected by each county. And as I read from
17. Amendment 6, the only difference is, is the one percent collected
18. in Cook County is earmarked, it is earmarked to the Office
19. of Public Guardian of each county. Therefore my query to you
20. is, is what is the difficulty with this amendment? Why are
21. we going back and taking it off? What is going to be the next
22. plan of action?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Was that a question, Senator? Senator Berning.

25. SENATOR BERNING:

26. Senator Gitz, I repeat, Amendment No. 6 was offered after
27. I agreed to pull the bill back from 3rd reading, we put it on.
28. I had no objection to it, we moved the bill back to 3rd reading
29. and it passed. It is the House which has...and I should add,
30. I conferred with the House sponsor to be sure that he had no
31. objection to my bringing it back from 3rd for this amendment.
32. He assured me he had none. We then did pass the bill, it goes over
33. to the House, and the House refuses to concur. The House sponsor

1. suggested to me that we recede, and pass the bill. I really
2. have no objection to refusing to recede if that's the will of
3. the Body, I'll be delighted to participate in a Conference
4. Committee in an effort to see whether we can agree to leave it
5. on, or whether we should agree to take it off. Just by way
6. of historical background, let me point out to you, that it
7. was a little over a year ago, as I recall, that we raised the
8. county's share of the Inheritance Tax from two percent to four
9. percent. The Governor vetoed that, we overrode the veto about
10. a year ago...not quite a year ago. We have as yet no real
11. experience in what the revenue will be at the four percent,
12. which is one reason perhaps that the figures on the six...
13. the five percent would be at best, estimate. But I...I moved
14. to recede in concurrence with the House sponsor's request.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator...

17. SENATOR BERNING:

18. Why don't we take a vote, Mr. President...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Well, Senator, we would, but we have a lot more discussion
21. on it. Senator Walsh had sought recognition. We still have
22. Senator Egan and Senator Wooten. Senator Egan.

23. SENATOR EGAN:

24. Yes, thank you, Mr. President, and members of the Senate.
25. Well, Senator Berning, that's...that would have been my request,
26. that you do not accede to the House wish, and your motion then
27. should not be to...to recede, it should be to non-recede...not
28. to recede. That would be my request of you and I thought that
29. was the position that you were in when the bill left the Senate.
30. I would hope that you would maintain that position.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Thank you, Mr. President. Just a question. In which
2. LIS publication is the explanation for this? I can't seem
3. to find it.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. The Secretary informs me it was in the one that was put
6. out yesterday. Is there further discussion? If not, Senator
7. Berning.

8. SENATOR BERNING:

9. Well, Mr. President. I...I also don't find it in any one
10. of these bulletins we have. It is on page 4 of the Calendar
11. under Non-Concurrence. I thought I was acceding to the position
12. of the House sponsor and the Senate sponsor of Senate Amendment
13. No. 6. But apparently there's been a change of attitude, so
14. I therefore move you Mr. President, that we...we refuse to recede
15. from Amendment No. 6, and ask for a Conference Committee.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. You've heard the motion. All those in favor signify by
18. saying Aye. Those opposed. The Ayes have it. The Senate
19. refuses to recede from Amendment No. 6, and the Secretary will
20. so inform the House. Well, we will start now, back at the Order
21. of Secretary's Desk, Concurrence on page 2, with Senate Bill 569.
22. Senate Bill 1378, Senator Sommer. Senate Bill 1500, Senator
23. Jerome Joyce. Senate Bill 1578, Senator DeAngelis. Would
24. you read the motion. Senator DeAngelis.

25. SENATOR DeANGELIS:

26. Mr. President, and Ladies and Gentlemen of the Senate. I
27. move that we concur with the House on House Amendment No. 1 and
28. No. 4.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Well, Senator...DeAngelis, you're getting sneakier all the time.
33. That's the second time you've tried to sneak this through, and I've
been lucky in that I've caught you both times. You already knew,

1. good, I'm glad you knew, because I didn't. I strongly object
2. to this concurrence. I think we ought to vote No. This is
3. an area where we made...we made some very good selective cuts
4. in the operations of this agency, plus the fact the other amend-
5. ment, Senator, that you're asking to be concurred in, is the
6. one that has been worked out in the Education Package with
7. the Governor, where they have agreed to not accept that amendment
8. and you're going to...I've forgotten the exact dollar amount,
9. in that I don't have my book open, but it's something like
10. twelve million dollars now over.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. That wasn't a question Senator, it was a statement. Senator
13. Regner.

14. SENATOR REGNER:

15. Well, Mr. President, and members. I arise to concur completely
16. with Senator Buzbee, and just inform Senator DeAngelis, this
17. isn't a partisan matter, it's a matter of right versus wrong.
18. And I think that we should not recede from...or should not
19. concur with the House amendments to this bill. It's an agency
20. that's operated probably the most poorly compared to any other
21. agency in the State. Total incompetence. It's twenty thousand
22. students that..if it defaulted on the guaranteed loans, they
23. do virtually nothing about it. And I certainly think we should...
24. should not throw good money after bad.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Hall.

27. SENATOR HALL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the
29. Senate. Senator DeAngelis, it looks like you've run head on to
30. the Big Four. Now, would you please tell me, what do these amendments
31. do?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator DeAngelis.

1. SENATOR DeANGELIS:

2. Thank you, and I apologize. I wasn't trying to sneak anything
3. through, because I know that the Four Horsemen of the Apocalypse
4. are laying in the bushes on this one too, and I would say one
5. thing, that I am now able to identify one of the...Four Horsemen,
6. Senator Buzbee, you have now become the Horseman of Pestilence,
7. because you have stomped to death this agency continuously.
8. I had no hope of sneaking this through knowing some of your
9. ...your very strong feelings regarding this. However, in dealing
10. with the concurrence on this amendment, there's no such thing
11. as twelve million dollars. What we're talking about is, one,
12. and increase, and two, a cut. The increase on House No. 1, is
13. for operations of a hundred and ninety-nine thousand three
14. hundred dollars. Senator Buzbee, among others, has been very
15. critical of the operation, but in not allowing them enough money
16. to operate properly we will back...we will be back here again
17. next year and make Senator Buzbee's criticism a self-fulfilling
18. prophesy. House Amendment No. 4 is a reduction of forty-seven
19. thousand one hundred dollars. The net on this one is approximately
20. a hundred and fifty-two thousand dollars. I don't know where
21. Senator Buzbee came up with a twelve million dollar number, but
22. I still move to concur with these two amendments.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Johns.

25. SENATOR JOHNS:

26. Senator, I just wanted you to know, I'm with you.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. I'm not at all surprised at the last comment. I would...
31. I would like to point out, I expect that kind of comment, by the
32. way, from this point forward, and I welcome it. I would like
33. to point out that the Personal Services cut we took in the Illinois
State Scholarship Commission, the ISSC has been computerizing many

1. of their student grant program application processing activities.
2. This has resulted in the need for additional computer programmers
3. and data processing analysts. In...in effect, the activities of
4. the Grant Division have been transferred out of the division and
5. its workload has declined. But a corresponding reduction in
6. Grant Division head count has not occurred. Now, that's typical
7. of this agency, they transfer functions out of one...one section,
8. but they don't ever bother to transfer the monies out of that
9. section. Vacant positions, the ISSC has requested 1.3 new
10. GRF computer technician positions, however, two computer technician
11. positions were budgeted for FY-'80, one of the positions was
12. filled on June 16th, 1980, the other is still unfilled. New
13. positions, the ISSC has requested 8.3 new General Revenue funded
14. FTE positions, only 1.3 of these new positions are directly
15. related to improving the services provided students. And none
16. of these positions are to be phased in. Also, 1.3 of these
17. GRF positions are for the Office of Informational Services.
18. This office administers Federal programs, and funding should
19. be provided by Federal not GRF dollars. Budget forms,
20. the ISSC failed to provide the Senate with budgetary information
21. in the proper format. Information regarding Personal Services
22. was insufficient to determine the number of new positions requested,
23. and the source of funds for these positions. The necessary
24. clarifications that were required, were not received until after
25. the ISSC appropriation bill was heard in committee. Travel,
26. a comparison of the ISSC's maximum lodging reimbursement rate
27. and meal per diem allowances with those of other agencies, shows
28. that the ISSC travel expenses are reimbursed at a higher level.
29. The ISSC FY-'81 GRF appropriation request for travel is thirty-
30. one percent greater than the FY-'80 expenditures and fifty-nine
31. percent greater than the FY-'79...expenditures. In equipment,
32. the ISSC FY-'81 GRF appropriation request for equipment is three
33. hundred and fifty-six percent greater than the FY-'80 expenditures,

1. and five hundred and fifty-four percent greater than the FY'79
2. expenditures. Now, if you tell me that's an efficiently run
3. operation, I'm sorry, I just will have to disagree with you.
4. And I...I believe we were absolutely correct, if perhaps
5. if we were a little too overzealous in one or two positions,
6. we can work that out in a Conference Committee. But to try
7. to restore all the things this agency wants, you will simply
8. be saying to them, that's all right folks, you go right ahead,
9. you disregard what the General Assembly says to you in the
10. appropriations process, you give...unauthorized raises, you
11. hire unauthorized positions, you buy unauthorized equipment,
12. that's okay, we'll go ahead and we'll give you all the money
13. you need to pay for all of it. I suggest to you, that a No
14. vote is in...in the offing, or should be in the offing on this
15. concurrence motion.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. If I may direct a question to Senator Buzbee. Senator you...
20. you read off a great deal of material there, but was that...are
21. you speaking to these two House amendments or were you speaking
22. ...do you take the position that it is desirable to get this
23. into a Conference Committee for its own sake?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. The answer is, yes to both of your questions. First of all,
28. my...my remarks were addressed to the...to the additions that
29. the department...or rather the House put back in. But secondly,
30. I think that we can best work it out by going to a Conference
31. Committee, perhaps allow them one or two of the positions they're
32. requesting or whatever, I don't know at this point. But I think
33. we ought to be able to sit down and work out some kind of a

1. compromise other than just saying we're going to accept everything
2. that the agency wants that the House restored.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Rhoads.

5. SENATOR RHOADS:

6. Well, it seems to me, as Chairman of the Appropriations II
7. Committee of the Senate, your position would ordinarily be that
8. this bill ought to be in the shape that it left the Senate; but
9. that's not your position, you want to tinker around some more
10. if we get it into Conference Committee, right?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. No, I would be perfectly satisfied if it...if we left it
15. in the shape that it left the Senate. But I live in the world
16. of political pragmatism, and it is my belief that they have
17. enough folks in the House who, for whatever reason, are willing
18. to restore a substantial amount of money to them. Being the
19. political pragmatist that I am, compromise may be the best
20. way out, but if I had my way, I think we ought to leave it just
21. the way it left the Senate.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Well, one final question then. Since, I understand there
26. is controversy...revolving around the office operations and
27. so forth, but since the major controversy each year seems to
28. be with the grants and the awards, and the cash flow problems,
29. do you think in the...in the form in which the bill left the
30. Senate, that we would avoid, in your opinion a supplemental
31. request by the agency next year?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, that's a...that's a hydra-headed question. First
3. of all, as you very well know, the funding level right now
4. in the...in the grant request is at the two thousand dollar
5. level. You are sponsoring the legislation which would grant
6. that. That bill is in a Conference Committee I believe. There
7. is disagreement between the Governor's Office and some of the
8. advocates that whether we go from nineteen hundred or two
9. thousand at the funding level. The way the appropriation request
10. is in this bill at the moment, it's at the two thousand dollar
11. level, which I submit to you is premature, and we ought to
12. wait and see what happens with your bill before we make that
13. decision on the appropriation. And the second question, of
14. course, is, is one that I have had untold hours of conversation
15. with. Several other members of this Body have had untold hours
16. of conversation with the Illinois State Scholarship Commission,
17. including Senators Martin, and Regner, and Netsch, and Buzbee,
18. and Newhouse, and several others, I'm sure. We have indicated
19. ...some of us have indicated to them that we think what they
20. ought to do is to put a cap on the total number of dollars that
21. they are going to allocate for scholarships. Because if they
22. don't do that, then we're going to see a continual request for
23. supplemental appropriations for grants. They have not assured
24. us of anything yet, in fact, when we do get assurances...when
25. I get assurances on some questions, you get assurances exactly
26. the opposite way from them. You and I know what we're talking
27. about because we've had that situation. But at this point, that
28. question is...in limbo. My principal objection at this moment
29. is to the operations restoration. My principal objection at
30. this moment is not to the grants dollars, although I think we
31. are too high with that question that I addressed earlier on the two
32. thousand vis-a-vis nineteen hundred grant limitation.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Thank you, Mr. President, and Senators. I'd simply like to
4. add at this juncture, 'cause I can think of no better time
5. to mention it, when we asked for the second supplementary ap-
6. propriation for the Scholarship Commission this time, I re-
7. presented to this Body that I would not come before this Body
8. for a supplementary again for that organization. That presupposed a
9. reasonable level funding for this...for this agency, and we desperately
10. tried to pull together those involved agencies and people to
11. attempt to come up with some recommendations. As you know, it
12. was late in the Session, and we came up with something extremely
13. late, too late, as a matter of fact, to do what needed to be
14. done. I'd simply like to say right now, that the private schools
15. whose tuition is going up and whose costs are going up, and the
16. fact that there is a recession during which time there will be
17. an increase in the number of applications, have impacted upon
18. this area in such a fashion that there will be a substantial
19. shortfall with the present...with the present appropriation.
20. And having assumed that this would not be the type of appropriation
21. that went out of here, I made the commitment that I did, I suspect
22. that I will be back before you sometime during the next Session.
23. So, I simply want to make those comments now, so you will under-
24. stand what the rationale is, what the reasons were and how
25. desperately we scramble to attempt to prevent that occurrence.
26. Thank you, very much.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, Senator DeAngelis may
29. close debate.

30. SENATOR DeANGELIS:

31. Thank you. Let me first point out to the members of the Body,
32. that this...these amendments have nothing to do with the grants,
33. I think there's a little bit of confusion. Secondly, if we were to

1. accede to Senator Buzbee's wishes, we would be granting this
2. agency in terms of GRF operations, an increase of about 1.4
3. percent, in an agency or an operation that Senator Buzbee feels
4. is not being run adequately. There is a new director coming on
5. board, I think we ought to give him the opportunity. I don't think
6. the House amendments are unreasonable, and I ask for your support
7. in the concurrence of the two House amendments.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. The question is, shall the Senate concur in House Amendments
10. 1 and 4 to Senate Bill 1578. Those in favor vote Aye. Those
11. opposed vote Nay. The voting is open. Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 20, the Nays are 31. None Voting Present. And
14. the Senate does not concur in House Amendments 1 and 4 to Senate
15. Bill 1578, and the Secretary will so inform the House. Senate
16. Bill 1640, Senator Grotberg. Senator Grotberg. On Amendments...
17. House Amendments 1, 4, 6 and...1, 3, 4, 6, and 7.

18. SENATOR GROTBORG:

19. Thank you, Mr. President. I move that the Senate does
20. concur in amendments as cited for the Department of Corrections.
21. Amendment No. 1 restores a million one hundred and seventy-six
22. thousand in Personal Services. Amendment No. 3, restores two
23. hundred and fourteen thousand dollars in operating funds to East
24. Moline, Menard, and to Adult Institution Travel Services. Amendment
25. No. 4 reduces the School Contractual Services line by five hundred
26. and sixty-seven thousand, and...oh thank you, Mr. President, I'm
27. glad I was stopped in midstream. I think we should take it from
28. the record.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Take it out of the record. Senate Bill 1642, Senator Regner.
31. Senate Bill 1707, Senator Rupp. Senate Bill 1710, Senator Coffey.
32. Senate Bill 1713, Senator Bloom. Senate Bill 1799, Senator Bruce.
33. Senate Bill 1799, Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. President, and members of the Senate. I
3. would move that we non-concur with House Amendments 1 and 2 to
4. Senate Bill 1799, in that they are dealing with the Group
5. Insurance Program and we need to clarify the language. Both
6. of these amendments, I think, are going to be costly, even
7. though our staffs do not think so, I've talked at least to the
8. Republican staff, and indicated this...this could cost us some
9. forty thousand dollars to insure about ten people. So, I would
10. move that we non-concur in the two House amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. You've heard the motion. Is there any discussion? If not,
13. those in favor indicate by saying Aye. Those opposed. The
14. Ayes have it. The Senate does not concur in Amendments No.
15. 1 and 2 to Senate Bill 1799, and the Secretary will so inform
16. the House. Senator Rock.

17. SENATOR ROCK:

18. Yes, my suggestion is that we run the supplemental, go
19. through the Supplemental Calendar.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. All right, Ladies and Gentlemen, on the Supplemental Calendar,
22. Supplemental No. 1, on Sunday June 29th. On the Secretary's
23. Desk for Concurrence is Senate Bill 1662, Senator Grothberg.
24. Senator, we are now on the Supplemental No. 1 Calendar. Senate
25. Bill...House Bill 821, Senator Hall. Now this is...these are on
26. Non-Concurrence, all following bills will be on Non-Concurrence.
27. Senator Hall on House Bill 821.

28. SENATOR HALL:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. I refuse to recede from House Bill 821, and ask that
31. a Conference Committee be appointed.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Hall refuse...to recede from Senate Amendments 1 and
2 to House Bill 821, and request a Conference Committee. All those

AB 2710
6-25-85
Refuse to recede

1. in favor indicate by saying Aye. Those opposed. The Ayes
2. have it. The Secretary will so inform the House. House Bill
3. 929, Senator Bowers. Senator Bowers.

4. SENATOR BOWERS:

5. I would move the Body, Mr. President, that we not recede from
6. Senate Amendments NO. 3 and 4 to House Bill 929, and ask for a
7. Conference Committee.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. You've heard the motion. Those in favor indicate by saying
10. Aye. Those opposed. The Ayes have it. The Senate refuses to
11. recede from Amendments 3 and 4, and the Secretary will so inform
12. the House. House Bill 2710, Senator Nedza. Senator Nedza.

13. SENATOR NEDZA:

14. Thank you, Mr...thank you, Mr. President. I also refuse
15. to recede and would so move and ask for a Conference Committee.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. You've heard the motion. Those in favor indicate by saying
18. Aye. Those opposed. The Ayes have it. The Senate refuses to
19. recede from Senate Amendment No. 2 to House Bill 2710, and the
20. Secretary will so inform the House. House Bill 2723, Senator
21. Bowers.

22. SENATOR BOWERS:

23. Thank you, Mr. President. At this time I would move that
24. we recede from Senate Amendment No. 5. And I would just say
25. this, this was Senator Bruce's amendment, it...it provides for
26. the deductibility of the Personal Property Replacement Tax, its
27. already been adopted on another bill, and I think it would be
28. in order to have something like fifty some votes to recede.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President, and Ladies and Gentlemen of the
33. Senate. This debate on the subject of the Corporate Personal

1. Property Tax has been going on all semester. I thought Senate
2. Amendment 5, frankly was a pretty good one, and I think we
3. ought to refuse to recede and get it into conference.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, Senator Bowers may
6. close debate.

7. SENATOR BOWERS:

8. Well, thank you, Mr. President. I would just like to tell
9. the Body what's going on here. We do have...we do have the
10. ...some other amendments on there, and obviously the...these
11. amendments were accepted by the House, and they're opposed by
12. an awful lot of people, and that's the sole purpose of getting
13. it into the Conference Committee. The big one, of course, is
14. the deductibility provision...I'm sorry, the big one is the...
15. the Investment Tax Credit, I couldn't even think of it, with
16. the fifty-fifty provision between the replacement fund and the
17. State Income Tax. That's the big fuss here, and that's exactly
18. why we want...they want to get it into a Conference Committee.
19. If we can get thirty votes to recede, this bill goes to the
20. Governor's Desk, and that's where it belongs, and I would
21. certainly hope that we, at least, have thirty votes to recede,
22. that's...the other amendment has already been adopted. There's
23. no reason for it at all, and I would therefore renew my motion.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The question is, shall the Senate recede from Amendment No.
26. 5 to House...House Bill 2723. Those in favor will vote Aye.
27. Those opposed will vote Nay. The voting is open. Have all
28. voted who wish? Have all voted who wish? Take the record. On
29. that question, the Ayes are 34, the Nays are...20. 1 Voting
30. Present. The Senate recedes from Amendment No. 5 to House Bill
31. ...for what purpose does Senator Rock arise?

32. SENATOR ROCK:

33. After you've announced, I would request a verification.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The Senate recesses from Amendment No. 5 to House Bill 2723.
3. And the bill having received the required constitutional majority
4. is declared passed. A request for a verification of the positive
5. roll call. For what purpose does Senator Bowers arise?

6. SENATOR BOWERS:

7. Well, Mr. President. At least on our side of the aisle,
8. there are a number of members in Conference Committee right at
9. the moment, and I'm sure that's going to happen all through this
10. Session. And I would ask leave of the Body to give us a little
11. bit of time to get them up here from Conference Committee. They've
12. all indicated how they want to vote on this issue, and they are
13. about the business of the Senate, and I don't think it's quite
14. equitable to...to knock them off of the roll call when they are
15. about the business of the Senate...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Well, Senator...

18. SENATOR BOWERS:

19. I know it's going to happen again, and would just ask for
20. a little time.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator, this comes up every...every Session at this time,
23. every year, and if...it's up to the sponsor to decide if the
24. members are present and in their seat to vote if he should call
25. his bill. Senator Rock has requested a verification. Will all
26. Senators be in their seats. The Secretary will read the affirm-
27. ative votes. For what purpose does Senator Rhoads arise?

28. SENATOR RHOADS:

29. Just a request, if we're going to verify, could the bell
30. be rung, please.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Why sure, Senator. Mr. Secretary.

33. SECRETARY:

1. The...the following voted in the affirmative: Becker,
2. Berning, Bloom, Bowers, Buzbee, Coffey, Davidson, DeAngelis,
3. Demuzio, Friedland, Geo-Karis, Gitz, Grotberg, Jerome Joyce,
4. Keats, Knuppel, Maitland, Martin, McMillan, Mitchler, Moore,
5. Nimrod, Ozinga, Philip, Regner, Rhoads, Rupp, Sangmeister,
6. Schaffer, Shapiro, Sommer, Vadalabene, Weaver, Wooten.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Rock, do you wish to question any of the affirmative
9. roll call? The roll call has been verified, and the Ayes are
10. 34, the Nays are 20, and 1 Voting Present. For what purpose
11. does Senator Bloom...the Ayes are 34, the Noes are 20. 1
12. Voting Present. The Senate does recede from Amendment No. 5
13. to House Bill 2723. For what purpose does Senator Bloom arise?

14. SENATOR BLOOM:

15. Having voted on the prevailing side, I move to reconsider...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bloom moves to...having voted on the prevailing
18. side...to Table...moves to reconsider. Senator Rhoads moves
19. to Table. All those in favor indicate by saying Aye. Those
20. opposed. The motion...the motion to reconsider is Tabled. Any
21. further discussion? House Bill 3038, Senator Coffey. Senator
22. Coffey.

23. SENATOR COFFEY:

24. Mr. President, and members of the Senate. I would like to
25. refuse to recede from Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8,
26. 9, 10, 11, 12, 13, 14, 16, 17, and 18.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. You've heard the motion. Is there any discussion? If not,
29. those in favor...Senator Rhoads, for what purpose do you arise?

30. SENATOR RHOADS:

31. I assume the second part of the motion is to request a
32. Conference Committee, right?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Coffey.
2. SENATOR COFFEY:
3. Yes, and I'd like to request a Conference Committee.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. You've heard the motion. All those in favor indicate by
6. saying Aye. Those opposed. The Ayes have it. The Senate refuses
7. to recede from the adoption of Amendments No. 1, 2, 3, 4, 5, 6, 7, 8,
8. 9, 10, 11, 12, 13, 14, 16, 17, and 18, and a Conference Committee
9. has been requested. The Secretary will so inform the House.
10. House Bill 3084, Senator Coffey.
11. SENATOR COFFEY:
12. Yes, Mr. President, and members of the Senate. I would
13. also like to refuse to recede from Amendments 2, 3, 5, 8, 10,
14. 11, 12, 14, 15, and 16, and ask for a Conference Committee.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. You've heard the motion. All those in favor indicate by
17. saying Aye. Those opposed. The motion carries, and the Secretary
18. will so inform the House. House Bill 3197, Senator Mitchler.
19. House Bill 3289, Senator Gitz. House Bill 3289, Senator Gitz.
20. Senator Gitz.
21. SENATOR GITZ:
22. Mr. President, I move to recede from the Amendment at issue.
23. I believe it's Amendment No. 4.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Gitz moves to recede from Senate Amendment No. 4.
26. Is there any discussion? Senator Walsh.
27. SENATOR WALSH:
28. Well, Mr. President, and members of the Senate. This is
29. final action on this bill, I wonder if the Gentleman could explain
30. just what he intends to do.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Gitz.
33. SENATOR GITZ:

1. Senator Walsh, the issue here has been the language
2. which was the six month delay on investment bearing accounts
3. for custodians of public funds. This was originally offered
4. to the Body the other evening at the request of one of the
5. State Representatives. I mentioned at that time, that the
6. State Treasurer was not very pleased with the language, and I
7. mentioned to the Body at that time why the amendment was before
8. them, which is that in terms of interest on checking accounts,
9. that procedure is not allowed by administrative rule until
10. the first of the year. In consultation with the State Treasurer
11. since then, he has indicated that there are other means available
12. to take care of the problem in terms of transfers, and that he
13. himself has a program. I mentioned the other night to the Body
14. that it was the will of the Body, there were arguments on both
15. side, and if they chose to put it on, fine, if they chose not to,
16. that was okay, too. The House said no we don't want the amendment
17. as a whole. And I, frankly, think, that there are much more
18. important provisions within the bill, that we should not have
19. to go to Conference Committee, and that is why I'm making the motion
20. to recede.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? The question is, shall the
23. Senate recede from Amendment No. 4 to House Bill 3289. Those
24. in favor will vote Aye. Those opposed will vote Nay. The voting
25. is open. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question, the Ayes are 47, the Nays
27. are none, and 1 Voting Present. The Senate recedes from Amendment
28. No. 4 to House Bill 3289, and the bill having received the required
29. constitutional majority is declared passed. The Chair recognizes
30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President, and Ladies and Gentlemen of the
33. Senate. It appears we have done about as much as we can do today.

1. There are Conference Committees currently scheduled, I'm told
2. that there will be a whole raft of them scheduled commencing
3. at nine o'clock tomorrow morning. So, if there's no further
4. business or announcements, I move that the Senate stand adjourned
5. until Monday, June 30th, at the hour of 9:00 a.m.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. You've heard the motion. Those in favor indicate by saying
8. Aye. Those opposed. The motion carries. The Senate stands
9. adjourned until Monday morning, 9:00 a.m.

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