

82nd GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1981

1. PRESIDENT:

2. The hour of eleven having arrived the Senate will please
3. come to order. Will the members please be at their desks.
4. Will our guests in the gallery...please rise. Our prayer
5. this morning by the Reverend Mason Finks, First United Methodist
6. Church, Springfield, Illinois. Reverend.

7. REVEREND MASON FINKS:

8. (Prayer given by Reverend Mason Finks)

9. PRESIDENT:

10. Thank you, Reverend. Reading of the Journal. Senator
11. Johns.

12. SENATOR JOHNS:

13. Thank you, Mr. President. I move that reading and approval
14. of the Journal of Thursday, May the 14th, Friday, May the 15th,
15. Monday, May the 18th and Tuesday, May the 19th in the year
16. 1981 be postponed pending arrival of the printed Journal.

17. PRESIDENT:

18. You've heard the motion as placed by Senator Johns. Any
19. discussion? If not, all in favor signify by saying Aye. All
20. opposed. The Ayes have it. So ordered. Resolutions.

21. SECRETARY:

22. Senate Resolution 191, offered by Senators Lemke, Degnan,
23. and all Senators and it's congratulatory.

24. PRESIDENT:

25. Consent Calendar. Ladies and Gentlemen, we will begin...
26. everybody has been provided with a list of the recalls, we'll
27. try to get those handled with some dispatch. Prior to beginning
28. on that order of business, we have some special guests. The
29. Chair will yield to Senator Simms.

30. SENATOR SIMMS:

31. Thank you, Mr. President. It's my privilege today to
32. introduce to the Illinois Senate...a contest was conducted,
33. a State-wide art competition contest that was conducted by the

1. Illinois State Board of Education, the Illinois Art Education
2. Association, Springboard, and the Container Corporation of
3. America. This art contest was applicable to all the
4. entries...in the State of Illinois to be submitted and chosen
5. from the State at large. Out of that group,...I am very for-
6. tunate that...the one State-wide winner...that...won the con-
7. test...is from my district in Rockford, but in addition to
8. that...out of the thirty other...of those that are...won...
9. State-wide recognition are...other individuals from my district
10. and the...adjoining district of Belvidere of Senator Schaffer's.
11. And I would like to introduce those individuals, Mr. David
12. Balsam of Belvidere from Lutheran High School, Mr. Scott
13. Johnson of Rockford from Lutheran High School, Mr. John Watson
14. of Keith Country Day School in Rockford, Illinois, Miss Bonnie
15. Jean Henning of Lutheran High of Rockford, Sandy Coufal of
16. Lutheran High of Loves Park, Illinois, and Mr. Neil Rhoads
17. of Rockford, Illinois. The overall winner was Mr. Gene Koo
18. who...with...is here with his parents today who came in first in
19. the contest and his theme is...was, "If...If We Value the
20. Pursuit of Knowledge, We Must be Free to Follow Wherever That
21. Search May Lead Us," by Adlai Stevenson, our former Illinois
22. Governor. I'd like to introduce at this time to you, Mr. Gene
23. Koo from Rockford, Illinois. Gene.

24. GENE:

25. (Remarks by Gene Koo)

26. SENATOR SIMMS:

27. His parents are also here and...I'd like to also intro-
28. duce his teacher, who...was fortunate to have so many winners
29. of a State-wide contest,...Mrs. Sandy Yurum. Sandy. Thank
30. you, Mr. President.

31. PRESIDENT:

32. Yes, Senator Maitland, for what purpose do you arise?

33. SENATOR MAITLAND:

1. Thank you, Mr. President. On a point of...personal privilege.
2. In the gallery...on the right...side of the...gallery is the...
3. seventh and eighth grade class from Broadwell...Grade School
4. and they're here with their teacher, Mrs. Sprague and their
5. superintendent and principal, Mr. Olmer. I'd like them to
6. stand and be recognized by the Senate.

7. PRESIDENT:

8. Will our guests please stand and be recognized? Welcome
9. to Springfield. Alright, the Secretary has informed me that
10. every member has a list of the recalls, if we can begin at the
11. top. With leave of the Body, we'll move to the Order of Senate
12. Bills 3rd reading. Turn to page 10 on the Calendar. On the
13. Order of Senate Bills 3rd reading, Senate Bill 21. Senator
14. Berning seeks leave of the Body to return Senate Bill 21 to the
15. Order of 2nd reading for purposes of an amendment. Is leave
16. granted? Leave is granted. On the Order of Senate Bills 2nd
17. reading, Senate Bill 21, Mr. Secretary.

18. SECRETARY:

19. Amendment No. 2, offered by Senator Berning.

20. PRESIDENT:

21. Senator Berning.

22. SENATOR BERNING:

23. Thank you, Mr. President. The amendment, which is on the
24. Secretary's Desk, Amendment No. 2 has been proffered by the
25. Teacher's Retirement System of the State of Illinois. In their
26. opinion this is a further clarification of the intent of Senate
27. Bill 21. I know of no objection to it and I would move for the
28. adoption of Amendment No. 2, Mr. President.

29. PRESIDENT:

30. Senator Berning has moved the adoption of Amendment No. 2
31. to Senate Bill 21. Is there any discussion? If not, all in
32. favor signify by saying Aye. All opposed. The Ayes have it.
33. The amendment is adopted. Are there further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDENT:

4. 3rd reading. The bottom of page 10, on the Order of Senate
5. Bills 3rd reading, Senate Bill 59. Senator Nash seeks leave of
6. the Body to return that bill to the Order of 2nd reading for
7. purposes of an amendment. Is leave granted? Leave is granted.
8. On the Order of Senate Bills 2nd reading, Senate Bill 59, Mr.
9. Secretary.

10. SECRETARY:

11. Amendment No. 1, offered by Senator Nash.

12. PRESIDENT:

13. Senator Nash.

14. SENATOR NASH:

15. Mr. President and Ladies and Gentlemen of the...of the
16. Senate, Amendment No. 1 will permit the Cook County Forest Pre-
17. serve District to increase its working cash fund. By doing
18. this the district can realize a two hundred thousand savings
19. per year on interest charges. I move for its adoption.

20. PRESIDENT:

21. Senator Nash has moved the adoption...Senator Nash has
22. moved the adoption of Amendment No. 1 to Senate Bill 59. Any
23. discussion? Senator Walsh.

24. SENATOR WALSH:

25. Mr. President and members of the Senate,...the Senators
26. may recall that...there was some discussion on this amendment
27. ...earlier this week. This would provide for an increase in the
28. Working Cash Fund...for the Cook County Forest Preserve District
29. of...in excess of one hundred percent, one hundred and thirty-
30. three percent, as a matter of fact, from three million to seven
31. million. I'm not going to oppose the amendment at this time,
32. but...I think that it's something that we should all be...aware
33. of and...when the bill is called on 3rd reading...since this

1. amendment is, in fact, the bill it is a significant increase in
2. ...the Working Cash Fund which means the issuance of bonds
3. without a referendum, an increase in the tax rate without a
4. referendum, something that should have the...consideration of
5. all the members. I will not oppose the amendment at this time.

6. PRESIDENT:

7. Alright. Senator Nash has moved the adoption of Amendment
8. No. 1 to Senate Bill 59. Any discussion? If not, all in
9. favor signify by saying Aye. All opposed. The Ayes have it.
10. The amendment is adopted. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Is Senator Netsch on the Floor? Alright.
15. On the Order of Senate Bills 3rd reading, the middle of page
16. 11, Senate Bill 115. Senator Netsch seeks leave of the Body
17. to return that bill to the Order of 2nd reading for purposes
18. of an amendment. Is leave granted? Leave is granted. On the
19. Order of Senate Bills 2nd reading, Senate Bill 115, Mr. Secre-
20. tary.

21. SECRETARY:

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

23. PRESIDENT:

24. Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. The amendment is responsive to
27. a question that was raised about the bill after the bill had
28. been voted out by the committee and I had left the committee
29. room. The concern was whether or not there might...this inci-
30. dentally deals with intentional torts it and permits a husband
31. or wife to sue the other for an intentional tort inflicted
32. during the marriage relationship. The concern was that there
33. might be a basis for collusion because a number of divorces,

1. apparently, are entered on stipulated grounds of physical
2. cruelty. The amendment says that no finding by a court under
3. the Marriage and Dissolution Act shall be admissible or used
4. as prima facie evidence of an intentional tort. I think it
5. meets that question and I would move the adoption of Amend-
6. ment No. 2 to...to Senate Bill 115.

7. PRESIDENT:

8. Alright. Senator Netsch has moved the adoption of Amend-
9. ment No. 2 to Senate Bill 115. Is there any discussion? If
10. not, all in favor signify by saying Aye. All opposed. The
11. Ayes have it. The amendment is adopted. Are there further
12. amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. Senator Sangmeister on 126. On the Order
17. of Senate Bills 3rd reading, Senate Bill 126, the middle of
18. page 11. Senator Sangmeister seeks leave of the Body to
19. return that bill to the Order of 2nd reading for purposes of
20. an amendment. Is leave granted? Leave is granted. On the
21. Order of Senate Bills 2nd reading, Senate Bill 126, Mr. Secre-
22. tary.

23. SECRETARY:

24. Amendment No. 2, offered by Senator Carroll.

25. PRESIDENT:

26. Alright, can we take the caucuses off the Floor? Senator
27. Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. This is a technical amendment to add to the amendment
31. we had adopted in the past, the actual termination date for
32. these offices. I would move adoption of Amendment No. 2.

33. PRESIDENT:

1. Senator Carroll has moved the adoption of Amendment No.
2. 2 to Senate Bill 126. Is there any discussion? If not, all
3. in favor signify by saying Aye. All opposed. The Ayes have
4. it. The amendment is adopted. Are there further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. 3rd reading. Senator Netsch on 191. Okay. Senator
9. Geo-Karis on 217. On the Order of Senate Bills 3rd reading,
10. Senate Bill 217. Senator Geo-Karis seeks leave of the Body
11. to return that bill to the Order of 2nd reading for purposes
12. of an amendment. Is leave granted? Leave is granted. On
13. the Order of Senate Bills 2nd reading, Senate Bill 217, Mr.
14. Secretary.

15. SECRETARY:

16. Amendment No. 6, offered by Senator Geo-Karis.

17. PRESIDENT:

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Mr. President and Ladies and Gentlemen of the Senate,
21. Amendment No. 6 was technically wrong because they had not taken
22. consideration there were four other amendments put on in com-
23. mittee. And, therefore, I would like to withdraw Amendment No.
24. 6 at this time. I have another one after that, that's correct. And
25. I have consulted with the chairman of the committee that heard
26. the bill and there's no opposition to it.

27. PRESIDENT:

28. Is the amendment...has the amendment been filed?

29. SENATOR GEO-KARIS:

30. ...yes, Amendment No. 7...next one. You have two amend-
31. ments there. I filed them. I filed them yesterday. ...two
32. days ago.

33. SECRETARY:

1. I...I have an amendment here that was filed yester-
2. day.

3. SENATOR GEO-KARIS:

4. Yes. That's the one...

5. SECRETARY:

6. It's got five, nineteen and eighty-one on it.

7. SENATOR GEO-KARIS:

8. That's the one. That's the new amendment, Sir. I'd
9. like to have leave to withdraw Amendment No. 6.

10. PRESIDENT:

11. This...this is Amendment No. 6.

12. SENATOR GEO-KARIS:

13. Oh, is this the new amendment now? Alright.

14. PRESIDENT:

15. Five amendments have been adopted, I'm told.

16. SENATOR GEO-KARIS:

17. Fine.

18. PRESIDENT:

19. This is the one that's filed that would be No. 6.

20. SENATOR GEO-KARIS:

21. Mr. President and Ladies and Gentlemen of the Senate,...
22. this Amendment No. 6 is a corrective amendment, because this
23. is the one that takes into consideration the four amendments
24. that were passed in committee and refers them properly. I'd
25. like to move passage of this amendment. I've had the clearance
26. from the committee chairman and the co-chairman. Thank you.

27. PRESIDENT:

28. Alright. Senator Geo-Karis has moved the adoption of
29. Amendment No. 6 to Senate Bill 217. Any discussion? Alright.
30. Senator Bruce.

31. SENATOR BRUCE:

32. Now, this bill has been amended five times already. I'd
33. just like to see what we're doing with this one or maybe the

1. sponsor can explain it a little bit more than the fact that the
2. chairman and co-chairman on her side has approved it.

3. PRESIDENT:

4. Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. If I may respond, there were four amendments put on the
7. bill in committee at the committee's request and they're on
8. the bill. I had an amendment, which would have been...the...
9. one amendment was Tabled in committee because it was in
10. error and one...I had one amendment and I've shown it to
11. Senator Demuzio, who is the chairman, and also to my co-
12. sponsor, Senator Gitz, that would have been the next amendment.
13. Unfortunately, it was technically incorrect because it did not
14. refer...it did not take into consideration the four amendments
15. that were passed. Now, this amendment is the correct amend-
16. ment and what it does, it expands...industrial project to meet any
17. capital project comprising one or more buildings and other
18. structures and etc. And I...Senator Demuzio had no objection,
19. Senator Gitz had no objection to this amendment. Is that
20. alright? He says it's okay.

21. PRESIDENT:

22. Senator Geo-Karis has moved the adoption of Amendment No.
23. 6 to Senate Bill 217. Any discussion? If not, all in favor
24. signify by saying Aye. All opposed. The Ayes have it. The
25. amendment is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. Is Senator Demuzio on the Floor? 259, do
30. you wish that recalled? Alright. On the Order of Senate Bills
31. 3rd reading, Senate Bill 259, middle of page 12. Senator
32. Demuzio seeks leave of the Body to return that bill to the
33. Order of 2nd reading for purposes of an amendment. Is leave

1. granted? Leave is granted. On the Order of Senate Bills 2nd
2. reading, Senate Bill 259, Mr. Secretary.

3. SECRETARY:

4. Amendment No. 1, offered by Senator...DeAngelis.

5. PRESIDENT:

6. Senator DeAngelis.

7. SENATOR DEANGELIS:

8. Thank you, Mr. President and members of the Senate. This
9. is basically a technical change asked for by the Commissioner
10. of Banks. It puts the word "written" between irrevocable and
11. consent.

12. PRESIDENT:

13. Senator...Senator DeAngelis moves the adoption of Amend-
14. ment No. 1 to Senate Bill 259. Is there any discussion? If
15. not, all in favor signify by saying Aye. All opposed. The
16. Ayes have it. The amendment is adopted. Are there further
17. amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. 275, Senator Lemke. On the Order of Senate
22. Bills 3rd reading is Senate Bill 275. Senator Lemke seeks
23. leave of the Body to return that bill to the Order of 2nd reading
24. for purposes of an amendment. Is leave granted? Leave is
25. granted. On the Order of Senate Bills 2nd reading, Senate
26. Bill 275, Mr. Secretary.

27. SECRETARY:

28. Amendment No. 1, by Senator Lemke.

29. PRESIDENT:

30. Senator Lemke.

31. SENATOR LEMKE:

32. Is that LRB 8201...

33. SECRETARY:

1. Yes.

2. SENATOR LEMKE:

3. ...992?

4. SECRETARY:

5. Yes.

6. SENATOR LEMKE:

7. Okay. What that bill is it's a technical amendment...
8. brought to us...where they inadvertent left out of the bill.
9. I ask for its adoption.

10. PRESIDENT:

11. Senator Lemke moves the adoption of Amendment No. 1 to
12. Senate Bill 275. Any discussion? If not, all in favor signify
13. by saying Aye. All opposed. The Ayes have it. The amendment
14. is adopted. Further amendments?

15. SECRETARY:

16. Amendment No. 2, by Senator Lemke.

17. PRESIDENT:

18. Senator Lemke.

19. SENATOR LEMKE:

20. What this amendment does it provides the...changes the
21. date which we say in the bill is the first Tuesday in May to
22. ...provide that the General Primary date should be held on
23. the last Tuesday of April beginning in 1982. It has an im-
24. mediate effective date. I ask for its adoption.

25. PRESIDENT:

26. Alright. Senator Lemke has moved the adoption of Amend-
27. ment No. 2 to Senate Bill 275. Any discussion? If not, all
28. in favor signify by saying Aye. All opposed. The Ayes have
29. it. The amendment is adopted. Further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. Senator Lemke.

1. SENATOR LEMKE:

2. While we're on Senate Bill...275, will you show that
3. the bill will be sponsored Lemke- Marovitz?

4. PRESIDENT:

5. You've heard the request. Is leave granted? Leave is
6. granted. So ordered. 296, Senator Berning. On the Order of
7. Senate Bills 3rd reading, Senate Bill 296. Senator Berning
8. seeks leave of the Body to return that bill to the Order of
9. 2nd reading for purposes of an amendment. Is leave granted?
10. Leave is granted. On the Order of Senate Bills 2nd reading,
11. Senate Bill 296, Mr. Secretary.

12. SECRETARY:

13. Amendment No. 2, by Senator Berning.

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. Amendment No. 1 was incorrect
18. technically there being a typo error. It seems to me the
19. appropriate procedure, Mr. President, would be to Table Amend-
20. ment No. 1 then and adopt Amendment No. 2.

21. PRESIDENT:

22. Alright. Senator Berning, having voted on the prevailing
23. side, moves to reconsider the vote by which Amendment No. 1 to
24. Senate Bill 296 was adopted. Any discussion? If not, all in
25. favor signify by saying Aye. All opposed. The Ayes have it.
26. The vote is reconsidered. Senator Berning now moves to Table
27. Amendment No. 1 to Senate Bill 296. Any discussion? If not,
28. all in favor signify by saying Aye. All opposed. The Ayes
29. have it. Amendment No. 1 is Tabled. Further amendments?

30. SECRETARY:

31. Amendment No. 2, by Senator Berning.

32. PRESIDENT:

33. Senator Berning.

1. SENATOR BERNING:

2. This amendment, now, is in proper form. I move for
3. the adoption, Mr. President.

4. PRESIDENT:

5. Alright. Senator Berning moves the adoption of Amendment
6. No. 2 to Senate Bill 296. Any discussion? If not, all in
7. favor signify by saying Aye. All opposed. The Ayes have it.
8. The amendment is adopted. Are there further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. 407, Senator Keats. On the Order of Senate
13. Bills 3rd reading, Senate Bill 407. Senator Keats seeks leave
14. of the Body to return that bill to the Order of 2nd reading
15. for purposes of an amendment. Is leave granted? Leave is
16. granted. On the Order of Senate Bills 2nd reading, Senate
17. Bill 407, Mr. Secretary.

18. SECRETARY:

19. ...Amendment No. 2, by Senator Keats.

20. PRESIDENT:

21. Senator Keats.

22. SENATOR KEATS:

23. Thank you, Mr. President and Ladies and Gentlemen of the
24. Senate. What we're doing is withdrawing Amendment 1 and...
25. what we had listed as Amendment 2 we're dropping and substituting
26. this as Amendment No. 2. Previous Amendment No. 1 is being
27. withdrawn.

28. PRESIDENT:

29. Amendment No. 1 will have to be reconsidered if you wish
30. to Table it.

31. SENATOR KEATS:

32. Okay. That...that's what I want to ask. I want to move
33. to...having voted on the prevailing side, I move that we would

1. reconsider the vote by which Amendment No. 1 was adopted.

2. PRESIDENT:

3. Alright. Senator Keats has moved to reconsider the vote
4. by which Amendment No. 1 to Senate Bill 407 was adopted. Is
5. there any discussion? If not, all in favor signify by saying
6. Aye. All opposed. The Ayes have it. The amendment is...the
7. amendment...the vote is reconsidered. Senator Keats now moves
8. to Table Amendment No. 1 to Senate Bill 407. Any discussion?
9. If not, all in favor signify by saying Aye. All opposed. The
10. Ayes have it. Amendment No. 1 is Tabled. Further amendments?

11. SECRETARY:

12. Amendment No. 2, by Senator Keats.

13. PRESIDENT:

14. Senator Keats.

15. SENATOR KEATS:

16. Okay. Amendment No. 2 clarifies some language. This
17. is a departmental error, when Senator Netsch asked some
18. questions the other day when we were putting the amendment
19. on, and I didn't seem to want to answer the questions is
20. because the department was wrong and Dawn knew it and I knew it
21. but I couldn't figure out how to explain it. Well, we've
22. just cleaned it up with this amendment. We have cleaned
23. up as far as the deductions and...for a thousand dollars for
24. replacement parts, etc. and also just a minor technical error,
25. they left the last page off the bill. So we're just re-
26. placing the last page.

27. PRESIDENT:

28. Senator Keats has moved the adoption of Amendment No. 2
29. to Senate Bill 407. Any discussion? Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President. Senator Keats, does this not
32. have the thousand dollar threshold and as we have with the
33. farm equipment, including parts and all that other stuff?
34. Alright. Thank you.

1. PRESIDENT:

2. Alright. Senator Keats has moved the adoption of Amend-
3. ment No. 2 to Senate Bill 407. Any discussion? If not, all
4. in favor signify by saying Aye. All opposed. The Ayes have
5. it. The amendment is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. 457. 460, Senator Marovitz. Is Senator
10. Marovitz on the Floor? 493, Senator Berning. On the Order
11. of Senate Bills 3rd reading, Senate Bill 493. Senator Berning seeks
12. leave of the Body to return that bill to the Order of 2nd
13. reading for purposes of an amendment. Is leave granted?
14. Leave is granted. On the Order of Senate Bills 2nd reading,
15. Senate Bill 493, Mr. Secretary.

16. SECRETARY:

17. Amendment No. 2, by Senator Berning.

18. PRESIDENT:

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. Here, again, the Enrolling
22. and Engrossing has discovered a technical error. Having voted
23. on the prevailing side, I would move to reconsider the vote
24. by which Amendment No. 1 was adopted for the purpose of Tabling
25. it.

26. PRESIDENT:

27. Alright. Senator Berning, having voted on the prevailing
28. side, moves to reconsider the vote by which Amendment No. 1 to
29. Senate Bill 493 was adopted. Any discussion? If not, all in
30. favor signify by saying Aye. All opposed. The Ayes have it.
31. The vote is reconsidered. Senator Berning now moves to Table
32. Amendment No. 1 to Senate Bill 493. Any discussion? If not,
33. all in favor signify by saying Aye. All opposed. The Ayes

20 611
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1. have it. Amendment No. 1 is Tabled. Further amendments, Mr.
2. Secretary?

3. SECRETARY:

4. Amendment No. 2, by Senator Berning.

5. PRESIDENT:

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. This is the technically correct
9. amendment and I would move for the adoption of Amendment No. 2.

10. PRESIDENT:

11. Senator Berning moves the adoption of Amendment No. 2 to
12. Senate Bill 493. Is there any discussion? If not, all in
13. favor signify by saying Aye. All opposed. The Ayes have it.
14. The amendment is adopted. Are there further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. Senator Rupp on 599. Is Senator D'Arco on
19. the Floor? 611, Senator Gitz. On the Order of Senate Bills
20. 3rd reading, Senate Bill 611. Senator Gitz seeks leave of the
21. Body to return that bill to the Order of 2nd reading for purposes
22. of an amendment. Is leave granted? Leave is granted. On the
23. Order of Senate Bills 2nd reading, Senate Bill 611, Mr. Secre-
24. tary.

25. SECRETARY:

26. Amendment No. 3, offered by Senator Gitz.

27. PRESIDENT:

28. Senator Gitz.

29. SENATOR GITZ:

30. Thank you, Mr. President and members of the Senate. Amend-
31. ment No. 3 is a technical amendment, strictly technical and it
32. takes care of some language which was inadvertently deleted when
33. the Legislative Reference Bureau drafted the bill. They didn't

1. use the most current Statutes. It also...corrects the word
2. "and" in after building.

3. PRESIDENT:

4. Alright. Senator Gitz moves the adoption of Amendment No.
5. 3 to Senate Bill 611. Is there any discussion? If not, all
6. in favor signify by saying Aye. All opposed. The Ayes have it.
7. Amendment No. 3 is adopted. Are there further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. 599...okay. On the Order of Senate Bills
12. 3rd reading, Senate Bill 686, middle of page 25. Senator
13. Newhouse seeks leave of the Body to return that bill to the
14. Order of 2nd reading for purposes of an amendment. Is leave
15. granted? Leave is granted. On the Order of Senate Bills 2nd
16. reading, Senate Bill 686, Mr. Secretary.

17. SECRETARY:

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

19. PRESIDENT:

20. Senator Newhouse.

21. SENATOR NEWHOUSE:

22. This amendment, Mr. President and Senators, changes one
23. word in the bill from merit to need. It clarifies that scholar-
24. ships are to be given on the basis of need as determined by
25. the State Scholarship Commission as opposed to merit, which
26. was the word used in the original bill. Move its adoption.

27. PRESIDENT:

28. Senator Newhouse has moved the adoption of Amendment No.
29. 1 to Senate Bill 686. Is there any discussion? Senator
30. Rhoads.

31. SENATOR RHOADS:

32. Senator Newhouse, as you know the...Governor did not, in
33. his budget, did not fund the Merit Scholarship Bill that we

1. had passed here about a year and a half ago. Now, is your
2. amendment deleting merit out of the original Act?

3. PRESIDENT:

4. Senator Newhouse.

5. SENATOR NEWHOUSE:

6. No, this is merely a set aside bill for the...no...no,
7. it's not deleting it from the original Act. This is a simple
8. set aside within the appropriation for Fiscal '82. And it's
9. ...to...it is to be distributed into the normal channels that
10. the ISSC has used previously, which is a merit...need, rather
11. basis.

12. PRESIDENT:

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Well, that's my...that's one of my complaints with the
16. ISSC is that...they have...the first thing they chopped was
17. the...was the Merit Scholarship Program. So you're saying
18. that under this there will be no money for the Merit Scholar-
19. ship Program?

20. PRESIDENT:

21. Senator Newhouse.

22. SENATOR NEWHOUSE:

23. No, Senator. What this bill does is this, under the
24. ordinary appropriation that's already been made it sets aside
25. ten percent of that appropriation for the late applicants.
26. That's all. So it has nothing to do with merit.

27. PRESIDENT:

28. Further discussion? Senator Bruce.

29. SENATOR BRUCE:

30. Well, I'm not quite sure what this does, but it seems to
31. me just looking at the amendment, Senator Newhouse, that it
32. completely changes the...impact of your legislation by putting
33. all the scholarships on a need basis only. Is that correct?

1. PRESIDENT:

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. This only relates to the ten percent set aside for the
5. late applicants. That's all that it relates to.

6. PRESIDENT:

7. Senator Bruce.

8. SENATOR BRUCE:

9. So, you were saying that the ten percent set aside only relates
10. to the need scholarships? Okay. I think that that clears up
11. a lot...it's only on the ten percent set aside. There's no
12. problem with that.

13. PRESIDENT:

14. Alright. Senator Newhouse has moved the adoption of Amend-
15. ment No. 1 to Senate Bill 686. Is there any discussion? If
16. not, all in favor signify by saying Aye. All opposed. The
17. Ayes have it. The amendment is adopted. Are there further
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. 3rd reading. 694, Senator Egan. On the Order of Senate
23. Bills 3rd reading, the middle of page 25, Senate Bill 694.
24. Senator Egan seeks leave of the Body to return that bill to
25. the Order of 2nd reading for purposes of an amendment. Is
26. leave granted? Leave is granted. On the Order of Senate
27. Bills 2nd reading, Senate Bill 694, Mr. Secretary.

28. SECRETARY:

29. Amendment No. 1, by Senator Egan.

30. PRESIDENT:

31. Senator Egan.

32. SENATOR EGAN:

33. Well, Mr. President, I would move to Table the Committee

1. Amendment No. 1 so that I could put this in in its place.

2. PRESIDENT:

3. Alright. Senator Egan, having voted on the prevailing
4. ...no amendment on it, they tell me.

5. SENATOR EGAN:

6. Well, then that's the problem, I'm sorry. I...I am...
7. alright. What this amendment does, Mr. President and members
8. of the Senate, is precisely what the bill does. It's...it's
9. structured differently, there is no substance in the amend-
10. ment other than what is in the bill itself and...it's a
11. matter of lining up with the various sections...and make it
12. properly done. I move...its adoption.

13. PRESIDENT:

14. Alright. Senator Egan has moved the adoption of Amend-
15. ment No. 1 to Senate Bill 694. Is there any discussion? If
16. not, all in favor signify by saying Aye. All opposed. The
17. Ayes have it. The amendment is adopted. Are there further
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. 3rd reading. Senator Bowers, for what purpose do you
23. arise?

24. SENATOR BOWERS:

25. Thank you, Mr. President. I'd like to introduce to the
26. Senate the...Lyle...Grade...or the Isle Junior High School,
27. who is down here. They're seated in the west gallery and
28. they're here with their principal, Mr. William McCoy, and I'd
29. like for them to rise and be recognized by the Senate.

30. PRESIDENT:

31. Will our guests please stand and be recognized? Welcome
32. to Springfield. Senator Thomas, for what purpose do you arise?

33. SENATOR THOMAS:

1. Thank you, Mr. President. A point of personal privilege
2. while there's a little break in the action. I'm very proud
3. to have a young lady from my district down here as well. She's
4. from Rock Island and in seventh grade and she's the regional
5. winner in the Illinois Historical Society competition. She
6. wrote a paper on the...history of the Arsenal Bridge in Rock
7. Island. Would you welcome, up in the President's gallery,
8. Stacy Howe and her mother and father.

9. PRESIDENT:

10. Yes. Welcome. Will our guests please stand and be
11. recognized? On the Order of Senate Bills 3rd reading, Senate
12. Bill 699. Senator Egan seeks leave of the Body to return
13. that bill to the Order of 2nd reading for the purpose of an
14. amendment. Is leave granted? Leave is granted. On the Order
15. of Senate Bills 2nd reading, Senate Bill 699, Mr. Secretary.

16. SECRETARY:

17. Amendment No. 2, by Senator Egan.

18. PRESIDENT:

19. Senator Egan.

20. SENATOR EGAN:

21. Yes. That was a committee amendment, was it not? I
22. think...that they are incompatible. I think I have to Table
23. Amendment No. 1.

24. PRESIDENT:

25. Alright. Senator Egan...

26. SENATOR EGAN:

27. However, I am not sure about it. Can I take a look at it?

28. PRESIDENT:

29. It's...it's enrolled and engrossed in the bill.

30. SENATOR EGAN:

31. Well, I'll just have to check it. I wonder if I could
32. come back to it. I'm sorry.

33. PRESIDENT:

S. B. 753
5-20-81
re-called for
Amendment #2

1. Sure, Saturday or Sunday or anytime. 753...Senator
2. Egan.
3. SENATOR EGAN:
4. Yes,...well...that's too late for me. I...I'll...let's
5. adopt the amendment and screw it up and then we'll get back
6. to it...on enrolling and engrossing.
7. SECRETARY:
8. Amendment No. 2, by Senator Egan.
9. PRESIDENT:
10. Senator Egan.
11. SENATOR EGAN:
12. The...amendment...realigns some sections. It's a
13. technical amendment and...if it's incompatible sobeit.
14. PRESIDENT:
15. Senator Egan moves the adoption of Amendment No. 2 to
16. Senate Bill 699. Any discussion? If not, all in favor
17. signify by saying Aye. All opposed. The Ayes have it. The
18. amendment is adopted. Further amendments?
19. SECRETARY:
20. No further amendments.
21. PRESIDENT:
22. 3rd reading. Senator Schaffer, 753. On the Order of
23. Senate Bills 3rd reading, the bottom of page 27. Senator
24. Schaffer seeks leave of the Body to return Senate Bill 753
25. to the Order of 2nd reading for purposes of an amendment.
26. Is leave granted? Leave is granted. On the Order of Senate
27. Bills 2nd reading, Senate Bill 753, Mr. Secretary.
28. SECRETARY:
29. Amendment No. 2, by Senator Demuzio..
30. PRESIDENT:
31. Senator Schaffer.
32. SENATOR SCHAFFER:
33. I don't see Senator Demuzio here, but...here he comes.

2. It's a good amendment though. Simply put, I think he wants me to explain it,
3. it...it puts in a...period of days for...temporary licenses
4. and puts some rights in for...residents in these type of
5. facilities...and I think the amendment is very much in order
6. and would urge its adoption.

7. PRESIDENT:

8. Alright. Senator Demuzio moves the adoption of Amend-
9. ment No. 2 to Senate Bill 753. Any discussion? If not, all
10. in favor signify by saying Aye. All opposed. The Ayes have
11. it. The amendment is adopted. Are there further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. 867, Senator Geo-Karis. On the Order of
16. Senate Bills 3rd reading, Senate Bill 867. Senator Geo-Karis
17. seeks leave of the Body to return that bill to the Order of
18. 2nd reading for purposes of an amendment. Is leave granted?
19. Leave is granted. On the Order of Senate Bills 2nd reading,
20. Senate Bill 867,...Mr. Secretary.

21. SECRETARY:

22. Amendment No. 1, by Senator Geo-Karis.

23. PRESIDENT:

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Mr. President and Ladies and Gentlemen of the Senate,...
27. after we passed Senate Bill 867 out of committee the Psy-
28. chiatric Institute met with Gary Starkman and proposed an
29. amendment to the...definition of mental illness and we...
30. that's the amendment. The amendment...relates to...a re-
31. definition of...mental illness or mentally ill and I move
32. the passage of this amendment.

33. PRESIDENT:

1. Senator Geo-Karis has moved the adoption of Amendment
2. No. 1 to Senate Bill 867. Is there any discussion? If not,
3. all in favor signify by...I beg your pardon, Senator Rhoads.

4. SENATOR RHOADS:

5. I'm sorry, Senator Geo-Karis, you seemed to indicate that
6. ...after committee we...now have a brand new definition...of
7. mental illness?

8. PRESIDENT:

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. Mr....Senator Rhoads, this...this expands the definition.

12. PRESIDENT:

13. Senator Rhoads. Further discussion? Senator Bruce.

14. SENATOR BRUCE:

15. I...I just wonder if we could have a copy of this over
16. here for the chairman of the committee if we're going to
17. start changing the definition. This bill is a very critical
18. one. To change it after we've had committee hearings, many
19. of us, including myself, are concerned about exactly how
20. we are making this new offense and to change it at this
21. late date gives me reason to...to want to slow down a little
22. bit.

23. PRESIDENT:

24. Alright. Alright. Take it out of the record for the
25. moment. We'll get right back to it, Senator Geo-Karis, when
26. you finish your...conference there. 920, Senator Berman. On
27. the Order of Senate Bills 3rd reading, Senate Bill 920, the
28. bottom of page 35. Senator Berman seeks leave of the Body to
29. return that bill to the Order of 2nd reading for purposes of
30. an amendment. Is leave granted? Leave is granted. On the
31. Order of Senate Bills 2nd reading, Senate Bill 920, Mr. Secretary.

32. SECRETARY:

33. Amendment No. 5, by Senator Berman.

1. PRESIDENT:

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr....President. Amendment No. 5 does two
5. things. It...deletes the provision regarding priority to
6. nurses who live in a shortage area and allows the department
7. the discretion as to those priorities. It changes shall to
8. may. Also, it sets forth the distribution of the grants and
9. loans under this bill...in a percentage of thirty-thirty,
10. twenty and twenty among the areas of...nurse training. Move
11. the adoption of Amendment No....5.

12. PRESIDENT:

13. Senator Berman has moved the adoption of Amendment No.
14. 5 to Senate Bill 920. Is there any discussion? If not, all
15. in favor signify by saying Aye. All opposed. The Ayes have
16. it. The amendment is adopted. Further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDENT:

20. 3rd reading. 926, Senator Berman. On the Order of Senate
21. Bills 3rd reading, Senate Bill 926. Senator Berman seeks leave
22. of the Body to return that bill to the Order of 2nd reading for
23. purposes of an amendment. Is leave granted? Leave is granted.
24. On the Order of Senate Bills 2nd reading, Senate Bill 926, Mr.
25. Secretary.

26. SECRETARY:

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

28. PRESIDENT:

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. Amendment No. 1 provides for an additional annuitant
32. on the Board of Trustees of the Pension Board of the Chicago
33. teachers and...it's an agreed amendment and I would move to
34. adopt Amendment No. 1 to Senate Bill 926.

1. PRESIDENT:

2. Senator D'Arco has moved the adoption of Amendment No.
3. 1 to Senate Bill 926. Is there any discussion? If not, all
4. in favor signify by saying Aye. All opposed. The Ayes have
5. it. The amendment is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. 930, Senator Berning. Senator Berning.
10. On the Order of Senate Bills 3rd reading, Senate Bill 930.
11. Senator Berning seeks leave of the Body to return that bill
12. to the Order of 2nd reading for purposes of an amendment.
13. Is leave granted? Leave is granted. On the Order of Senate
14. Bills 2nd reading, Senate Bill 930, Mr. Secretary.

15. SECRETARY:

16. Amendment No. 1, by Senator Berning.

17. PRESIDENT:

18. Senator Berning.

19. SENATOR BERNING:

20. Thank you, Mr. President. Amendment No. 1...was requested
21. by the...by the Teachers' Retirement System and clarifies the
22. provision for a teacher on temporary disability and assures that
23. the temporary disability may be terminated and the benefit be-
24. come a permanent disability benefit. I would move for the
25. adoption, Mr. President.

26. PRESIDENT:

27. Senator Berning has moved the adoption of Amendment No.
28. 1 to Senate Bill 930. Is there any discussion? If not, all
29. in favor signify by saying Aye. All opposed. The Ayes have
30. it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

1. 3rd reading. 992, Senator Coffey. On the Order of
2. Senate Bills 3rd reading, Senate Bill 992, top of page 38.
3. Senator Coffey seeks leave of the Body to return that bill to
4. the Order of 2nd reading for purposes of an amendment. Is leave
5. granted? Leave is granted. On the Order of Senate Bills 2nd
6. reading, Senate Bill 992, Mr. Secretary.

7. SECRETARY:

8. Amendment No. 1, offered by Senator Coffey.

9. PRESIDENT:

10. Senator Coffey.

11. SECRETARY:

12. No, I'm sorry, Mr. President, Amendment No. 2.

13. SENATOR COFFEY:

14. Mr. President and members of the Senate, Amendment No. 2
15. will add to Section 40-26 the testing of proof of alcohol
16. to be used as a motor fuel or a motor fuel component when such testing
17. is mutually agreed between the buyer and the seller of alcohol.
18. The Department of Agriculture...prescribed the fees for this
19. procedure...for the testing. What this will actually do is
20. allow a person who is...has a...a plant to make a request for
21. a percentage...test to show the percentage of alcohol contained
22. ...and they can request the Department of Agriculture to come
23. out and make that test and it will be a fee set up by the
24. department. So it will be no cost to the taxpayers. Actually,
25. the fee is paid by the manufacturer.

26. PRESIDENT:

27. Alright. Senator Coffey has moved the adoption of Amend-
28. ment No. 2 to Senate Bill 992. Any discussion? If not, all
29. in favor signify by saying Aye. All opposed. The Ayes have it.
30. The amendment is adopted. Are there further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

SB 1008
Revised

1. 3rd reading. 1008, Senator Bowers. On the Order of
2. Senate Bills 3rd reading, Senate Bill 1008. Senator Bowers
3. seeks leave of the Body to return that bill to the Order of
4. 2nd reading for purposes of an amendment. Is leave granted?
5. Leave is granted. On the Order of Senate Bills 2nd reading,
6. Senate Bill 1008, Mr. Secretary.

7. SECRETARY:

8. Amendment No. 2, by Senator Philip.

9. PRESIDENT:

10. Senator Philip.

11. SENATOR PHILIP:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. What this amendment does is allow us to elect the
14. president of our county board the same way Cook County does.
15. In other words, he would run at large, the only time he would
16. have a vote would be on a tie. I've checked this out with...
17. Senator Nedza, the Chairman of Local Government, and he has
18. no objections.

19. PRESIDENT:

20. Senator Philip moves the adoption of Amendment No. 2 to
21. Senate Bill 1008. Is there any discussion? If not, all in
22. favor signify by saying Aye. All opposed. The Ayes have it.
23. The amendment is adopted. Further amendments?

24. SECRETARY:

25. Amendment No. 3, by Senator Bowers.

26. PRESIDENT:

27. Senator Bowers.

28. SENATOR BOWERS:

29. Thank you, Mr. President. The original bill is a bill that
30. provides for bonding for the county jail. There's a backdoor
31. referendum...had a provision in it for ten percent. We're re-
32. ducing that to five percent by this amendment and I've discussed
33. it with the...with Senator Nedza and he has no objection. I
34. would move its adoption.

1. PRESIDENT:

2. Senator Bowers moves the adoption of Amendment No. 3 to
3. Senate Bill 1008. Any discussion? If not, all in favor signify
4. by saying Aye. All opposed. The Ayes have it. The amendment
5. is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. 1030, Senator Egan. On the Order of Senate
10. Bills 3rd reading, Senate Bill 1030. Senator Egan seeks leave
11. of the Body to return that bill to the Order of 2nd reading for
12. purposes of an amendment. Is leave granted? Leave is granted.
13. On the Order of Senate Bills 2nd reading, Senate Bill 1030, Mr.
14. Secretary.

15. SECRETARY:

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

17. PRESIDENT:

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. Thank you, ...Mr. President. Amendment No. 1 provides that
21. the interest rate to be used in determining the contributions
22. of a annuitant concerning his prior service would be set at a
23. ...rate determined by the board rather than the four percent
24. rate that is fixed in the Statute. We...it is an agreed amend-
25. ment. I would move the adoption of Amendment No. 1 to Senate
26. Bill 1030.

27. PRESIDENT:

28. Senator D'Arco has moved the adoption of Amendment No. 1
29. to Senate Bill 1030. Any discussion? If not, all in favor
30. signify by saying Aye. All opposed. The Ayes have it. The
31. amendment is adopted. Any further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. 1031, Senator Schaffer. On the Order of
3. Senate Bills 3rd reading, Senate Bill 1031. Senator Schaffer
4. seeks leave of the Body to return that bill to the Order of
5. 2nd reading for purposes of an amendment. Is leave granted?
6. Leave is granted. On the Order of Senate Bills 2nd reading,
7. Senate Bill 1031, Mr. Secretary.

8. SECRETARY:

9. Amendment No. 1,...by Senator Mahar.

10. PRESIDENT:

11. Senator Mahar.

12. SENATOR MAHAR:

13. Thank you, Mr. President and members of the Senate. Senate
14. ...the amendment calls for an additional hundred thousand dollars
15. for National Guard...scholarships. The...amendment has been
16. discussed with both sides of the aisle. It's the result of...
17. being...a thousand sixty-four applications this last year and
18. money only for five hundred and fifty-four of them. I would
19. ask for its adoption.

20. PRESIDENT:

21. Alright. Senator Mahar has moved the adoption of Amendment
22. No. 1 to Senate Bill 1031. Any discussion? Senator Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr. Chairman and members of the Senate. I rise
25. in opposition to the amendment. It is my understanding this is,
26. ...although we're...not in the appropriations mystique of some
27. of the members, this is an additional one hundred thousand dollars
28. for a program where the department was told, the National Guard
29. was told, that they were running out of money. They absolutely
30. insisted on proceeding and now they are out of money and have a
31. deficit. There's currently a forty thousand dollar deficit.
32. They've not received yet the third quarter claims and they are
33. also asking for summer school money and as I understand some of

1. us who have trouble with the summer school program, it seems to
2. me that we are proposing in the next week or so to cut 3.3 million
3. dollars out. The National Guard was, in fact, informed way
4. ahead of time that this particular portion of the program was
5. going to...run over budget and...it just seems to me that we
6. ought not to expend another hundred thousand dollars to people
7. that were told in advance, "don't spend the money."

8. PRESIDENT:

9. Further discussion? Senator Keats.

10. SENATOR KEATS:

11. I would like to explain in...concerning the position of the
12. National Guard Scholarship Act. The Scholarship Commission,
13. without authorization from the Legislature, directly contrary
14. to the law, informed them that they were going to do certain
15. things. The point being, what the National Guard Scholarship
16. Act as the law passed by the Legislature says the Scholarship
17. Commission is directly contrary. What we're saying in the
18. National Guard Scholarship Group is saying now wait a minute.
19. All we're asking you is to uphold the law. They have given
20. ...the Scholarship Committee has given money to their pet pro-
21. jects contrary to our decisions and now they want us to cover
22. their mistake, average Scholarship Commission garbage and I
23. just plain don't think we should be in the position of going
24. against our own legislation, at the same time supporting some-
25. one well-known for making a mess out of anything.

26. PRESIDENT:

27. Further discussion? Senator Mahar may close.

28. SENATOR MAHAR:

29. Thank you, Mr. President. In 1979-'80...scholarship year
30. there were seven hundred...nine...seven hundred ninety-five
31. scholarships for a total amount of a hundred and forty-three
32. thousand dollars. This last year there was only a hundred and
33. twenty thousand dollars...allocated for scholarships and they

1. had one thousand sixty-four applicants. Now,...the law says
2. that if you...if you join the Guard and you're in the Guard, you're
3. entitled to a scholarship. And I think that's a Statutory
4. requirement which we must fulfill. It so happens that in this
5. period of time when we're trying to increase the numbers in the
6. Guard and we have these people who are now in college, many of
7. them their grades are being held up because as I understand it
8. the Bureau of the Budget has been...has been asking the...the
9. colleges to eat that amount of money and they refuse to do it.
10. The members of the Guard who are now...in the closing days of
11. this particular term are in a...have a real problem. And I
12. think unless...it's almost mandatory that we provide the funds
13. ...for them to complete their education. And I would ask
14. that we vote favorably on this amendment.

15. PRESIDENT:

16. Alright. Senator Mahar has moved the adoption of Amend-
17. ment No. 1 to Senate Bill 1031. Those in favor of the amend-
18. ment will vote Aye. Those opposed will vote...Senator Mahar
19. has moved the adoption of Amendment No. 1 to Senate Bill 1031.
20. Any further discussion? If not, all in favor signify by saying
21. Aye. All opposed. Those in favor of the amendment will vote
22. Aye. Those opposed will vote Nay. The voting is open. Have
23. all voted who wish? Have all voted who wish? Have all voted
24. who wish? Take the record. On that question, the Ayes are 23,
25. the Nays are 29, none Voting Present. Amendment No. 1 fails.
26. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. 1040, Senator Keats.

31.

32.

END OF REEL

33.

1. 1061, Senator Egan. On the Order of Senate Bills 3rd
2. reading, Senate Bill 1061. Senator Egan seeks leave of
3. the Body to return that bill to the Order of 2nd reading
4. for purposes of an amendment. Is leave granted? Leave
5. is granted. On the Order of Senate Bills 2nd reading,
6. Senate Bill 1061, Mr. Secretary.

7. SECRETARY:

8. Amendment No. 1 by Senator D'Arco.

9. PRESIDENT:

10. Senator D'Arco.

11. SENATOR D'ARCO:

12. Thank you, Mr. President. Amendment No. 1 provides
13. for a fixed annual increase of...it's not annual increase...
14. it's a fixed one time increase of three percent to all
15. survivors over age sixty and it's a one time benefit and
16. it's an agreed upon amendment. And I would move for the
17. adoption of Amendment No. 1 to Senate Bill 1061.

18. PRESIDENT:

19. Senator D'Arco has moved the adoption of Amendment No. 1
20. to Senate Bill 1061. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it. The
22. amendment is adopted. Are there further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. 1073, Senator Rupp. On the Order of Senate
27. Bills 3rd reading, Senate Bill 1073, top of Page 41. Senator
28. Rupp seeks leave of the Body to return that bill to the Order
29. of 2nd reading for purposes of an amendment. Is leave granted?
30. Leave is granted. On the Order of Senate Bills 2nd reading,
31. Senate Bill 1073, Mr. Secretary.

32. SECRETARY:

33. Amendment No. 1 offered by Senators Lemke and D'Arco.

SB 1119
Recalled

1. PRESIDENT:

2. Senator Lemke.

3. SENATOR LEMKE:

4. All this...amendment does is changes the term of directors
5. from three years to four. It was requested by the Slovenian
6. Women of America of Senator Sangmeister, Senator D'Arco,
7. Senator Becker, myself. I think it's a good amendment, this
8. may...this helps the Fraternal Burial Societies to conform
9. with their National Charters and...and the department has no
10. objection and...I talked to Senator Rupp and he agreed to put
11. the amendment on for us.

12. PRESIDENT:

13. All right. Senator Lemke moves the adoption of Amendment
14. No. 1 to Senate Bill 1073. Is there any discussion? If not,
15. all in favor signify by saying Aye. All opposed. The Ayes
16. have it, the amendment is adopted. Further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDENT:

20. 3rd reading. Top of Page 43...on the Order of Senate
21. Bills 3rd reading, Senate Bill 1119. Senator Newhouse seeks
22. leave of the Body to return that bill to the Order of 2nd
23. reading for purposes of an amendment. Is leave granted?
24. Leave is granted. On the Order of Senate Bills, 2nd reading,
25. Senate Bill 1119, Mr. Secretary.

26. SECRETARY:

27. Amendment No. 1 by Senator Newhouse.

28. PRESIDENT:

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Thank you, Mr. President, Senators. This bill we've...
32. passed out of here last year and it's been explained before.
33. The grandfather provision in this bill did not permit those

1. people who were grandfathered in to acquire the products which
2. they have been...which they...which...which the lines generate
3. in the future. And this bill corrects that...this amendment
4. corrects that problem. The amendment also goes to another
5. problem of the industry. The industry asks that we include
6. a provision that will protect Illinois distributors from
7. untaxed out-of-State liquor. This is the second provision
8. in the bill. I would move its adoption.

9. PRESIDENT:

10. All right. Senator Newhouse has moved the adoption
11. of Amendment No. 1 to Senate Bill 1119. Is there any discussion?
12. If not, all in favor signify by saying Aye. All opposed. The
13. Ayes have it, the amendment is adopted. Are there further
14. amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. 1145, Senator Berman. On the Order of
19. Senate Bills 3rd reading, Senate Bill 1145, top of Page 44.
20. Senator Berman seeks leave of the Body to return that bill
21. to the Order of 2nd reading for purposes of an amendment.
22. Is leave granted? Leave is granted. On the Order of Senate
23. Bills 2nd reading, Senate Bill 1145, Mr. Secretary.

24. SECRETARY:

25. Amendment No. 1 by Senator Bruce.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you. The bill as it was introduced allows Social
30. Service employees as designated by the judge in Cook County
31. to take consents for adoptions. In prior years, we've allowed
32. the judge to appoint the Circuit Clerk in downstate counties
33. to take these consents. What the amendment does is...restore
34. that right so that we can have someone other than a judge,

1. that you have to track down on a Saturday or Sunday to take
2. consents. It's a very simple amendment and one that's
3. been in the law for several years. It was taken out two years
4. ago.

5. PRESIDENT:

6. Senator Bruce moves the adoption of Amendment No. 1 to
7. Senate Bill 1145. Is there any discussion? If not, all
8. in favor signify by saying Aye. All opposed. The Ayes
9. have it, the amendment is adopted. Are there further
10. amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. The final bill on the list is Senate
15. Bill 1159 which is found on Page 55. ...It had been on
16. the Agreed Bill List, now once amended, it will revert to
17. the regular order of business on the Calendar. On the
18. Order of Senate Bills 3rd reading, Senate Bill 1159.
19. Senator McLendon seeks leave of the Body to return this
20. bill to the Order of 2nd reading for purposes of an
21. amendment. Is leave granted? Leave is granted. On
22. the Order of Senate Bills 2nd reading, Senate Bill 1159.
23. Mr. Secretary.

24. SECRETARY:

25. Amendment No. 1 by Senator McLendon.

26. PRESIDENT:

27. Senator McLendon.

28. SENATOR McLENDON:

29. I move its adoption, there's no objection. Do you want
30. to explain it? Senator Geo-Karis.

31. PRESIDENT:

32. No, that's Amendment No. 2.

33. SENATOR McLENDON:

1. I don't have the other amendment right now. Would
2. you hold it for a few minutes?

3. PRESIDENT:

4. That's the one about the selection process.

5. SENATOR McLENDON:

6. Yes, that's right.

7. PRESIDENT:

8. All right. Senator McLendon moves the adoption of
9. Amendment No. 1 to Senate Bill 1159. Any discussion? If
10. not, all in favor signify by saying Aye. All opposed. The
11. Ayes have it, the amendment is adopted. Further amendments?

12. SECRETARY:

13. Amendment No. 2 by Senator Geo-Karis.

14. PRESIDENT:

15. Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Mr. President, Ladies and Gentlemen of the Senate. Amend-
18. ment No. 2 will help the downstate areas because I'm...I'm
19. deleting the...the amount one million on lines 13 and 17 on
20. Page 1 and inserting, in lieu thereof, the amount two hundred
21. thousand. And I move its passage.

22. PRESIDENT:

23. Senator Geo-Karis moves the adoption of Amendment No. 2
24. to Senate Bill 1159. Any discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The
26. amendment is adopted. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. With leave of the body, we'll go back to
31. Senate Bill 460. On the Order of Senate Bills 3rd reading,
32. Senate Bill 460. Senator Marovitz seeks leave of the Body
33. to return that bill to the Order of 2nd reading for purposes

SB 1040
Recalled

1. of an amendment. Is leave granted? Leave is granted. On
2. the Order of Senate Bills 2nd reading, Senate Bill 460.
3. Mr. Secretary.

4. SECRETARY:

5. Amendment No. 1 by Senator Marovitz.

6. PRESIDENT:

7. Senator Marovitz.

8. SENATOR MAROVITZ:

9. Thank you, very much, Mr. President, Ladies and Gentlemen
10. of the Senate. At the request of committee members from
11. both sides of the aisle, Amendment No. 1 to Senate Bill
12. 460 would...instead of a total for Foster Care Review
13. Board System, set up two pilot programs only. One in Cook
14. County, one outside of Cook County, substantially reducing
15. the cost to see if the...the programs work for Foster Care
16. Review Boards and I would ask for adoption of Amendment No. 1
17. to Senate Bill 460.

18. PRESIDENT:

19. Senator Marovitz moves the adoption of Amendment No. 1
20. to Senate Bill 460. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it, The
22. Amendment is adopted. Further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. How about 1040, Senator Keats. There's
27. an amendment filed on Senate Bill 1040, then we will have
28. completed the list. It's your amendment. On the Order of
29. Senate Bills 3rd reading, Senate Bill 1-0-4-0, 1040, Senator
30. Keats seeks leave of the Body to return that bill to the
31. Order of 2nd reading for purposes of an amendment. Is
32. leave granted? Leave is granted. On the Order of Senate
33. Bills 2nd reading, Senate Bill 1040. Mr. Secretary.

1. SECRETARY:

2. Amendment No. 2 offered by Senator Keats.

3. PRESIDENT:

4. Senator Keats.

5. SENATOR KEATS:

6. Okay. ...Thank you, Mr. President, Ladies and Gentlemen
7. of the Senate. Under Amendment 1 in the original bill, they'd
8. only covered Blue Cross, Blue Shield, by mistake. Under...
9. under Amendment 1 they cleared that up, the only trouble
10. is the wording is wrong. This is a technical correction of
11. Amendment No. 1.

12. PRESIDENT:

13. All right. Senator Keats moves the adoption of Amend-
14. ment No. 2 to Senate Bill 1040. Any discussion? If not,
15. all in favor signify by saying Aye. All opposed. The Ayes
16. have it, the amendment is adopted. Are there further amend-
17. ments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. That concludes the list of recalls. Channels
22. 2, 5 and 7 have requested leave to shoot some film. Is leave
23. granted? Leave is granted.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave to go to the Order of Senate Bills 2nd
26. reading? Leave is granted. Been a question of the membership.
27. We will go through 2nd reading and then we will go right to
28. 3rd reading, passage stage as soon as we conclude Senate Bills
29. 2nd reading. Any bill that was recalled today will not be
30. called today on 3rd reading. Senate Bills, 2nd reading,
31. Senate Bill 114, Senator Netsch. Read the bill, Mr. Secretary,
32. please.

33. SECRETARY:

1. Senate Bill 114.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Are there amendments from the Floor?

6. SECRETARY:

7. Amendment No. 1 offered by Senator...I'm sorry, Mr.

8. President...Committee Amendment, Transportation...Committee

9. Amendment No. 1.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Netsch, will you explain the amendment? Or

12. Senator Chew? Senator Netsch.

13. SENATOR NETSCH:

14. Yes...Senator Coffey. Senator...Senator Coffey had

15. offered the committee amendment in committee and what I

16. have is a...I'm just trying to get his attention to make

17. sure that he has seen it. It does the same thing, but a

18. little bit more and it also includes some cleanup language

19. that the Reference Bureau suggested. With your permission,

20. Senator Coffey, I would like to move to Table Committee

21. Amendment No. 1 and offer the one that you now have in

22. your hands as a substitute.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Okay, the motion is to adopt Committee Amendment...No.1...

25. SENATOR NETSCH:

26. No...no.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. We'll get to it Senator...if we can have some order.

29. ...The motion is to Table the committee amendment. Now, on

30. that motion to Table, is there discussion? Senator Coffey

31. was up first, Senator Chew, we'll get right to you. Senator

32. Coffey.

33. SENATOR COFFEY:

1. Yes...I...I have a question then. The amendment we are
2. Tabling, the...amendment that we...are going to accept after
3. Tabling that amendment, would you again explain that amendment,
4. the difference between the amendment that we offered in
5. committee and this one?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Netsch.

8. SENATOR NETSCH:

9. Senator Coffey, your committee amendment provided that
10. the funds be transferred to the Regional Transportation
11. Authority and my substitute amendment also provides that,
12. well, it's a little more detailed, assets and liabilities,
13. which I think is probably a...a more thorough amendment.
14. But that it be transferred to the Regional Transportation
15. Authority to be used for mass transit capital improvements
16. in the area from which the property tax revenues were raised.
17. I have talked to you about this and...what it does, it gives
18. it to the same agency, but specifies that it would be used
19. for the purposes for which the money was initially raised
20. and in the area from which it was initially raised. The rest
21. of the amendment is an LRB...cleanup thing. That is there
22. were several other references to the Urban Mass Transit Act
23. and LRB asked if we could eliminate them at the same time.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Okay, Senator Chew. The motion is to Table, Gentlemen.

26. SENATOR CHEW:

27. A...I have no problems with the motion to Table the
28. First Amendment. I do have some problems with the amendment
29. that we are proposing to adopt.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Why don't we...why don't we Table this one...

32. SENATOR CHEW:

33. The amendment, over my objection, was adopted in the

1. Committee on Transportation, Mr. President, to distribute
2. the monies to the Regional Transit Authority. And as I stated
3. that I had discussed this with the Chairman of the Chicago
4. Transit Authority and he'd indicated that his agency could not,
5. would not want to accept that money.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Okay, Senator, I think...I think you're right then.

8. You would probably support the Tabling and let's get

9. your comments on the record on the...

10. SENATOR CHEW:

11. That is correct.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Okay. The motion is to Table. Discussion? All in favor

14. say Aye. Opposed Nay. The Ayes have it, Amendment No. 1 is

15. Tabled. Are there further committee amendments?

16. SECRETARY:

17. No further committee amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are there amendments from the Floor?

20. SECRETARY:

21. Amendment No. 2 offered by Senator Netsch.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch to explain the amendment...

24. SENATOR NETSCH:

25. Thank...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. ...and then Senator Chew. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. Amendment...would it be No. 2

30. or No. 1 though? It would be No. 2. Amendment No. 2 then does

31. what I explained just a moment ago. It keeps the general thrust

32. that was in the amendment adopted in committee, that is, it

33. transfers the money that would be left over when the Chicago

1. Urban Transit District is abolished to the Regional Transportation
2. Authority and adds, "provided that any assets shall be used only
3. for capital improvements in mass transportation within the
4. boundaries of the former Urban Transportation District or to
5. satisfy liabilities of that district. The...the limitation again
6. is, because the money was originally collected out of property
7. tax revenues paid by, in large part my constituents, for a
8. mass transit capital improvement. That mass transit capital improve-
9. ment is no longer viable, it is dead. It was...principally
10. the Franklin Street Subway. I think that the...the best act
11. of good faith with the people who paid the property taxes
12. initially, is that the money be used in the area and for the
13. general purpose for which it was raised. That is the reason
14. why I had suggested the adding of that qualification language
15. on. I am very much aware that the Chairman of the Transportation
16. Committee with whom I have had a number of reasonably friendly
17. discussions on this subject, disapproves. His point was that
18. the money should go back to the taxpayers from whom it was
19. collected. Being one of those taxpayers, I would be delighted
20. to accommodate, but it is my judgment, my own judgment and
21. that of some others with whom I have discussed this, that
22. that would be almost literally impossible and that it would,
23. in fact, use up most of the money that is sitting there to
24. be used if we had to go through the process of trying to track
25. down all of those people. We've had a friendly disagreement
26. on this point, which I freely acknowledge. But that is the...
27. the purpose of the amendment and the explanation.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt. Discussion? Senator Chew.

30. SENATOR CHEW:

31. Thank you, Mr. President. I...agree with Senator Netsch
32. that we have had several conversations pertaining to this, but
33. further, the offices of the agency are desirous of having the

1. monies returned back to the taxpayers instead of the purpose
2. in which it was originally raised and that purpose is no longer
3. existing. Now, when the bill first came to our committee, it
4. was to give it to the Transit Authority. I talked to the
5. president of the agency, who has not only put more into it,
6. but more time and has directed the staff of CATS and again
7. I want to reiterate that I talked to the Chairman of the
8. Chicago Transit Authority and the reason they did not want
9. to accept the fund was simply because they were afraid of
10. the many lawsuits that would be filed. Now, as far as it
11. being impossible to return the money to those that paid
12. it, that's as simple as taking candy from a new born baby.
13. If you could find them to have them pay, you certainly
14. can find them to give it back to them, it's just a question
15. that...we go through a procedure of demanding monies from
16. taxpayers for a purpose and when the purpose is no longer
17. existing, then we want to take the authority away from the
18. persons that made the contributions and do something else
19. with it, which it was not intended. I would resist this
20. amendment wholeheartedly because that was not the purpose of
21. the original plan for the creation of the agency and I would
22. ask that this amendment be...not be adopted because it...it
23. really doesn't do anything. I...I would disagree with
24. Senator Netsch that the money can be given back to those that
25. paid it in the first place. I want to emphasize that I talked
26. to officers of the agency and that was their feelings because
27. they were the ones that paid it. Now Senator Netsch was one
28. of the contributors...contributors and by gosh, she's here,
29. so if we found her, we can find anybody else.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Channel 20 has sought leave to shoot...Channel 17 sought
32. leave. Is there leave? Leave is granted. Now, I have Senator
33. Johns and then Senator Keats and Senator Vadalabene. Senator...

1. SENATOR JOHNS:

2. Well...well, looking at it, Mr. President, from a down-
3. stater, as I understand it, the Urban Transit Authority has
4. no purpose any longer. Right? All right. And you have about
5. thirteen million dollars...sixteen million dollars now. Now,
6. Charlie, Senator Chew, Charlie, I...I just...I don't agree
7. with you on trying to return this to the taxpayers because
8. you got changes of ownership, you got deaths, you got all
9. kinds of problems. Why can't it go right into the purposes
10. that it was intended for?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Chew.

13. SENATOR CHEW:

14. Well, first of all, Senator Johns, with the greatest respect
15. that one can have for the other, if we cannot return it all
16. to the taxpayers, why can't we make the attempt to return it.
17. What the distinguished Senator from the 13th District is saying,
18. do not make the attempt and that's where we disagree. I
19. can't guarantee that all the persons that paid it in on
20. this tax are still alive or they're still at the same addresses,
21. that's not the question. The question, Senator Johns, is let
22. us make an attempt to give back to those who gave in. And
23. the monies that we cannot return, then put it wherever you
24. want to put it, I have no problems with that. But for God's
25. sake, don't collect my money for a street car and then bring
26. it down and give it to the General Assembly. It isn't right,
27. first of all, and secondly, it makes it very difficult for
28. another program of this kind to exist. Because all they
29. going to say is that you took my money for the Franklin
30. Street Expressway, you didn't build it, you annihilated that
31. program and you took my money and gave it to some transportation
32. agency which it was not designed to go for.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Johns.

2. SENATOR JOHNS:

3. Well, Senator Chew, the only thing that bothers me is
4. ...is government itself and every time we send a dollar in
5. for taxation, it costs about thirty-five or forty cents just
6. to handle it. So you're going to take, sixteen million, you're
7. going to just expect four million or five million dollars of
8. that to go down the tube for administration, aren't you?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Chew.

11. SENATOR CHEW:

12. Senator Johns, any program that's established, has to be
13. administered and the cost is built in. I'm not disturbed about
14. the sixteen million or if it were six dollars, the principle
15. of the program is, if you take it for a purpose and that purpose
16. does not exist, then why not, in all good faith, administer
17. that money in return just as you administered the collection of
18. it. So if the cost is four million, so be it. That's not the
19. question, the question is that those persons that paid the
20. money in for a particular purpose, that purpose is no longer.
21. Then I...in my opinion and in the opinion of the officers of
22. CATS, that the money ought to be returned to the taxpayers.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Johns, and your time has expired.

25. SENATOR JOHNS:

26. Well, I'll make it brief. The only thing I see, Senator
27. Chew, is that if you take this money and you use it in adminis-
28. tration, it just causes the need, later on, for a tax increase
29. and I just thought it would be best to transfer it over, to use
30. it for street work and let it be. Thank you, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion of the motion? Senator Walsh.

33. SENATOR WALSH:

SB 1149
2nd reading

1. Mr. President and members of the Senate. Just briefly
2. to express my...my position in favor of this amendment. It
3. seems to me a good idea as Senator Netsch indicated. This
4. money was...was raised for mass transportation purposes.
5. It's absolutely impractical to try to refund it to the
6. taxpayers. I think it should be used for mass transportation
7. purposes and I would urge an Aye vote on the amendment.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Further discussion? Senator Netsch
10. may close. The question is shall Amendment No. 2 to Senate
11. Bill 114 be adopted. Those in favor vote Aye. Those opposed
12. vote Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 36, the Nays are 9, none Voting
15. Present. The Senate...the Senate does adopt Amendment No. 2
16. to Senate Bill 114. Are there further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 3rd reading. Senate Bill 149, Senator Rock. Read the
21. bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 149.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Transportation offers
26. one amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rock, to explain Committee Amendment No. 1.

29. SENATOR ROCK:

30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. I would move at this time to Table Committee Amendment
32. No. 1. That was the amendment that fixed the amount of the
33. interim financing notes, frankly, it is out-of-date, unrealistic

1. and the subsequent amendment will strike everything after the
2. enacting clause in any event. So I move to Table Committee
3. Amendment No. 1.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to Table. Is there discussion of that motion?
6. All in favor say Aye. Opposed Nay. The Ayes have it, Amendment
7. No. 1 is Tabled. Are there further committee amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Are there amendments from the Floor?

12. SECRETARY:

13. Amendment No. 2 by Senator Rock.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
18. Amendment No. 2 to Senate Bill 149 is an amendment to the Regional
19. Transportation Authority Act. And it would do two things. It would afford
20. the Regional Transportation Authority the Authority to impose
21. a tax on the gross receipts derived from the sale of petroleum
22. products in the six county region only. Let me repeat that,
23. so that there's no mistake about it. It would authorize or
24. empower the Regional Transportation Authority Board to impose
25. a gross receipts tax in the six county area for the purpose
26. obviously of mass transit. Secondly, it would provide the
27. Authority on an interim basis with the authority to borrow
28. up to two hundred million dollars to attempt, at least, to
29. keep the system afloat. We are, as you probably are well
30. aware, painfully aware, virtually at a crisis stage. This
31. is yet another alternative...to the six bill package that
32. is currently on the Calendar and which appears to receive
33. no Republican support. This would provide, on an interim

1. basis for additional borrowing power and would empower the
2. board, if it so desired, to authorize the imposition of a
3. gross receipts tax in the six county area. I would move
4. adoption of Amendment No. 2.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to adopt Amendment No. 2. Is there
7. discussion? Senator Sangmeister. And we've got Sangmeister,
8. Weaver...okay. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Well, thank you, Mr. President and members of the Senate.
11. Here we go again. Every editorial that I have read concerning
12. the...the transportation crisis that we have, has said in...in
13. some words or...or less, that this is the responsibility of
14. the...State of Illinois. That if...if the Chicago Transit
15. goes under that it's going to affect the economy throughout
16. the entire State of Illinois. And that we, as downstaters,
17. should recognize that. Well, I'll tell you, if it goes
18. under and it affects the economy, it affects it in Cairo
19. it affects it in Rock Island, it affects it in Quincy, it
20. affects it all over the State of Illinois, not just in the
21. six county area. And obviously, what's going to be done
22. here again, with all due respect to our President, is obviously
23. we're going to put the downstaters again, the extreme downstaters
24. together with the Chicago people and the collar county is going
25. to catch it one more time around on this proposition. If it's
26. good for...for the collar counties, it's good for the State,
27. and if...if we're going to...bail out the CTA, the whole State
28. should be doing it and not just the collar counties. And I
29. rise in vehement opposition to this amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Weaver.

32. SENATOR WEAVER:

33. Thank you, Mr. President. Senator Rock, this is a rather

1. extensive thirty-six page amendment and I know several...several
2. of our members had amendments filed on the original bill before
3. you struck the enacting clause and...and came in with a new
4. approach here. I'm wondering, these amendments do not track
5. now, would you be willing to bring this bill back for further
6. amendments?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock.

9. SENATOR ROCK:

10. The answer, as always, is yes.

11. SENATOR WEAVER:

12. Well, thank you, I would suggest then that...our side
13. of the aisle look at this amendment and at the present time
14. just vote Present on the amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Discussion? Senator Carroll. Further discussion?
17. ...Senator Rock may close.

18. SENATOR ROCK:

19. Well, thank you, Mr. President and Ladies and Gentlemen
20. of the Senate. I understand Senator Weaver's point. The
21. amendment, however, does only two things and just those
22. two things. It affords the...the Regional Transportation
23. Authority Board the authority to impose a tax, a region-wide
24. tax and only region-wide and it secondarily empowers them
25. to borrow up to two hundred million additional dollars. I
26. will certainly bring the bill back if somebody sees that...that
27. they would wish to amend it and come on board as a cosponsor or
28. what have you. And I would move adoption of Amendment No. 2.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 2. All in favor say Aye.
31. Opposed Nay. Present...all right. In the opinion of the Chair,
32. the Ayes have it. Is there a request for a roll call? Do
33. I hear a request for a roll call? All right. Amendment No. 2
34. is adopted. Further amendments? Senator Schaffer and Senator

S.B. 163
2nd Reading

- 1. Bloom, there are amendments to this. All right. Senator Bloom
- 2. withdraws his amendment. Senator Schaffer on the Floor? All
- 3. right, Senator Schaffer withdraws his amendment. Are there
- 4. further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. 3rd reading. Senate Bill 163, Senator Jeremiah Joyce.

9. Unemployment Insurance. Read the bill, Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 163.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Are there amendments from the Floor?

16. SECRETARY:

17. Amendment No. 1 by Senator Jeremiah Joyce. And this bill

18. did have a fiscal note request and it has been answered.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Jeremiah Joyce to explain Amendment No. 1.

21. SENATOR JEREMIAH JOYCE:

22. Thank you, Mr. President and members of the Senate. Amend-

23. ment No. 1 to Senate Bill 163 puts a cap of one million dollars

24. on the program. I move its adoption.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to adopt Amendment No. 1. Discussion of

27. the motion? All in favor say Aye. Opposed Nay. The Ayes

28. have it, Amendment No. 1 is adopted. Are there further amendments?

29. SECRETARY:

30. No...no further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. Senate Bill 170, Senator D'Arco. Read the

33. bill.. martial arts...read the bill, Mr. Secretary, please.

1. SECRETARY:
2. Senate Bill 170.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Are there amendments from the Floor?
7. SECRETARY:
8. No Floor amendments.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. 3rd reading. Senate Bill...we are going to skip all
11. the appropriation bills. Senate Bill 216, Senator Demuzio.
12. Read the bill, Mr. Secretary, please.
13. SECRETARY:
14. Senate Bill 216.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. The Committee on Labor and Commerce
17. offers one amendment.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Demuzio to explain Committee Amendment No. 1.
20. SENATOR DEMUZIO:
21. Yes...what's the LRB number on that?
22. SECRETARY:
23. It's a committee amendment.
24. SENATOR DEMUZIO:
25. Oh, committee amendment, okay. The...committee amendment
26. replaces the language of the original bill and it...it indicates
27. that the three percent step increases are...after eighteen months
28. of credible services, after each consecutive eighteen month
29. period. There has been a fiscal note that I have...request...that
30. I have complied with, which is also on the...in possession of
31. the Secretary and I would move for the adoption of Committee
32. Amendment No. 1.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to adopt Committee Amendment No. 1. Discussion
2. of the motion? All in favor say Aye. Opposed Nay. The Ayes
3. have it, Amendment No. 1 is adopted. Are there further committee
4. amendments?

5. SECRETARY:

6. No further committee amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Are there amendments from the Floor?

9. SECRETARY:

10. Amendment No. 2 and yes, I do have the answer to the fiscal
11. note.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Demuzio on Amendment No. 2.

14. SENATOR DEMUZIO:

15. Well, thank you, Mr. President. I think I just explained
16. Amendment No. 2. Amendment No. 1, the committee amendment,
17. was some technical...problems in spelling and other technical
18. aspects of the bill so I move for the adoption of Amendment
19. No. 2.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt Amendment No. 2. Discussion of
22. the motion. All in favor say Aye. Opposed Nay. The Ayes
23. have it, Amendment No. 2 is adopted. Are there further
24. Floor amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. 3rd reading. Senate Bill 246, Senator Shapiro. And I
29. would like to get back to 387 in just a moment. Senate Bill...
30. Is there leave? Leave is granted. Senate Bill 402, Senator...
31. Senate Bill 406, Senator Degnan. Senate Bill 427, Senator Gitz.
32. Read the bill, Mr. Secretary, please.

33. SECRETARY:

34. Senate bill 427.

1. (Secretary reads title of bill)

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

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Are there amendments from the Floor?

5. SECRETARY:

6. Amendment...okay...Amendment No. 1 by Senator Gitz.

7. It's the longer of the two amendments, Senator Gitz.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Gitz to explain Amendment No. 1.

10. SENATOR GITZ:

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

12. Mr. Secretary, I assume this is the LRB amendment.

13. SECRETARY:

14. Yes.

15. SENATOR GITZ:

16. This takes out rural electrical co-ops. The rationale here
17. is that they are an electrical supplier, they are not a public
18. utility in the ordinary sense and we're trying to apply the legislation.

19. I would respectfully move adoption of Amendment No. 1.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt Amendment No. 1. Discussion of
22. the motion. All in favor say Aye. Opposed Nay. The Ayes
23. have it, Amendment No. 1 is adopted. Are there further
24. Floor amendments?

25. SECRETARY:

26. Amendment No. 2 by Senator Gitz.

27. SENATOR GITZ:

28. Thank you, Mr. President and members of the Senate. This
29. amendment adds the following wording at the request of the
30. Commerce Commission, "nothing in this section shall be construed
31. to diminish authority granted to the Commission by any other
32. section of this Act." The Commerce Commission indicated to
33. me that with this amendment this bill would have their approval.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to adopt Amendment No. 2. Discussion of
3. the motion? All in favor say Aye. Opposed Nay. The Ayes
4. have it, Amendment No. 2 is adopted. Are there further Floor
5. amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 3rd reading. Senate Bill 432, Senator Marovitz. Senator
10. Marovitz on the Floor? Senate Bill 449, Senator Demuzio. Read
11. the bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 449.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. No committee amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Are there amendments from the Floor?

18. SECRETARY:

19. Amendment No. 1 by Senator Demuzio.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Thank you, Mr. President, Ladies and Gentlemen of the
24. Senate. Amendment No. 1 simply broadens the definition to
25. include the...such corporations as John Deere and International
26. Harvester and that's all it does. I move for the adoption
27. of Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 1. Discussion
30. of the motion? All in favor say Aye. Opposed Nay. The Ayes
31. have it, Amendment No. 1 is adopted. Further Floor amendments?

32. SECRETARY:

33. Amendment No. 2 by Senator Demuzio.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Yes, thank you, Mr. President. Amendment No. 2 changes
5. the composition of the board of the...of...of the Authority.
6. It...the amendment expands the number of the members of the
7. Farm Development...Board to seven, from five to seven, and
8. suggests that the appointments be made by the Governor with
9. the advice and consent of the Senate. And stipulates that
10. there will be an annual election of...of the chairperson
11. and vice-chairperson. The original bill provided for a
12. five member board which consisted of the various cabinet
13. officials including the Director of the Department of
14. Agriculture. So I move for the adoption of Amendment No. 2.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to adopt Amendment No. 2. Discussion
17. of the motion? All in favor say Aye. Opposed Nay. The
18. Ayes have it, Amendment No. 2 is adopted. Are there further
19. Floor amendments?

20. SECRETARY:

21. No. 3 by Senator Demuzio.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio on Amendment No...3.

24. SENATOR DEMUZIO:

25. ...Amendment No. 3 is a simple one. It expands the
26. project's eligibility to acquire loans under the program
27. to include water conservation projects in watershed areas
28. and I move for the adoption of Amendment No. 3.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 3. Discussion?
31. Senator Maitland.

32. SENATOR MAITLAND:

33. Very briefly, Senator Demuzio, again, what was Amendment

1. No. 3?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Amendment No. 3 expands the projects eligible to acquire
6. loans under the program to include water conservation projects
7. in watershed areas.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Maitland.

10. SENATOR MAITLAND:

11. Well, we're...we're greatly expanding the scope of the
12. legislation then. From a...from a...a loan to a...to preserve
13. the small farmer and...and now...now we're expanding it very
14. drastically.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. Well, the reason for this amendment, is because it...was
19. considerable debate in the House. The House expanded the bill
20. to include these projects and as a consequence we decided to
21. go along with them. If you have some objection, we'd be glad
22. to work with you on it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt. Discussion? All in favor say
25. Aye. Opposed Nay. The Ayes have it, Amendment No. 3 is
26. adopted. Further amendments?

27. SECRETARY:

28. Amendment No. 4 by Senator Demuzio.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. No. 4, there was some questions in committee as to
33. whether or not the Farmer's Home Administration would...the

1. amendment states that the Farmer's Home Administration, the
2. U. S. Department of Agriculture will provide issuance, letters
3. of credit or guarantees against any loss in connection with
4. any notes or obligations of the Authority. In the original
5. bill...allowed the Authority to procure such guarantees, but
6. it did not expressly mention the FHA. And I would move for
7. adoption of Amendment No. 4.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Motion is to adopt Amendment No. 4. Discussion? All
10. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
11. No. 4 is adopted. Further amendments?

12. SECRETARY:

13. Amendment No. 5 by Senator Demuzio.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. No. 5 puts a cap of two hundred thousand dollars on
18. the loans to be made by the Authority for the purchase of
19. land. The bill has a fifty million dollar limit in bonds
20. issued by the Authority, Revenue Bonds, and this amendment
21. is put forth to ensure that a wide variety of loans shall
22. be made rather than just a few large loans for land purchases.
23. A two hundred thousand dollar cap would allow a borrower to
24. purchase approximately sixty-five acres at three thousand
25. dollars an acre as a illustration. And I move for the
26. adoption of Amendment No. 5.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 5. Senator Maitland.
29. All right. All right. The motion is to adopt. All in favor
30. say Aye. Opposed Nay. The Ayes have it, Amendment No. 5
31. is adopted. Further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. 3rd reading. Senate Bill 451, Senator Schaffer. Senate
3. Bill 459, Senator Gitz. Read the bill, Mr. Secretary, please.
4. SECRETARY:
5. Senate Bill 459.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Are there amendments from the Floor?
10. SECRETARY:
11. No Floor amendments.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. 3rd reading. Senate Bill 480...is there leave to come
14. back to 464 in a moment? Leave is granted. 484, Senator D'Arco.
15. Read the bill, Mr. Secretary, please.
16. SECRETARY:
17. Senate Bill 484.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Are there amendments from the Floor?
22. SECRETARY:
23. No Floor amendments.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. 3rd reading. Senate Bill...for what purpose does Senator
26. D'Arco arise?
27. SENATOR D'ARCO:
28. Oh, you skipped 464. Was there a reason for that?
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Yeah, I'm presiding. I was going to come back to it just as
31. soon as they bring the amendment out.
32. SENATOR D'ARCO:
33. Oh...all right.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. 574, Senator Degnan. Read the bill, Mr. Secretary, please.

3. SECRETARY:

4. Senate Bill 574.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Executive offers
7. one amendment.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Degnan on Committee Amendment No. 1.

10. SENATOR DEGNAN:

11. Thank you, Mr. President. Committee Amendment No. 1 is
12. at the request of the Department of R and E. It strikes some
13. language creating the Weather Modification Examining Board,
14. which would duplicate that board under the provision of
15. the Weather Modification Control Act. I move its adoption.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt Committee Amendment No. 1.

18. Discussion of the motion? All in favor say Aye. Senator Gitz.

19. SENATOR GITZ:

20. Mr. President, we had very extensive hearings in weather
21. modification in the Sunset Committee and I'd like to know
22. what this amendment exactly does.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Degnan.

25. SENATOR DEGNAN:

26. It gets the amendment...deletes the paragraph creating
27. the Weather...Weather Modification Examining Board. Deletes
28. the entire paragraph.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Gitz.

31. SENATOR GITZ:

32. Okay, so we've eliminated the board, what's the signi-
33. ficance of that? What's the objective?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Degnan.
3. SENATOR DEGNAN:
4. It was duplicating...my understanding, it was duplicating
5. a provision in the Weather Modification Control Act.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Gitz.
8. SENATOR GITZ:
9. That's the only impact to the amendment?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Degnan.
12. SENATOR DEGNAN:
13. That's correct, Senator.
14. SENATOR GITZ:
15. Thank you, very much.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. The motion is to adopt. Discussion? All in favor say
18. Aye. Opposed Nay. The Ayes have it, Amendment No. 1 is
19. adopted. Are there further amendments?
20. SECRETARY:
21. No further...no further committee amendments.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Are there amendments from the Floor?
24. SECRETARY:
25. No Floor amendments.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. 3rd reading. Senator Degnan on 575. Read the bill, Mr.
28. Secretary, please.
29. SECRETARY:
30. Senate Bill 575.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. The Committee on Insurance offers
33. one amendment.

SB 578
2nd Reading

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Degnan to explain Committee Amendment No. 1.

3. SENATOR DEGNAN:

4. Amendment...thank you, Mr. President. Amendment No. 1 is
5. ...makes some technical corrections according to the Department
6. of R and E's wishes. I move its adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt Committee Amendment No. 1. Discussion
9. of the motion? All in favor say Aye. Opposed Nay. The Ayes
10. have it, Committee Amendment No. 1 is adopted. Are there
11. further committee amendments?

12. SECRETARY:

13. No further committee amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Are there amendments from the Floor?

16. SECRETARY:

17. No Floor amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. 3rd reading. Senate Bill 578, Senator Keats. Read the
20. bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 578.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Are there amendments from the Floor?

27. SECRETARY:

28. Amendment No. 1 offered by Senator Sangmeister and Bloom.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. My...my. Senator...Sangmeister. I don't know what this
31. one is about, I...guess. Senator Sangmeister. For
32. what purpose does Senator Ozinga arise?

33. SENATOR OZINGA:

1. I haven't received a copy of this amendment and I would
2. like it. I understand that this is a whole brand new bill
3. being attached onto this bill. And I don't think it's been
4. distributed to any of the other members of the Senate.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. Senator Sangmeister, can you see that Senator
7. Ozinga...have...have they been distributed or...

8. SENATOR SANGMEISTER:

9. Well...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. They don't need...need not be under our rules. Senator
12. Sangmeister.

13. SENATOR SANGMEISTER:

14. Well, this...this was filed, you know, not yesterday, this
15. has been on file with the Clerk, I think, for a week or ten
16. days, at least ten days. So, and...you know, I think the...the
17. challenge at this time for distribution comes a little late.
18. If he wants a copy, we'll see that he gets one.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. All right. We may come up with this again, but Rule 15
21. states that when requested by five or more members, amendments
22. shall be printed and made available to every Senator who
23. requests a copy before the amendments may be voted upon on
24. the Order of 2nd reading. As you recall, we did that to stop
25. every amendment from being distributed and save a little bit
26. of money. But if five Senators join Senator Ozinga in requesting
27. it, we will make it available. Two...all right...in fact, Senator
28. Ozinga is joined by five Senators and...you... Senator will
29. you make..you'll have to make it available now, you'll have
30. to print copies and make it available to any Senator who wishes
31. a copy and I suppose the best thing to do is just make fifty-
32. nine of them. For what purpose does Senator Bloom arise?

33. SENATOR BLOOM:

20579
2nd Reading

1. Inquiry. If we take it out of the record, could we
2. come back to it later on today?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Well, now Gentlemen, we've always afforded the courtesy
5. because it cuts both ways. Some Senators want to move a
6. bill quickly, some want to slow it up. You may be on the
7. other end of the stick one of these days. The idea is that
8. we have always...as soon as the...the...we have always
9. accorded the sponsor the opportunity to immediately process
10. the paper work. As soon as Senator Sangmeister alerts the
11. Chair that he has distributed the copies, we will get back
12. to it. Is there leave for that procedure? Leave is granted.
13. 3...579, Senator Keats. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 579.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are there amendments from the Floor?

20. SECRETARY:

21. No Floor amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Whoops...Secretary indicates he does not have it, if we
24. have a Floor amendment. All right. If you...if you have
25. amendments, make sure we get them down to the guys here,
26. so they can see them. Are there amendments from the Floor,
27. Mr. Secretary?

28. SECRETARY:

29. Amendment No. 1 by Senator Keats.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Keats on Amendment No. 1.

32. SENATOR KEATS:

33. It adds to 579 to allow indemnification of corporate

1. officers, adds it to 578...and I would like to add that to the
2. bill. I'd appreciate a favorable roll call and then I'll
3. move it to 3rd.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there...the motion is to adopt. Is there discussion
6. of the motion? Senator Demuzio.

7. SENATOR DEMUZIO:

8. Yes, thank you, Mr. President. I'd like to inquire
9. of the sponsor. We may have an amendment for this, would
10. you bring it back later on if you move it to 3rd?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator...

13. SENATOR KEATS:

14. Could we discuss it at that time?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, no, the...the question is will you bring it back.

17. SENATOR KEATS:

18. If you want to, I mean, you see, 579 is noncontroversial, but
19. if you want to, hey, I'm...you know me, I'm always trying to
20. be helpful.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right. Indicates he'll bring it back, Senator.
23. Are there further amendments? Motion is to adopt Amendment
24. No. 1. Discussion of the motion? All in favor say Aye. Opposed
25. Nay. The Ayes have it, Amendment No. 1 is adopted. Are there
26. further Floor amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. Senate Bill 582, Senator Taylor. Senate
31. Bill 583, Senator Gitz. 610, Senator Gitz. Read the bill,
32. Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 610 had a request for a fiscal note which has
2. been answered.

3. (Secretary reads title of bill)

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

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Gitz to explain Committee Amendment No. 1.

8. SENATOR GITZ:

9. Mr. President and members of the Senate. I assume, Mr.
10. Secretary, this is the four page amendment?

11. SECRETARY:

12. This is the committee amendment...and it consists of
13. six pages.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Gitz.

16. SENATOR GITZ:

17. This amendment should transfer the duties to the Institute
18. of Natural Resources. This is a Sunset Bill, currently in the
19. State of Illinois, we license weather modification. There's
20. only been a handful of permits, you can count them on one hand.
21. It was felt that instead of licensing weather modification, it
22. should be done on a permit basis, the original recommendation
23. to the Department of Agriculture. This would make it the
24. Institute of Natural Resources which is their desire, the
25. Department of Agriculture has agreed.

26. PRESIDING OFFICER: (SENATOR BRUCE)

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

30. SECRETARY:

31. ...No further committee amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Are there amendments from the Floor?

1. SECRETARY:
2. Amendment No. 2 by Senator Gitz.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Gitz...
5. SECRETARY:
6. And it is the longer amendment, Senator Gitz.
7. SENATOR GITZ:
8. Four pages?
9. SECRETARY:
10. Yes.
11. SENATOR GITZ:
12. This again is a cleanup amendment along the same lines
13. as implementing the language that we had before. There were
14. some technical deficiencies.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. The motion is to adopt Amendment No. 2. Discussion of
17. the motion. All in favor say Aye. Opposed Nay. The Ayes
18. have it, Amendment No. 2 is adopted. Are there further Floor
19. amendments?
20. SECRETARY:
21. Amendment No. 3 by Senator Gitz.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Gitz.
24. SENATOR GITZ:
25. Thank you, Mr. Chairman. This designates that the Director
26. of the Institute of Natural Resources shall designate a member
27. of the board as chairman.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. All right. The motion is to adopt Amendment No. 3.
30. Discussion? All in favor say Aye. Opposed Nay. The Ayes
31. have it, Amendment No. 3 is adopted. Further Floor amendments?
32. SECRETARY:
33. No further amendments.
34. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senate Bill 624, Senator Hall. Senate Bill 649, Senator
4. Joyce. Senator Berman, are you handling the bill for Senator
5. Jerome Joyce? 649? Senator Berman.
6. SENATOR BERMAN:
7. 32...632.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. These are the recalls, I understand.
10. SENATOR BERMAN:
11. Oh, I thought this was on 2nd reading.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. 632, Senator Berman.
14. SECRETARY:
15. Senate Bill 632.
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Any amendments from the Floor?
20. SECRETARY:
21. Amendment No. 1 by Senator Bloom.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Senator Bloom.
24. SENATOR BLOOM:
25. Thank you, Mr. President and fellow Senators. This amend-
26. ment, basically, would eliminate the curricular mandates, that
27. is, it would leave it optional for the districts to offer these
28. various curricula, phys ed, consumer ed, safety, driver ed
29. and career ed. The purpose is...that it's not so much that
30. the mandated matters are difficult, it's what comes with
31. them. And as a practical matter, every school district in the
32. State, at one time or another, has complained about the
33. incredible amount of paper work that comes with them. It's

1. the bureaucracy...that comes with them that we're attacking.
2. I'd answer any questions and ask for your favorable consideration.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Berman.

5. SENATOR BERMAN:

6. Well, thank you, Mr. President, I would ask the...a few
7. moments attention to this amendment. I rise in opposition to
8. the amendment. This is one of a couple of bills that have
9. been introduced in the Senate and a number of bills that were
10. introduced in the House. This amendment, by tacking onto a
11. bill of a totally different subject, would eliminate the
12. State requirements for the teaching of career education,
13. physical...education, consumer education, driver's education,
14. behind the wheel and classroom...instruction. Now, there
15. was a bill that covered...touched part of this that was in
16. the Senate Education Committee. The bill did not receive
17. favorable consideration, was put into...was held in committee.
18. The Illinois School Problems Commission has created a committee
19. which has been formed, which has representatives from the
20. Legislature, both Houses, the Executive Branch. There will
21. be a meeting in June and public hearings held throughout the
22. State of Illinois on the question of what should be done regarding
23. State mandates in the area of education. Those hearings will
24. give the public an opportunity to have their say and that
25. committee will then report back to the General Assembly. It
26. is improper, in my opinion, to try to tack on this amendment
27. to this bill at this time. These...these programs, whether
28. they are good or bad, will affect thousands of students throughout
29. the State of Illinois. All that I'm suggesting in urging the
30. defeat of this amendment at this time is to give the public,
31. who is deeply involved, either through the payment of taxes
32. or the fact that their children are involved in these classes
33. an opportunity to have their say and not through a method of
34. attaching it to another bill...at amendment stage. I do not wish

1. to say whether these...whether I agree with whether these
2. bills...or these courses, should in fact, be demanded. I might
3. agree with part of them, but that's only one Senator's opinion.
4. And all I'm suggesting is that we defeat this amendment, allow
5. the subcommittee of the School Problems Commission to hold
6. its hearings throughout the State of Illinois, give the public
7. a chance to respond and then act upon the proposals as we
8. see fit, after the commission has held those hearings. I urge
9. a defeat of this amendment to this bill.

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END OF REEL

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Grothberg.

3. SENATOR GROTHBERG:

4. Well, thank you, Mr. President, and fellow Senators. I think
5. Senator Bloom has an excellent amendment to this bill. I was the
6. victim of the Education Commission along with several others who
7. were referred to as their bill receiving unfavorable consideration,
8. what it got was like no consideration at all. And in that...with
9. all due respect to Senator Berman who is one of the more knowledgeable
10. ...people in our area of education the School Problems Commission
11. by itself studies problems, and studies problems, and studies
12. problems, the only problem here is people being afraid of..laid-off
13. from work. It has nothing to do with the curriculum, it has to
14. do with jobs. And I would like to see this amendment put on, and
15. then in the House I'd like a little whiff of my final amendment
16. that got so nobly tubed, and that is that no school district,
17. Senator Bloom, no school district...or no school employee shall
18. be laid-off because of this, but only by attrition and start...
19. get started on it. We could start on it now, by the time the
20. School Problems Commission gets through studying it, we'll
21. all be retired. And I...I really think that we should all get on
22. this roll call, and I would be...volunteer my support as a runner
23. between the House and the Senate to soften it up so that people
24. don't get...get fired. That's the only issue here, it has nothing
25. to do with curriculum. And I recommend an Aye vote for this fine
26. amendment.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Gitz.

29. SENATOR GITZ:

30. Mr. President, and members of the Senate. This amendment, if
31. it is the one that I am beholding as Floor Amendment 1 is all
32. inclusive, that is it demmandates career education, physical ed-
33. ucation, consumer education, safety education, and driver's education.

1. I have no problem with the idea that we ought to demandate some
2. of these programs. But I feel a little bit uncomfortable with the
3. fact that we have numerous bills out of here on the Floor which
4. are aiming at raising some revenue for the Driver's Education Program,
5. and now all of the sudden in this one sweeping amendment, assuming
6. this bill passes we're also going to demandate it. Now, in some
7. areas of the State, including the one that I hail from, there
8. virtually are no other alternatives, if you drop driver's education,
9. there are going to be people that have no other way of doing it. And
10. that's going to be a pretty expensive proposition, four hundred
11. dollars for some of those families. I wonder if we really have
12. carefully considered the fire storm that we're walking into kind
13. of innocently on a bill that started out dealing with adult educa-
14. tion. Now, all the sudden it's becoming something far different,
15. and far more significant. I want to agree with Senator Bloom in
16. the direction of this. But I think it is very cumbersome that all
17. the sudden we come forward with a Floor amendment that is wide
18. open and sweeping at the same time we're trying to raise revenue
19. in other bills, it seems to me a very convoluted approach and a un-
20. wise approach.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Sommer.

23. SENATOR SOMMER:

24. Just...just a question of Senator Berman. Senator, if this
25. bill...this amendment goes on your bill what are you going to do
26. with your bill?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berman.

29. SENATOR BERMAN:

30. I will not...I will not be moving...I will not be the sponsor
31. of a bill to demandate without adequate public input. As to what
32. will happen with the bill, the bill does a very simple thing, it
33. extends the repealer date on a...on the adult education programs.

1. We'll find someplace else to tack that on if this goes on this bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Sommer.

4. SENATOR SOMMER:

5. Does that mean that we're creating anullity here in the event
6. that we vote this on?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion?

9. If not, Senator Bloom may close debate.

10. SENATOR BLOOM:

11. Well, thank you, very much, Mr. President, and fellow Senators.
12. I response to some of the arguments advanced by the prior speakers,
13. we're not walking into any kind of a fire storm whatsoever. There's
14. been public feedback on this since 1977. Senator Berman and I
15. were on the Education panel of the Mandates Commission that held
16. hearings all over the State. And the school districts came in,
17. and again, and again, and again, they said let us, give us some
18. flexibility. The way it is now, our teachers, and our administrators
19. are spending more time, more time, filling out forms and doing
20. reports for IOE, which apparently then can't tell us what they
21. do with their reports, than they are teaching the kids on these
22. statutory mandates. What we're saying very simply is, it's up
23. to the school board. And as a practical matter, to keep waving
24. the School Problems Commission in front of this Body and the House,
25. is nothing but a red herring. Because, if, indeed, the School
26. Problems Commission rouses itself from its torpor, and says
27. something about curricular mandates, they will be saying it
28. probably the last week in June, at the time when we are at our
29. busiest and at a time where it would be as a practical matter,
30. impossible to get this legislation addressed. Believe me, there's
31. been adequate public feedback, and believe me, this will be of
32. great assistance to our local districts. I'd urge a favorable
33. vote. Thank you.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bloom moves the adoption of Amendment No. 1 to
3. Senate Bill 632. He's requested a roll call. All those in
4. favor of adopting Amendment No. 1 to Senate Bill 632 will vote
5. Aye. Those opposed will vote Nay. The voting is open. Have
6. all voted who wish? Have all voted who wish? Have all voted
7. who wish? Senator Berman. Take the record. On that question,
8. the Ayes are 26, the Nays are 27. Amendment No. 1, having
9. failed to receive a majority vote is declared lost. Any further
10. amendments? For what purpose does Senator Bloom arise?

11. SENATOR BLOOM:

12. To seek a verification of the negative votes.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bloom has requested a verification. Will all the
15. Senators be in their seats. The Secretary will read the negative
16. votes.

17. SECRETARY:

18. The following...the following voted in the negative:

19. Berman, Bruce, Carroll, Chew, Collins, D'Arco, Davidson,
20. Dawson, Demuzio, Egan, Etheredge, Geo-Karis, Gitz, Hall, Johns,
21. Jerome Joyce, Marovitz, McLendon, Nash, Nedza...no, I'm sorry
22. that's...Netsch, Newhouse, Rupp, Sangmeister, Savickas, Taylor,
23. Vadalabene, Mr. President.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bloom, do you question the presence of any Senator
26. on the roll call?

27. SENATOR BLOOM:

28. Senator Geo-Karis.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is Senator Geo-Karis on the Floor? Is Senator Geo-Karis on
31. the Floor? Strike her name.

32. SENATOR BLOOM:

33. Okay, Jeremiah Joyce.

Abilene
5-20-81
Full Reading

- 1. PRESIDING OFFICER: (SENATOR BRUCE)
- 2. Senator Jeremiah Joyce is not recorded.
- 3. SENATOR BLOOM:
- 4. All right. Okay, Nash.
- 5. PRESIDING OFFICER: (SENATOR BRUCE)
- 6. Senator Nash is right by Senator Berman.
- 7. SENATOR BLOOM:
- 8. Dawson.
- 9. PRESIDING OFFICER: (SENATOR BRUCE)
- 10. Senator Dawson is in his seat.
- 11. SENATOR BLOOM:
- 12. Well, that's show biz.
- 13. PRESIDING OFFICER: (SENATOR BRUCE)
- 14. On the verified roll call, there are 26 Ayes, 26 Nays, the motion to adopt is lost. Further amendments?
- 15. SECRETARY:
- 16. No further amendments.
- 17. PRESIDING OFFICER: (SENATOR BRUCE)
- 18. 3rd reading. Senate Bill 624, Senator Hall. I'm sorry.
- 19. 646, Senator Demuzio. Read the bill, Mr. Secretary, please.
- 20. SECRETARY:
- 21. Senate Bill 646.
- 22. (Secretary reads title of bill)
- 23. 2nd reading of the bill. Committee on Elementary and Secondary Education offers one amendment.
- 24. PRESIDING OFFICER: (SENATOR BRUCE)
- 25. Senator Demuzio on Amendment No. 1.
- 26. SENATOR DEMUZIO:
- 27. Thank you, Mr. President, and Ladies and Gentlemen of the Senate. The Calendar is a little erroneous, the bill started out to address itself to the congressional township representation on school boards, and there was a great deal of opposition to that specific concept, and as a result the committee has voted
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

1. in favor of the...of Amendment No. 1. What Amendment 1...No. 1
2. does, it's a very simple amendment, it struck everything after
3. the enacting clause in the bill and establishes a new Act which
4. would give public school employees the right to bargain collectively.
5. It also creates an Education Employment Relations Board, which
6. is consisting of three members appointed by the Governor, and
7. does various other wonderful things in terms of allowing school
8. officials to have guidelines in which...that they can bargain
9. effectively and cooperatively together upon. And since this is
10. a committee amendment, I would move for the adoption of Committee
11. Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SECRETARY:

17. No further committee amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are there amendments from the Floor?

20. SECRETARY:

21. Amendment No. 2 by Senator Maitland.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
26. Senator Demuzio has explained very adequately Amendment No. 1.
27. Amendment No. 2 simply adds to that...that good amendment, and
28. indicates by striking lines 5 through lines 27 that they shall
29. not engage in a strike. I move its adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator...the motion is to adopt Amendment No. 2. Is there
32. discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. Am I to assume then, Senator, that once that language has
2. been adopted, that you are then, in fact, prepared to support
3. this...this bill?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Maitland.

6. SENATOR MAITLAND:

7. The answer is in the negative, Senator.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Further discussion? The question is
10. on the adoption...okay. Senator Demuzio.

11. SENATOR DEMUZIO:

12. Yes, I assume, we're...we're talking about language on page
13. 3, Senator, which removes the...the strike provisions in this
14. amendment. I feel that I must oppose this amendment at this
15. particular point. I feel that the right to strike is...is...ought
16. to be in the...in the amendment, ought to be in the bill. If
17. you're not prepared to support the...the bill if the amendment is,
18. in fact, adopted, then I think that you ought to allow me to put
19. the bill in the proper shape that I want it and then be prepared
20. to oppose it on...on 3rd reading and final passage. And for
21. various other reasons, I would oppose adoption of Amendment No. 2.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Maitland. Is there further discussion? Senator
24. ...Senator Maitland says that wasn't really a question, let's
25. have some other comments. Senator Sommer.

26. SENATOR SOMMER:

27. Just...just in the way of an inquiry. I, certainly, am no
28. expert on anything like this, but is it not now the state of the
29. law that...that school employees, and other public employees are
30. forbidden to strike, and yet at the same time we have strikes?
31. So would it be the case, one...one of you two, or both might answer,
32. in the event Senator Maitland's amendment goes on, would we still
33. have strikes?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Maitland.

3. SENATOR MAITLAND:

4. Well, I think as it...as it pertains to the collective bar-
5. gaining agreement, we would...would be very...putting it into...into
6. the Act, that very clearly strikes are prohibited in...in...
7. and in response to Senator Demuzio first, we are not striking on
8. page 3 the language, we're striking...is on page 15. But we clearly
9. spell out that there will be no strikes, and it will be against
10. the law to...to...to have a strike. In...in the Collectively
11. Bargaining Bill, Senator Sommer, as it's now written there is
12. opportunity for permissive strikes.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Sommer.

15. SENATOR SOMMER:

16. Well, how do we have strikes now when it's against the law
17. to have strikes?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Maitland.

20. SENATOR MAITLAND:

21. Senator Sommer, I don't know.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Sommer.

24. SENATOR SOMMER:

25. I'm suggesting to you, that perhaps what you're doing is just
26. creating the same state of the law that we have now, and creating
27. strikes. Maybe this kind of controversy means nothing without
28. further language concerning the issuing of injunctions and what
29. have you, is what I'm getting at.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Maitland. Senator Maitland.

32. SENATOR MAITLAND:

33. I...I agree, Senator Sommer, but in...in Amendment No. 1 there

1. is...okay. There is a proviso for permissive strikes, we are
2. simply, by this amendment, prohibiting strikes of any kind.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? For what purpose
5. does Senator Walsh arise?

6. SENATOR WALSH:

7. Mr. President, just briefly to address myself to the amendment.
8. As I understand it, if...if this bill does not pass, the state of
9. the law would remain the same, that strikes by public employees
10. would be prohibited and...and as we all know, there would be some
11. law breakers who might go ahead and strike anyway. The questions
12. is, however, that if this bill does pass without Senator Maitland's
13. amendment, we would have new statutory language which would specifi-
14. cally permit under some circumstances the right to strike by public
15. employees. And I for one, am opposed to that concept, I do not
16. think that public employees should have the right to strike, and
17. for that reason, I think the amendment proposed by Senator Maitland
18. is essential to this legislation. And I urge an Aye vote.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Savickas. Further discussion?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Further discussion? Senator Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr. President, and members of the Senate. I rise
25. in opposition to the amendment. I think Senator Sommer hit upon
26. one of the problems that exists within the current law, and Senator
27. Walsh, I think, you are correct that there is one Appellate Court
28. decision on the right of public employees to organize and...and,
29. in fact, effectuate a strike against a public employer. But I
30. would hope, as an attorney, you would take a look at the language
31. which is in the bill and which Senator Maitland purports to strike
32. by his amendment. It clarifies the whole state of the law by saying
33. there are, in fact, only three instances in which public employees

1. in the education sector may strike. One is, that they have gone
2. through the entire mediation arbitration procedure. That must
3. have all been complied with, notice to the board, selection of
4. an arbitrator, selection of a mediator, going to selection and...
5. and hearings. The second thing is, that they must give a
6. notice that they have, in fact, complied and a five day notice
7. before they strike. And the third thing, similar to many
8. industry contracts, is that they cannot strike anytime during
9. a pending or current contract. In other words, there would never
10. be a strike during a school year. And so, if they are under contract
11. they cannot strike. The bill goes on to include, for the first
12. time, large expansive judicial powers to stop strikes when they
13. occur outside those three instances. And it would allow every
14. Circuit Judge in the State of Illinois the power to enjoin strikes
15. in those instances outside the three, and I think it would clarify
16. the law. Because as Senator Sommer points out, we've got an
17. Appellate Court opinion which says they are illegal and they still
18. strike. And this would clarify the whole question. I think
19. Senator Maitland is going the wrong way. If you want to stop
20. strikes by public school teachers, leave the language in, that
21. is the language much more severe, much more regulated, and...and
22. makes the teachers tow the line a great deal more than the language
23. do not strike. Senator Sommer is right on point by taking it out,
24. what you've done is expand dramatically in this Act, the right
25. to strike.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Maitland may close
28. debate.

29. SENATOR MAITLAND:

30. Thank you, Mr. President. The reason many of us repeatedly
31. have problems with collective bargaining for public employees is
32. the fact that we feel rather strongly that public employees should
33. not have the right to strike. The language is somewhat acceptable,

1. Senator Bruce, but the fact of the matter is, this would be only
2. one step and the interest is still there as a last resort to strike.
3. And were we to be assured that public employees did not have the
4. right to strike, did not have the right to withhold services from
5. the public, then perhaps the collective bargaining concept would
6. be acceptable. I think this is necessary language to bring the bill
7. into a position where it's more acceptable to us. And I urge an
8. Aye vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Maitland moves the adoption of Amendment No. 2 to
11. Senate Bill 646. Those in favor indicate by saying Aye. Those
12. opposed. The Nays have it. Amendment No. 2 is defeated. Any
13. further...Senator Maitland has requested a roll call. Will all
14. the Senators be in their seats. All those in favor will indicate
15. by voting Aye. Those opposed will vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Take the record.
17. On that question, the Yeas are 20, the Nays are 31, none Voting
18. Present. Amendment No. 2, having failed to receive a majority
19. is declared lost. Any further amendments?

20. SECRETARY:

21. Amendment No. 3 by Senator Maitland.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President. Amendment No...thank you, Mr.
26. President. Amendment No. 3 simply makes the effective date January
27. 1, 1982.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? They don't have a copy of the
30. amendment, the Democratic side. We wait...wait a second. It makes
31. it...effective date, of January 1st, 1982. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Well, the...the bill currently indicates that the...would be

1. ...become...it would be, upon signature, would become law. So, I assume that
2. that would be sometime in October of this year. I would assume,
3. Senator Maitland, your amendment delaying the effective date to
4. January the 1st of 1982 is an attempt to actually delay the entire
5. process until 1983. Is that correct?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. He indicates that's correct. Senator Demuzio.

8. SENATOR DEMUZIO:

9. Well, I rise in opposition to this amendment. The...I have
10. no idea. Well I do have an idea as to why Senator Maitland wishes
11. to do this. I think that the...the legislation ought to become
12. effective...upon its becoming a law. And I would ask the members:
13. on this side of the aisle to oppose Amendment No. 3.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? If not, Senator Maitland may
16. close debate. Senator Maitland moves the adoption of Amendment
17. No. 3 to Senate Bill 646. Those in favor indicate by saying Aye.
18. Those opposed. The Nays have it. A roll call has been requested.
19. All those in favor of Amendment No. 3 will vote Aye. Those opposed
20. vote Nay. The voting is open. Have all voted who wish? Have all
21. voted who wish? Take the record. On that question, the Ayes are
22. 23, the Nays 29, none Voting Present. Amendment No. 2 having
23. failed to receive a majority is declared lost. Any further amend-
24. ments?

25. SECRETARY:

26. Amendment No. 4 by Senator DeAngelis.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator DeAngelis.

29. SENATOR DeANGELIS:

30. Mr. President...before I explain Amendment No. 4, I want
31. to read from you the...from Amendment No. 1 which is now the bill,
32. to Senate Bill 646. On line 21 on page 1 it says, "a representative
33. of their own choosing for the purpose of negotiating the terms and

1. conditions of their employment or other mutual aid or protection."
2. Further on page 6, commencing with line 3, it says, "employees
3. of any public school employer have, and are protected in the
4. exercise of, the right of self-organization, to bargain collec-
5. tively through representatives of their own choosing on questions
6. of," and this is very critical, "wages, hours, and other terms and
7. conditions of employment." What Amendment No. 4 does, it abolishes
8. one of the elements that would preclude the bargaining of essential
9. elements in this agreement, and that is tenure. Tenure includes
10. probationary periods, seniority, et cetera, et cetera. To bar-
11. gain collectively, and effectively, those have to be ingredients
12. of a successful collective bargaining agreement. I move for
13. the adoption of Amendment No. 4 on Senate Bill 646.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Bruce.

16. SENATOR BRUCE:

17. Senator DeAngelis, is this the one that strikes tenure,
18. basically?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator DeAngelis.

21. SENATOR DeANGELIS:

22. Yes, I thought I indicated this is the one that abolishes
23. tenure.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bruce.

26. SENATOR BRUCE:

27. Yes, I'm...I'm sorry, we...I got distracted. You had told
28. me earlier, but I wanted to make sure. I...I think that we ought
29. to remember, as we consider tenure the reason for the tenure as
30. it was originally developed, and that is to ensure that teachers
31. were not harassed by either parents or the administration in
32. the whole question of academic freedom. And I will be the first
33. to admit that that whole original thrust of academic freedom has

1. been changed into a position of more job security as opposed to
2. academic freedom. But I think we ought to always remember, that
3. removal of that protection may dramatically change the way our
4. schools are operated. I have stated on this Floor in the public
5. record, that once collective bargaining is passed and operating,
6. I personally, agree with Senator DeAngelis, that we are going
7. to have to revise or remove tenure, but I...and I...I sincerely
8. mean that, because I don't think you can have both, the collective
9. bargaining and the tenure. I think that what I would like to do,
10. Senator DeAngelis is, start off and see the collective bargaining
11. pass, signed, and then work with tenure, because I think you are
12. rolling two separate issues at one time. And I think I'd like
13. to see the collective bargaining grow, the maturity of the parties,
14. and then reduce tenure to what it was before, and that is solely
15. and strictly a protection for academic freedom and expression of
16. thought. And take out all those things about a notice, sixty
17. days, a hearing officer, and all that on a tenured teacher be re-
18. moved, because the two parties can better agree on that than we
19. can from Springfield. And so, if you will hold this for about
20. two years or three, we'll come back. You don't want to hold it,
21. all right. I just think I'll oppose it today then, but I sincerely
22. mean that we ought to, and I've told friends and my own family, that
23. once this thing becomes law, there's going to be a lot of move
24. to do away with tenure, and I, frankly, am not going to be one
25. of the people that want to fight hard to keep it, once we have
26. collective bargaining, but not today.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Sommer.

29. SENATOR SOMMER:

30. Mr. President, and members. Under the National Labor Re-
31. lations Act, which involves the industrial setting, of course, the
32. one we're all familiar with, upon...upon a strike situation nor-
33. mally once the contracts have run out, all of the rights of the

1. employees are...are abrogated. An employee on strike with no
2. contract has no rights under...under the Wagner Act or the National
3. Labor Relations Act. It would seem to me that Senator...Senator
4. DeAngelis is correct in that, if we're going to create a situation
5. like this, we should parallel that portion of our national exper-
6. ience which has been in effect for about fifty years now, and it
7. seems to be a workable thing in...in collective bargaining. I
8. think Senator Bruce has somewhat adopted that, but I think the
9. time to do it is now when we're creating an Act which we never
10. know, might become law.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Just want the record to be clear, that the National Labor
15. Relations Board in at least, three decisions have allowed tenure,
16. in which the student...the senates of public bodies and insti-
17. tutions of higher education, on strike, have still allowed the tenure
18. provisions and academic freedom provisions to be in effect. Those
19. are usually, I'm trying to think of the name..it's not a student
20. senate, it's the academic student senate which allows and bestows
21. tenure, that the National Labor Relations Board that says that
22. those are still in effect. So, we would not be tracking exactly
23. in LRB decisions.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, Senator DeAngelis may
26. close debate.

27. SENATOR DeANGELIS:

28. Thank you, Mr. President. I think Senator Bruce has given
29. you all the reasons, or additional reasons why you should vote for
30. it. Senator Sommer has hit upon some other things as well. Senator
31. Bruce talked about job security. Well, there is no job security
32. unless that is part of the collective bargaining agreement. And
33. I don't know why the objection is to eliminating it. I would be

1. happy, Senator Bruce, to take your suggestion to postpone this
2. for two years if Senator Demuzio will make the effective date of
3. that coincidental with the postponement of my amendment. But at this
4. particular time, I would like to move for its adoption.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator DeAngelis moves the adoption of Amendment No. 4 to
7. Senate Bill 646. Those in favor indicate by saying Aye. Those
8. opposed. The Nays have it. Amendment No. 4 is defeated. Senator
9. DeAngelis requests a roll call. All those in favor of Amendment
10. No. 4 will vote Aye. Those opposed will vote Nay. The voting is
11. open. Have all voted who wish? Have all voted who wish? Have
12. all voted who wish? The...take the record. The Ayes are 21,
13. the Nays are 25. Amendment No. 4, having failed to receive a
14. constitutional majority is declared lost. Any further amendments?
15. 3rd reading. For what purpose does Senator Bloom arise?

16. SENATOR BLOOM: "

17. An inquiry, Mr. President. I wonder if the description of
18. the Calendar could be changed so it would reflect what's in the
19. bill?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. I have been informed by the Assistant Secretary and the
22. Secretary, that the description is correct until the amendment's
23. adopted. Now, that it's adopted, the description will be changed.
24. Senate Bill 649, Senator Jerome Joyce. Senate Bill 652, Senator
25. Jeremiah Joyce. Read...read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 652.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No committee amendments.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Any amendments from the Floor?

32. SECRETARY:

33. No Floor amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. 3rd reading. Senate Bill 653, Senator Joyce.
3. SECRETARY:
4. Senate Bill 653.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Any amendments from the Floor?
9. SECRETARY:
10. No Floor amendments.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. 3rd reading. Senate Bill 654, Senator Degnan. Senate Bill
13. 689, Senator Demuzio. Read the bill, Mr. Secretary.
14. SECRETARY:
15. Senate Bill 689.
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Any amendments from the Floor?
20. SECRETARY:
21. Amendment No. 1 by Senator Demuzio.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Senator Demuzio.
24. SENATOR DEMUZIO:
25. Yes, thank you, Mr. President. This is a technical amendment,
26. it actually makes the bill on a voluntary basis rather than on...
27. on a mandatory basis, and more palatable to everyone here. I
28. would move for the adoption of Amendment No. 1.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Is there any discussion? If not, Senator Demuzio moves the
31. adoption of Amendment No. 1 to Senate Bill 689. Those in favor
32. indicate by saying Aye. Those opposed. The Ayes have it.
33. Amendment No. 1 is adopted. Any further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. 3rd reading. Senate Bill 691, Senator Egan. Senate Bill
5. 703, Senator Bruce. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 703.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. The Committee on Labor and Commerce
10. offers one amendment.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Yes, I would like to move to Table this amendment, and
15. evidently there is going to be some discussion or query about
16. it. The committee...the amendment we...that I understood
17. we adopted versus the amendment that's down there is not the
18. same one. I have no question the committee clerk did it properly,
19. but we just adopted the wrong amendment. But I want to tell you,
20. the amendments are exactly...they are totally different. They have
21. nothing to do with one another. We have adopted the wrong amend-
22. ment. The amendment that I am going to propose is all new to the
23. membership here. So, I don't want to...all I'd like to do is
24. Table this amendment, and let's discuss Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. You've heard the motion. Is leave granted? Leave is granted.
27. Amendment No...Committee Amendment No. 1 is Tabled. Further
28. committee amendments?

29. SECRETARY:

30. No further committee amendments.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Any amendments on the Floor?

33. SECRETARY:

1. Amendment No. 2 by Senator Bruce.

2. SENATOR BRUCE:

3. Thank you, Mr. President. Now, this is the amendment that
4. we discussed in committee and adopted, I thought, but it was the
5. other amendment that got into the file. And this is the amendment
6. which states...the bill, itself, deals with holiday pay while
7. people are on unemployment compensation. Last year, when we
8. passed Senator Donnewald's Unemployment Comp. Bill, we changed
9. one of the sections, I think it's 501C3 and put in there that
10. one of the reasons for a voluntary quit, for which a person could
11. still draw unemployment compensation, was when you agreed to not
12. bump a senior employee so that the employer still faced the possibility
13. of one person being on unemployment compensation. In a ruling
14. in Peoria, a hearing officer stated because it was not in the
15. voluntary quit section, it was not appropriate on a...it's what
16. they call accepting of a...a similar position, and so he ruled that
17. it did not apply. This amendment states that if a person voluntarily
18. quits because he is transferring to another area and he does not
19. wish...let's see, I want to make sure I get this right. He will
20. accept a transfer and it...and it involves bumping another in-
21. dividual, you still have the problem that only one individual is
22. drawing unemployment compensation. This is...this is language
23. out of the present Act, putting it in another provision to clarify
24. what we did last year. And I'm not...I...I think that's an accurate
25. explanation. I would move its adoption.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? If not...if not...Senator Bruce.
28. If not, Senator Bruce moves the adoption of Amendment No. 2 to
29. Senate Bill 703. Those in favor indicate by saying Aye. Those
30. opposed. The Ayes have it. Amendment No. 2 is adopted. Any
31. further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. 3rd reading. Senate Bill 722, Senator Netsch. Senate Bill
3. ...for what purpose does Senator Rhoads arise?

4. SENATOR RHOADS:

5. Well, just on a point of personal privilege.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. State your point.

8. SENATOR RHOADS:

9. I wanted to explain that I had requested that the Mike Royko
10. column be distributed on each Senator's desk. Speaking on behalf
11. of the pig farmers from the suburbs, I...I just thought everybody
12. ought to be aware of the Sun Times' attitude toward anyone out-
13. side of the City of Chicago.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Bruce, do you want to answer that? Senator Bruce.

16. SENATOR BRUCE:

17. I...I'm sorry, but I...I think the proper reference, we are
18. called yahoos, small town bumpkins, and simple-minded rustics who
19. make up most of the rest of Illinois. I don't know whether maybe...there's
20. also the use of hillbillies and other things, but I...I don't see
21. anything about pig farmers, but I'll read it more closely. But
22. I think it's small town bumpkins, simple-minded rustics, yahoos
23. and hillbillies, pretty well covers the field.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Sommer.

26. SENATOR SOMMER:

27. Senator Bruce has forgotten about the small town louts, hill-
28. billies, and village idiots.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Well, it's a very descriptive article. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. Mr...President, I just can't figure out who they mean.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senate Bill 722, Senator Netsch. Read the bill, Mr.
2. Secretary.

3. SECRETARY:

4. Senate Bill 722.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No committee amendments.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Any amendments from the Floor?

9. SECRETARY:

10. Amendment No. 1 by Senator Netsch.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Thank you, Mr. President. Amendment No. 1 is purely a clean-
15. up amendment, misspellings, wrong citations to sections and a few
16. other things that were incorrect in the original. It has been
17. looked over by staff on both sides, and I think it is...conceded
18. that it is purely technical. I would move the adoption of
19. Amendment No. 1 to Senate Bill 722.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. You've heard the motion. All those in favor indicate by
22. saying Aye. Those opposed. The Ayes have it. Amendment No. 1
23. is adopted. Any further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. 3rd reading. Senate Bill 725, Senator Bruce. For what
28. purpose does Senator DeAngelis arise? Senator DeAngelis.

29. SENATOR DeANGELIS:

30. I have an amendment filed on that 722.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. The Secretary indicates that there is none filed on the
33. Secretary's Desk. Senator, I'm sure that if there's a question,

1. Senator Netsch, would you be willing to bring it back if your...
2. if you like the amendment? She indicates that if she likes the
3. amendment she will bring it back. Senate Bill...on the Order
4. of Senate Bills 3rd reading...2nd reading, Senate Bill 725, Senator
5. Bruce. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill...Senate Bill 725.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. The Committee on Executive offers one
10. amendment.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Thank you, Mr. President. I'd move the adoption of Amendment
15. No. 1 to Senate Bill 725. This is the work product of a sub-
16. committee appointed by Senator Egan; it was Senator DeAngelis,
17. and Senator Savickas and myself, and defines a meeting to mean
18. a gathering of a majority of a quorum, it's not a public meeting
19. unless the public business related to the public duties of the public
20. body to which a member belongs is discussed. It allows them to
21. hold closed meetings for evaluation of the principal officer, closed
22. meeting for the consideration of acquisition or sale of real
23. property, a closed meeting for student disciplinary meetings unless
24. the student wants it open, hearings relating to special education
25. programs can be closed. They can have a closed meeting if the
26. public body is a party to an action which is pending or has been
27. formally initiated in court, permits the discussion with an attorney
28. in closed meeting to...to initiate legal action. At the request
29. of Senator Rock, it allows meetings of election boards and com-
30. missions on election days, which the original bill would not have
31. allowed any public meeting on election days. And allows reasonable
32. attorney's fees against any party who brings suit against a public
33. body, and a court makes the determination that that party action

1. was malicious or frivolous where the first time anyone who brings
2. suit again, and again, and again, even though they are properly meeting
3. in a closed session, they would say, yes, Mrs. Jones, you have
4. been malicious and frivolous and you have to pay not only your
5. own attorney's fees, but the fees that you have burdened the public
6. body with. And I would move the adoption of Amendment No. 1.

7. PRESIDENT:

8. Senator Bruce has moved the adoption of Amendment No. 1 to
9. Senate Bill 725. Is there any discussion? Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. I wonder if the sponsor would yield to a question?

12. PRESIDENT:

13. Sponsor indicates he will yield. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. In the original bill was there just a...the amendment in which
16. you speak, I understand, states the fact that where there's a
17. majority of a quorum, let's say there's seven people who are village
18. trustees and a mayor, a majority of those would be four people...
19. or rather the...now you say the majority of the...I mean the quorum
20. is four people. You say a majority of the four would be the...
21. enough to cause all this consternation, I...I'm certainly in favor
22. of open meetings, believe me, I am, but I'm just wondering about
23. this quorum situation. Will you explain that, please.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. Well, for example, on a seven member board, a quorum is four,
28. three would be a majority of the quorum. So, once three members
29. of a seven member board got together and discussed public business
30. related to the public body of which they are a member, it...it is
31. the discussion of business which...starts the whole Act to operate.
32. And that says, if they're in a car, or they're playing golf, they
33. meet at a cocktail party, they are certainly not having a open
meeting, it is only when they start discussing public business.

1. That is the operative language.

2. PRESIDENT:

3. Senator Geo-Karis.

4. SENATOR GEO-KARIS:

5. In other words, if...I mean I happened to have been a former
6. village attorney, and I'd go and have a cup of coffee after the
7. meetings, maybe with three or four of the members, maybe we'd
8. mention one or two things that may have happened that night. Of
9. course, no vote was taken, and no commitment. I mean something
10. like that, then would still be in violation of the Open Meetings
11. Act, wouldn't it.

12. PRESIDENT:

13. Senator Bruce.

14. SENATOR BRUCE:

15. Under my Act, Senator, I don't know whether it would under
16. current law, it certainly is the case already at the Appellate
17. Court level, indicated that when two city council...members met
18. two not three, two met with an attorney that was an open meeting,
19. in violation of the Open Meetings Act. This Act would broaden
20. that definition already given by the court to say, three and the
21. discussion of public business must occur. So, current law is
22. much more restrictive than this Act.

23. PRESIDENT:

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. One more question. Now, when it comes to hiring and firing
27. personnel on a...by an administration, this is not precluded, this
28. is still a closed meeting situation, is it not?

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. There is no change from the current Act. It's...personnel
33. matters can be discussed in a closed meeting.

1. PRESIDENT:

2. Further discussion? Senator Bowers.

3. SENATOR BOWERS:

4. Sponsor yield to further questions?

5. PRESIDENT:

6. Indicates he will yield. Senator Bowers.

7. SENATOR BOWERS:

8. Senator Bruce, I was under the impression...I was under the
9. impression that the Appellate Court decision you're talking about
10. indicated that the purpose of the meeting was to discuss business.
11. Now, if I heard your explanation correctly, and frankly, I've
12. not read it, the amendment, if I heard your explanation, it's just
13. if they happen to discuss at any meeting, it doesn't say that that
14. has to be the purpose of the meeting. And it seems to me that's
15. a big distinction, and I'm...I'm wondering if you would elucidate
16. a little bit on that?

17. PRESIDENT:

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, I'm trying to find the opinion, and I think you may have
21. confused a bill that's in the House that the Attorney General, in
22. fact, in which he uses the word purpose. Senator, maybe I have
23. not, and maybe you have not confused the two. But the Attorney
24. General's bill says the purpose of which. I...I would have to
25. read the opinion more closely, as I recall, it was two city coun-
26. cil members, they...and they met with their attorney for the purpose
27. ...all right, then...then I...then I have partially...not ex-
28. plained totally the opinion, I guess, if it says purpose...Senator
29. Bowers, you have a fairly better understanding. Go ahead.

30. PRESIDENT:

31. Senator Bowers.

32. SENATOR BOWERS:

33. I'm not...no...I...I, frankly, don't. And I...it was my
recollection that that was part in partial of that opinion, but I

1. don't, you know, that's not gospel, I'm not sure of it. However,
2. I guess my request to you is, that...or question, is why don't you
3. limit yours to the purpose of the meeting. It seems to me, that if
4. ...if three or four of them are playing golf, and that's the purpose
5. of the meeting, and somewhere along the line they want to discuss,
6. you know, something...they've got to go out and publish a notice
7. or just refuse to talk to one another. And that gets awfully
8. restrictive, and I just question whether or not it doesn't make
9. more sense to say, that the purpose of the meeting is to discuss
10. public business. And...and, you know, I'd feel a lot more com-
11. fortable if you could accept that language.

12. PRESIDENT:

13. Senator Bruce.

14. SENATOR BRUCE:

15. Well, that...that case was Hoth versus Barger, Thirty Appellate
16. 3rd, at 5-25, in which they stated, that a meeting between two
17. city councilmen, the city attorney, city manager, a private lawyer
18. and another person was subject to the Open Meetings, and concluded
19. that they were also allowed to issue injunctive relief, and went
20. on to state that the suit for a writ of mandamus could be brought
21. against the two city councilmen only for they were the two parties
22. who had not performed a duty required by law as necessary parties
23. to a mandamus. So, I...that part of the opinion, I don't know.

24. PRESIDENT:

25. Any further discussion? Senator DeAngelis.

26. SENATOR DeANGELIS:

27. Thank you, Mr. Pig...Mr. President. I stand in support of this
28. particular bill. Senator Bruce has been extremely cooperative in
29. trying to amend this bill to meet the objections of almost anybody.
30. I talked to the original sponsor of the Open Meetings Act, Rep-
31. resentative Scariano, who happens to reside in my area. I con-
32. cur with Senator Bruce, that this really is less restrictive in
33. terms of the meeting because under the previous Act, it says simply

1. a meeting, which meant that anyone, regarding...regardless of
2. how many people were involved, could have been charged with the
3. violations of the Open Meetings Act. There's one provision in
4. there, I think I ought to call your attention to that Senator
5. Bruce also graciously acceded to amend, and that is that where
6. there is a suit...filed, either party now may collect for the
7. expenses and fees incurred in that suit. It is a good bill, it's
8. been put in the best possible form that it can, and I urge its
9. passage.

10. PRESIDENT:

11. Any further discussion? All right, Senator Bruce has moved
12. the adoption of Amendment No. 1 to Senate Bill 725. If there's
13. no further discussion, all in favor indicate by saying Aye. All
14. opposed. The Ayes have it. The amendment is adopted. Are there
15. further amendments?

16. SECRETARY:

17. No further committee amendments.

18. PRESIDENT:

19. Are there amendments from the Floor?

20. SECRETARY:

21. Amendment No. 2 by Senator Grotberg.

22. PRESIDENT:

23. Senator Grotberg.

24. SENATOR GROTBORG:

25. Thank you, Mr. President, and sports fans who read the daily
26. racing sheet everyday, as I do. I offer Amendment No. 2 to get
27. at a problem that disturbs me greatly. I notice at all times
28. in the Open Meeting Act, the General Assembly who raises the
29. per line advertising rate, regularly for the press and the pub-
30. lications across this State is exempt from all of these things.
31. And I think that's very honorable, but I think I also know
32. the main reason why. In the General Assembly we caucus, we have
33. conferences, political conferences, to which the press just stands

1. outside the door and waits with bated breath and a piece of
2. cheese on their tongue to see what happened. All of a sudden
3. every other partisan elected board in the State of Illinois can't
4. have a party caucus. My county board, your county board, township
5. ...cemetery board, I guess in some counties could be partisan,
6. but they can't get together and talk about how to do...do in the
7. opposition, either the Democrats or the Republicans or the Democrats
8. or the Communists, or whoever they are. So, that bothers me, and
9. it bothered me enough to have drafted the following language in
10. the exemption clause. "Partisan caucuses of all boards elected on
11. a partisan basis." Now, I find my good friends in the Illinois
12. Press Association, to which I am an honorary member, and I have
13. their plaqueto show it, find that this would gut the bill, that's
14. really all the bill is about according to the executive director
15. and a number of the good friends that I have in the...in the
16. weekly press and some of the daily press in my district. So,
17. on behalf of all politicians everywhere, as I wear my county
18. chairman's hat, my precinct committeeman hat, my interest in
19. all of the local government that I've spent ten years developing,
20. I'm going to withdraw Amendment No. 2 and let this lousy bill
21. float on its own. Thank you.

22. PRESIDENT:

23. Amendment No. 2 has been withdrawn. Further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. 748, Senator Totten. On the Order of Senate
28. Bills 2nd reading, Senate Bill 748. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 748.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDENT:

1. Are there amendments from the Floor?

2. SECRETARY:

3. Amendment No. 1 by Senator Totten.

4. PRESIDENT:

5. Senator Totten.

6. SENATOR TOTTEN:

7. Thank you, Mr. President, and Ladies and Gentlemen of the
8. Senate. Amendment No. 1 deletes everything after the enacting
9. clause and amends the bill in a number of ways as worked out
10. with the Department of Public Aid. It will require the reporting
11. of lump sum payments for Public Aid, would require a recoupment
12. of over-payments if they are either recipient fault or provider
13. fault. And it corrects errors in the bill as it originally was
14. in regards to requirements to report monthly which is a pilot
15. program that the department is undertaking in an effort to save
16. some money. And this is the bill as amended, in the fashion that
17. I would like to present it. And I would move for adoption of
18. Amendment No. 1.

19. PRESIDENT:

20. Senator Totten has moved the adoption of Amendment No. 1 to
21. Senate Bill 748. Is there any discussion? If not, all in favor
22. signify by saying Aye. All opposed. The Ayes have it. The
23. amendment is adopted. Are there further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. Senator Dawson, for what purpose do you arise?

28. SENATOR DAWSON:

29. Mr. President, and Ladies and Gentlemen of the Senate. In
30. the rear gallery I'd like to announce we have the Saint George
31. Grammer School from the 30th Legislative District here...

32. PRESIDENT:

33. Welcome, will our guests please stand and be recognized.

1. They're on their way to the House. Senator Schaffer on the Floor?
2. 756, Senator Schaffer, not here. 814, Senator Etheredge. 816,
3. Senator Carroll. 819, Senator Totten. On the Order of Senate
4. Bills 2nd reading, Senate Bill 819. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 819.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Executive offers four
9. amendments.

10. PRESIDENT:

11. Channel 3 News has sought leave to shoot some film prior
12. to Senator Totten, I presume. Is leave granted? Leave is granted.
13. Senator Totten, Amendment No. 1.

14. SENATOR TOTTEN:

15. Thank you, Mr. President. Committee Amendment No. 1 is
16. technical in nature, it creates a spelling and renumbers some
17. sections. I'd move its adoption.

18. PRESIDENT:

19. Senator Totten moves the adoption of Committee Amendment No.
20. 1 to Senate Bill 819. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it. The
22. amendment is adopted. Further amendments?

23. SECRETARY:

24. Committee Amendment No. 2.

25. PRESIDENT:

26. Senator Totten.

27. SENATOR TOTTEN:

28. Committee Amendment No. 2 removes the inclusion of minimum
29. wage suspension in an enterprise zone. And I would move its adoption.

30. PRESIDENT:

31. Senator Totten has moved the adoption of Amendment No. 2 to
32. Senate Bill 819. Any discussion? If not, all in favor signify by
33. saying Aye. All opposed. The Ayes have it. The amendment is adopted.

SB 819
and reading

1. Further amendments?

2. SECRETARY:

3. Committee Amendment No. 3.

4. PRESIDENT:

5. Senator Totten.

6. SENATOR TOTTEN:

7. Thank you, Mr. President. Committee Amendment No. 3 deletes
8. the references to labor organizations and deletes the provisions
9. dealing with the right to work provision in an enterprise zone.
10. So, it would not apply, and I would move its adoption.

11. PRESIDENT:

12. Senator Totten moves the adoption of Committee Amendment No.
13. 3 to Senate Bill 819. Any discussion? If not, all in favor
14. signify by saying Aye. All opposed. The Ayes have it. The
15. amendment is adopted. Further amendments?

16. SECRETARY:

17. Committee Amendment No. 4.

18. PRESIDENT:

19. Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President. Committee Amendment No. 4.
22. deletes the redundant sentences on...regarding Federally mandated
23. programs, it's a committee amendment, and I would move its adoption.

24. PRESIDENT:

25. Senator Totten has moved the adoption of Amendment No. 4
26. to Senate Bill 819. Is there any discussion? If not, all in
27. favor signify by saying Aye. All opposed. The Ayes have it. The
28. amendment is adopted. Are there further amendments?

29. SECRETARY:

30. No further committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor?

33. SECRETARY:

1. Amendment No. 5 by Senator Totten.

2. PRESIDENT:

3. Senator Totten.

4. SENATOR TOTTEN:

5. Thank you, Mr. President. Amendment No. 5 addresses some of
6. the problems with the bill as was brought up in committee. And
7. it does a number of things. First of all, it provides a definition
8. of a depressed area. Secondly, it provides a mechanism for an
9. agreement to be reached between a municipality and the State regarding
10. an enterprise zone, this must be a negotiated agreement, so that
11. a municipality can be protected with any dealings with the State.
12. And makes other technical changes in the bill, but those are the
13. two substantive changes. And I would move its adoption.

14. PRESIDENT:

15. Senator Totten has moved the adoption of Amendment No. 5
16. to Senate Bill 819. Is there any discussion? If not, all in
17. favor signify by saying Aye. All opposed. The Ayes have it.
18. The amendment is adopted. Are there further amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. 3rd reading. Senator Bruce, earlier leave was granted to
23. get back to a couple of bills that were skipped. If you'll turn
24. to page 4. On the Order of Senate Bills 2nd reading, Senate
25. Bill 387...

26.

27.

28.

29.

30.

(END OF REEL)

31.

32.

33.

SB 387
2nd Reading
5-20-81

1. 387, on page 4. On the Order of Senate Bills 2nd reading,
2. Senate Bill 387. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 387.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No committee amendments.

7. PRESIDENT:

8. Are there amendments from the Floor?

9. SECRETARY:

10. Amendment No. 1, by Senator Bruce.

11. PRESIDENT:

12. Senator Bruce.

13. SENATOR BRUCE:

14. Is this the longer of the amendments? The other...the
15. short amendment starts with agricultural land. Alright. What
16. this amendment does, is we agreed in committee that we would
17. exclude from regulation of coal companies involved in the ex-
18. traction of coal. And...although, I think the Act probably
19. already excludes that, this clarifies it. It's been approved
20. by the...coalition and has also been approved by and signed
21. off by the Coal Association and they approved the language.
22. It excludes them from coverage of this Act. I'd move the
23. adoption.

24. PRESIDENT:

25. Alright. Senator Bruce has moved the adoption of Amend-
26. ment No. 1 to Senate Bill 387. Any discussion? If not, all
27. in favor signify by saying Aye. All opposed. The Ayes have
28. it. The amendment...I beg your pardon, Senator McMillan.

29. SENATOR MCMILLAN:

30. I rise in opposition to this...to this amendment. I think
31. it should be made clear to the Body, if I understand what Senator
32. Bruce just explained what this does. This bill prohibits somebody
33. in another country from buying farm land and using it for farming,

1. but with this exception it explicitly states that it lets
2. somebody in another country come over here and buy farm land
3. and then go ahead and strip mine it. Now, that's absolutely
4. absurd. The bill is bad enough to start with, but this amend-
5. ment does make it an absurd bill because not only does it...
6. does it allow, in this case, certain...purchases of farm land
7. by...by foreigners, but it allows the land to be destroyed and
8. no longer preserved for farm land use. I think it's a bad bill,
9. but this amendment makes it...intolerable and I would seek a
10. negative roll call on it.

11. PRESIDENT:

12. Alright. Senator...Senator Bruce, do you wish to close?

13. SENATOR BRUCE:

14. Yes. Well, Senator, I...we discussed this in committee. The
15. agreement was with the Coal Association that we would exclude
16. them. There are other entities already excluded and lest
17. you think that some foreigner is going to come over here and
18. buy all Illinois land and then strip it, the...the problem is
19. he has all the other Statutes of the State of Illinois facing
20. him and this is very narrowly drawn to include only extraction
21. of minerals. And it does not have anything else. As you know,
22. we have one coal company, AMEX Coal Company, which is eight
23. percent foreign owned. They are also the owners,...the largest
24. owner of farm land in Illinois...through Meadowlark Farms. And
25. ...there was a lot of sentiment on that committee that we ought
26. to say to the coal companies already big in the business, alright,
27. you're already here, you're...and we...I don't think that any-
28. one...any foreign interest is about to come over and buy up a
29. coal company simply for the reason that they can buy land.
30. And it's...it's a reasonable exclusion. We've excluded other
31. groups, now we're excluding the coal companies.

32. PRESIDENT:

33. Alright. A roll call has been requested. Senator Bruce has

1. moved the adoption of Amendment No. 1 to Senate Bill 387. Those
2. in favor of the adoption of the amendment will vote Aye. Those
3. opposed will vote Nay. The voting is open. Have all voted
4. who wish? Have all voted who wish? Have all voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 22, the Nays are 26, none Voting Present. Amendment
7. No. 1 fails. Further amendments?

8. SECRETARY:

9. Amendment No. 2, by Senator Bruce.

10. PRESIDENT:

11. Senator Bruce.

12. SENATOR BRUCE:

13. Yes, this just clarifies jurisdiction of the courts and
14. states that the...jurisdiction will lie in the largest county
15. in which the purchaser has property and I would move for
16. adoption of Amendment No. 2.

17. PRESIDENT:

18. Senator Bruce has moved the adoption of Amendment No. 2
19. to Senate Bill 387. Any discussion? If not, all in favor
20. signify by saying Aye. All opposed. The Ayes have it. Amend-
21. ment No. 2 is adopted. Further amendments?

22. SECRETARY:

23. Amendment No. 3, by Senator Maitland.

24. PRESIDENT:

25. Senator Maitland.

26. SENATOR MAITLAND:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. Amendment No. 3 would prohibit aliens from owning
29. any property in the State of Illinois. I think there are two
30. active farmers in this Senate, there are a number of others who
31. have a strong interest in farming and those who either are active
32. farmers or...are interested in farming don't like the bill to
33. start with, but we shall not debate...that issue today. But if it's

1. so doggone good to...tell farmers that they can't sell their
2. farm land to whoever they want to sell it to, then it should
3. be good, also, to prohibit aliens from buying other kinds of
4. property. Tax laws discriminate against property owners,
5. there's no question about that and I'm convinced that if...
6. tax laws were more equitable aliens wouldn't be buying farm
7. land anyway. But take the case of the farmer or the land
8. owner who has to sell their farm land for tax reasons, you're
9. saying to that man or that lady that they can't sell it to,
10. perhaps, the highest bidder. And yet they...may need to go
11. from that sale to the community of their choice where they're
12. going to live and bid against an alien on that apartment
13. house or that house or that business or anything else and
14. it just doesn't make sense. So, it seems to me, if it's good
15. for farmers, it should be good for everyone else and this
16. amendment, simply, prohibits aliens from owning any property
17. in the State of Illinois.

18. PRESIDENT:

19. Alright. Senator Maitland has moved the adoption of
20. Amendment No. 3 to Senate Bill 387. Any discussion? Senator
21. Bruce.

22. SENATOR BRUCE:

23. Well, I...I wish everybody that had an amendment that
24. was going to vote for this bill would put it on and get on
25. board, Senator, because you don't plan to vote for it any-
26. way even if we excluded...mom and pop farms, you wouldn't
27. ...you wouldn't vote for this. If you want...to ban it,
28. there's a bill over in the House...I didn't want to do that
29. ...there's a bill to ban corporations from owning farm land.
30. You can put anybody you want to. I would like to have my bill
31. the way I want it and if you want to gut it, you want to kill
32. it, vote against it on 3rd reading. I talked to Senator Grot-
33. berg today and I said, "if you want to gut my bill, go over and

1. get the votes to kill it on open meetings." Don't come
2. around and...and backdoor me with an amendment to gut the
3. bill. This...this bill...this amendment excludes everybody
4. and I don't want to give you the impassioned speech I gave in
5. the...in the Agriculture Committee, but I am not concerned
6. in the...whatsoever by foreigners coming over and buying banks
7. in Moline or Rock Island or in Olney, Illinois or any place
8. else or in Edwardsville, because if we want to start another
9. bank in Edwardsville or Rock Island or Moline or wherever we
10. just get together and start another bank. And so competition
11. will drive out foreign interest if we can, in fact, compete
12. with them. On the area of ownership of farm land, there is
13. no compromise. Once all the farm land or a significant portion
14. of it is owned by foreign interests, we can't go some place
15. else and manufacture more banks or more apartment buildings.
16. That's it. That's it. Now, twenty some other states, I
17. think twenty-six, have already enacted this legislation. We
18. are becoming the target state. We are one of the states with
19. prime farm land and we are one of the ones that are having
20. significant portions of our farm land being purchased. I saw
21. the release a couple of days ago saying it's only...one-tenth
22. of one percent. You're talking about hundreds of thousands
23. of acres in Illinois and the surrounding states already. I
24. don't want this amendment. If you want to say...to foreigners
25. do whatever you want to, you can't buy any land in this country,
26. you can't buy banks, anything like that, I think that's wrong.
27. But I just think that this bill ought to go up or down on the
28. merits of non-resident aliens purchasing farm land. That's the
29. way I want it. I don't want to say that they can't purchase
30. any land.

31. PRESIDENT:

32. Further discussion? Senator Joyce.

33. SENATOR JEROME JOYCE:

1. Thank you, Mr. President. I rise in support of this
2. amendment and I hope it helps kill the bill.

3. PRESIDENT:

4. Further discussion? Senator Maitland may close.

5. SENATOR MAITLAND:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. I think it's the responsibility of any Legislator in
8. this Body that if he's concerned about a bill passing, that
9. he attempt to get it in as good a posture as he possibly can
10. so the bad bill becomes slightly better. Senator Bruce, that's
11. what I'm attempting to do. I'm darned sick and tired, as a
12. farmer and a land owner, having government telling me what
13. I can and cannot do with my farm land. You spoke about competition,
14. if we provide an environment for agriculture in this State
15. and other states, conducive to making a profit, I'm going to
16. buy the farm land, Senator Joyce is going to buy the farm land.
17. We don't need government there to help us, but, the fact of
18. the matter is, that's not the case now and if I'm going to
19. compete with the aliens in town...it's a two way street and
20. I urge the adoption of this amendment.

21. PRESIDENT:

22. Alright. Senator Maitland has moved the adoption of
23. Amendment No. 3 to Senate Bill 387. Those in favor will vote
24. Aye. Those opposed will vote Nay. The voting is open. Have
25. all voted who wish? Have all voted who wish? Have all voted
26. who wish? Take the record. On that question, the Ayes are 21,
27. the Nays are 24, none Voting Present. Amendment No. 3 fails.
28. Are there further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. If you turn to page 5 on the Calendar, on
33. the Order of Senate Bills 2nd reading, Senator Bruce was

SB 464
2nd Reading
5-20-81

1. presiding at the time we got to this bill. 464. On the Order
2. of Senate Bills 2nd reading, Senate Bill 464. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 464.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor?

10. SECRETARY:

11. Amendment No. 1, by Senators Bruce and Vadalabene.

12. PRESIDENT:

13. Senator Bruce.

14. SENATOR BRUCE:

15. Thank you, Mr. President. This is the amendment which
16. incorporates 453 into 464. I was not in the committee. I've
17. talked to the chairman. 353. Alright. Perhaps, the chairman
18. ...this amendment was brought to me...by...by way of explanation
19. that they had left the bill in committee. They did not wish
20. to...and...perhaps, Senator D'Arco can explain the amendment
21. better than I can.

22. PRESIDENT:

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. The amendment reduces the maximum amount of contribution
26. that the Pension Fund will contribute to the State Teachers
27. Employees Group Health Insurance Plan from twenty-five to
28. eighteen dollars and it was an agreed amendment and...I'm
29. ...Senator Bruce is going to move the adoption of Amendment
30. No. 1 to 464.

31. PRESIDENT:

32. Alright. Senator Bruce moves the adoption of Amendment
33. No. 1 to Senate Bill 464. Is there any discussion? If not,

1. all in favor signify by...I beg your pardon, Senator BERNING.

2. SENATOR BERNING:

3. Thank you, Mr. President. I well recall when Senate Bill
4. 453 was before the Insurance and Pension Committee and while
5. I see that the amendment is some...before us...is somewhat
6. different from Senate Bill 453, I respectfully point out that
7. the costs here are still going to be rather substantial...and
8. these costs, regardless of how you look at them, are still
9. coming out of what should be the normal funding of the pension
10. system. This is the first that I've seen of this. I see
11. where the cap has...been reestablished...and without having
12. had an opportunity to examine it more closely, I...I can't
13. tell you what the cost is going to be, but it would apparently
14. still be in the neighborhood of...somewhere around two to two
15. hundred and fifty thousand dollars additional cost. And I
16. want to call that to the attention of the Body recognizing
17. that...we are in serious trouble with our pension systems al-
18. ready and...to further enlarge on what was a provision just
19. a year or two ago to start picking up part of the cost for this
20. group health insurance program, something which many of us
21. questioned at the time as being an ill-advised departure.
22. Now, here we are with another request to, again, modify that.
23. I...I think that it's ill-advised and I would suggest to the
24. sponsor that this is an amendment that ought not to be considered.

25. PRESIDENT:

26. Alright. Senator Bruce has moved the adoption of Amend-
27. ment No. 1 to Senate Bill 464. All in favor signify by saying
28. Aye. All opposed. The Ayes have it. The amendment is adopted.
29. Further amendments?

30. SECRETARY:

31. No...Amendment No. 2, by Senator D'Arco.

32. PRESIDENT:

33. Senator D'Arco.

SB578
5-20-81
2nd reading

1. SENATOR D'ARCO:

2. Thank you,...Mr. President. When we reduced the...amount
3. of the retirement increase to three percent for those employees
4. who had service credits...of five years or more reduced from
5. fifteen years we had a...retroactive provision in there and
6. this would eliminate that retroactive provision which would
7. be too costly and only make it prospective from 1980 to forward
8. January 1 and I would move the adoption of Amendment No. 2
9. to Senate Bill 464.

10. PRESIDENT:

11. Senator D'Arco has moved the adoption of Amendment NO. 2
12. to Senate Bill 464. Any discussion? If not, all in favor
13. signify by saying Aye. All opposed. The Ayes have it. The
14. amendment is adopted. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. If you...turn to page 6 on the Calendar,
19. earlier leave was given to come back to Senate Bill 578. On
20. the Order of Senate Bills 2nd reading, Senate Bill 578. Read
21. the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 578.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 1, by Senators Sangmeister and Bloom.

30. PRESIDENT:

31. Senator Sangmeister.

32. SENATOR SANGMEISTER:

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

1. that everyone has received a copy of...that amendment...I
2. think everybody who requested it knew very well what was in
3. it to begin with. I really think that we ought to reserve
4. debate on this whole matter on 3rd reading. Everybody knows
5. that this is the Bank Holding Company Act and those of you
6. that don't know how you're going to vote on it by now, certainly,
7. haven't been talking to your local banker. So, I would
8. suggest that...we just either vote this on or off, whichever
9. way it's going to go and I'm not trying to limit, obviously I'm in no
10. position to limit debate on it, but I think that's the simple
11. way to go and I would at this time move for adoption of the
12. amendment.

13. PRESIDENT:

14. Senator Sangmeister has moved the adoption of Amendment
15. No. 1 to Senate Bill 578. Any discussion? Senator Weaver.

16. SENATOR WEAVER:

17. Thank you, Mr. President. I would like a ruling of the Chair
18. as to the germaneness of this amendment. Senate Bill 578 was
19. originally introduced to amend Section 5 of the Business
20. Corporations Act to authorize corporations to indemnify their
21. officers, directors and employees. The amendment before the
22. Senate amends Section 5 of the Business Corporation Act. That,
23. however, is only a small portion of the amendment. The amend-
24. ment is twenty-eight pages long. Only four pages of the
25. amendment deal with the Business Corporation Act, the other
26. twenty-four pages of the amendment amend the Bank Holding
27. Company Act and the Illinois Banking Act dealing with the
28. establishment of multi-bank holding companies. The provisions
29. of the amendment are identical to the provisions contained in
30. Senate Bill 375 with the exception of being in different order.
31. Senate Bill 375 was reported out of the Senate Finance and
32. Credit Regulation Committee with a recommendation of Do Not
33. Pass by a 6 to 3 vote. Senator Bloom says 7 to 3. Is the...is

1. the ruling of the Chair that as long as part of an amendment
2. amends the same Act as the original bill that remains in the
3. amendment can any other Statute and the amendment...saying
4. that the amendment is germane to the original bill, Mr. President?

5. PRESIDENT:

6. The Chair will rule as it has in the past. When a
7. similar amendment was tried on a similar bill that it is,
8. in fact, germane. It's an amendment to the Business Corporation
9. Act and the bill, as originally introduced, also refers in
10. part to the...Bank Holding Act. I have ruled in the past
11. it was germane and I am prepared...do so rule at the moment.
12. Further discussion? Senator Ozinga.

13. SENATOR OZINGA:

14. This may be a kind of a new motion or whatever you want
15. to call it. A request maybe. This bill has been partially
16. discussed in the Senate Finance Committee. I am just wondering
17. if we shouldn't rerefer this entire bill to the Senate Committee
18. and I would ask for a roll call on that motion.

19. PRESIDENT:

20. The motion to recommit is in order. Commit to where,
21. Senator Ozinga?

22. SENATOR OZINGA:

23. To the...to the Committee on Finance, where it right-
24. fully belongs.

25. PRESIDENT:

26. Senator Keats.

27. SENATOR KEATS:

28. It's my bill. I don't remember seeing this in
29. writing. If we had to distribute amendments, you can put
30. this in writing.

31. PRESIDENT:

32. There's been a request that the motion be put in writing,
33. Senator. Senator Bloom. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Well, thank you, Mr. President and Ladies and Gentlemen
3. of the Senate. Just very briefly, this...this, in fact,...is
4. not a new issue, in the seven years that I've been here it...
5. keeps popping up. We have,...as the chairman of the committee,
6. we have discussed this legislation in a great...amount of
7. detail and...Senate Bill 375, as I recall correctly as was
8. alluded to by Senator Weaver a few minutes ago, was defeated...
9. in the committee. I think this is the first time this Session
10. ...I think this is the first time this Session that I have...
11. seen such action attempt to be taken place on the Floor of
12. the Senate. I don't know of...of any other piece of legis-
13. lation that has come before the Senate...this year that has
14. been defeated in committee, that's been attempted to be amended
15. onto a...vehicle bill that presides and reposes on at least
16. 2nd or 3rd reading in this Body. If...we're going to be
17. continuing to...add amendments to various bills...in this
18. nature when...the committee has, in fact, defeated them,
19. then I think that...we ought to let all the bills out of
20. committee, let them all come out on the Floor and debate...
21. debate all of them. I just want to declare for the...my own
22. specific purposes that...I do not have a conflict of interest
23. in this regard in voting...in opposition to this amendment be-
24. cause, in fact, I don't own any stock in any bank or savings and
25. loan or any financial institution, nor does any member of my family
26. and I rise to...in opposition to the adoption of this amend-
27. ment.

28. PRESIDENT:

29. Further discussion on the motion to adopt Amendment No.
30. 1? Senator Bloom.

31. SENATOR BLOOM:

32. I'd just point out, Mr. Chairman,...in response to the
33. prior speaker that...we just did what...he's complaining about

1. with Senate Bill 646 and, as a matter of fact, he's the
2. sponsor of that bill.

3. PRESIDENT:

4. Alright. Settle down, settle down. Senator Demuzio, for
5. what purpose do you arise?

6. SENATOR DEMUZIO:

7. On a point of personal privilege.

8. PRESIDENT:

9. State your point, Sir.

10. SENATOR DEMUZIO:

11. That is absolutely incorrect. On 646, that bill was not
12. voted on in committee. It was the committee amendment that
13. struck everything after the enacting clause and it, in fact,
14. was a committee amendment and it was adopted in committee and
15. ...and...the...legislation was not defeated and so, Senator
16. Bloom, you are...wrong and this amendment is, in fact, very,
17. very special, special interest to say the least.

18. PRESIDENT:

19. Senator Ozinga, for what purpose do you arise?

20. SENATOR OZINGA:

21. My question was, has the amendment been put on the bill
22. now?

23. PRESIDENT:

24. No.

25. SENATOR OZINGA:

26. Do we want to put the amendment on first and then recommit?

27. PRESIDENT:

28. Well, you can withhold your motion until the...until the
29. motion to amend has been taken care of, yes.

30. SENATOR OZINGA:

31. Well, the answer on that one is, that if we recommit the
32. bill and have the amendment on it, that's my intention.

33. PRESIDENT:

1. Alright. Then...then...then I would suggest that
2. you hold your motion to recommit until after Amendment No. 1
3. has been finalized. Alright. Senator Sangmeister has moved
4. the adoption of Amendment No. 1 to Senate Bill 578. Is there
5. any further discussion? Those in favor...those in favor of
6. the adoption of Amendment No. 1 will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who wish?
8. Have all voted who wish? Have all voted who wish? Take the
9. record. On that question, the Ayes are 29, the Nays are 19,
10. none Voting Present. Amendment No. 1 is adopted. Senator
11. Ozinga.

12. SENATOR OZINGA:

13. Now, my motion is in writing...to recommit the bill.

14. PRESIDENT:

15. Alright. Senator Ozinga has presented the Secretary with
16. a Motion in Writing. Read the motion, Mr. Secretary.

17. SECRETARY:

18. I move to recommit Senate Bill 578 to the Senate Com-
19. mittee on Finance and Credit Regulations. Signed, Senator
20. Ozinga.

21. PRESIDENT:

22. Senator Ozinga.

23. SENATOR OZINGA:

24. This bill...this amendment that has now been attached to
25. this bill changes the entire concept. I would, therefore, say
26. that this committee had a hearing on a similar bill, similar
27. to this amendment, and, therefore, this is nothing more than
28. a way to avoid a...complete Senate hearing and would respect-
29. fully request a favorable roll call to recommit the bill.

30. PRESIDENT:

31. Alright. Senator Ozinga has moved to recommit Senate
32. Bill 578 as amended to the Committee on Finance. Senator
33. Keats.

1. SENATOR KEATS:

2. I was going to ask, since I do not accept the motion,
3. I assume it takes thirty votes, but I...

4. PRESIDENT:

5. Your assumption is correct. The Chair...

6. SENATOR KEATS:

7. My...my second one is the motion is incorrect. This
8. is not a motion to recommit. The bill was never in that
9. committee. It would be a motion to rerefer so it's out of
10. order, but I'll accept it anyway out of the graciousness of
11. my heart.

12. PRESIDENT:

13. Alright. The Chair is going to rule that...instead of
14. recommit, it's just commit. He can make a motion to commit
15. it anywhere. Let's...let's get it over with. Senator Bowers.

16. Alright. The Chair has ruled that it takes thirty votes on
17. a motion to commit or recommit or rerefer where the sponsor
18. is unwilling to do so. Senator Ozinga has moved to commit
19. Senate Bill 578, as amended, to the Committee on Finance. Those
20. in favor of that motion will vote Aye. Those opposed will
21. vote Nay. The voting is open. Have all voted who wish? Have
22. all voted who wish? Have all voted who wish? Take the record.
23. On that question, the Ayes are 20, the Nays are 31, none Voting
24. Present. The motion fails. Are there any further amendments,
25. Mr. Secretary?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. Alright. I understand additional amendments
30. have just now been filed. Alright. Senate Bill 578 will re-
31. main on 2nd reading. Additional amendments have been filed.
32. Yes, Senator Keats.

33. SENATOR KEATS:

1. As the sponsor, out of courtesy, could someone show me
2. the amendment since it's my bill?

3. PRESIDENT:

4. I...I...

5. SENATOR KEATS:

6. I want them distributed, written form up and down.

7. PRESIDENT:

8. The...the request for...wait a minute...the request for
9. distribution of these amendments is in order. There are four...
10. four additional amendments that have been filed on this bill.
11. Alright, Mr. Secretary, let's...get copies distributed to every-
12. body. Alright. Further amendments, Mr. Secretary?

13. SECRETARY:

14. Amendment No. 2, by Senator Demuzio.

15. PRESIDENT:

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. Thank you,...Mr. Chairman...or Mr. President. I guess
19. you're both. Mr....Mr. President.

20. PRESIDENT:

21. I've been called worse.

22. SENATOR DEMUZIO:

23. The proper title is...Mr. President...and members...Ladies
24. and Gentlemen of the Senate. I have,...in fact, filed...four
25. additional amendments to Senate Bill 578. Amendment No. 1...
26. would...require that the holding company be limited to one
27. specific banking region. The other amendments, also, dealt
28. with tightening up the...the bill substantially to...make sure
29. that...financial institutions, whose assets that had...exceeded
30. more than ten percent in the region, would not be able to...
31. take advantage. I will, in fact, at this particular...point...
32. make a request to withdraw all four amendments because I don't
33. want to be put into the posture of having any of these amend-
34. ments to be adopted and then have...then have to vote on the

1. specific bill. I think that the bill ought to be defeated on
2. its merits on...3rd reading and, therefore, I request...to
3. withdraw amendments 2, 3, 4 and 5.

4. PRESIDENT:

5. Alright. The amendments have been withdrawn. Are there
6. further amendments, Mr. Secretary?

7. SECRETARY:

8. No further amendments.

9. PRESIDENT:

10. 3rd reading. Page 7 on the Calendar, on the Order of
11. Senate Bills 2nd reading, Senate Bill 832, Senator Marovitz.
12. Is there...fiscal note? A fiscal note request that has not
13. yet been filed. 832. 845, Senator Demuzio. Bottom of page
14. 7, on the Order of Senate Bills 2nd reading, Senate Bill 845.
15. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 845.

18. (Secretary reads title of bill)

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

20. PRESIDENT:

21. Are there amendments from the Floor?

22. SECRETARY:

23. Amendment No. 1, by Senator Demuzio.

24. PRESIDENT:

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Yes,...thank you, Mr....President and Ladies and Gentlemen
28. of the Senate. Amendment No. 1 eliminates the provision, whereby,
29. the Commissioner of Banks and Trusts and Savings and Loan
30. Association would deposit the excess fees collected during this
31. fiscal year into the Consumer Financial Research Fund, instead
32. these agencies would begin collecting such fees for the office
33. beginning July...January of 1982 and it also provides that

1. the appropriation to the University of Illinois would be made
2. on an annual basis rather continuous and changes the effective
3. date to January the 1st of 1982. And I move for the adoption
4. of Amendment No. 1 to Senate Bill 845.

5. PRESIDENT:

6. Senator Demuzio has moved the adoption of Amendment No.
7. 1 to Senate Bill 845. Is there any discussion? If not, all
8. in favor signify by saying Aye. All opposed. The Ayes have
9. it. The amendment is adopted. Are there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. 850. The top of page 8, Senator Grotberg.
14. Are the amendments ready on these emergency appropriations?

15. SENATOR GROTBORG:

16. Yes.

17. PRESIDENT:

18. They are, okay. On the Order of Senate Bills 2nd reading,
19. Senate Bill 870. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 870.

22. (Secretary reads title of bill)

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

24. PRESIDENT:

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 1, by Senator Grotberg.

28. PRESIDENT:

29. Senator Grotberg.

30. SENATOR GROTBORG:

31. Thank you, Mr. President and fellow members. These
32. emergency bills are going on...these amendments to get out of this
33. Chamber in time for some deadlines on May 1st. Amendment No. 1

1. is a nine hundred...nine million five hundred thousand dollar
2. amendment providing for RTA bus grants, of 2.47 million, RTA
3. railroad stations, 2.94 million, CTA purchase of one hundred
4. and twenty full-sized busses to replace the over...existing
5. overage busses for 4.9 million. The purpose of this is to
6. capture UMTA funds...out of the '81...FY '81 appropriation
7. on a seventy-five twenty-five match. And...I would move the
8. adoption.

9. PRESIDENT:

10. Senator Grotberg has moved the adoption of Amendment No.
11. 1 to Senate Bill 870. Any discussion? Senator McMillan.

12. SENATOR MCMILLAN:

13. Mr. President and members of the Senate, I would rise
14. in opposition to Amendment No. 1 for these reasons. Number
15. one, I think there's a little controversy over just how
16. urgent this is. The Department of Transportation, which
17. is usually in the position of wanting to get money from us
18. to grab other money in other places to do all kinds of things,
19. believes it's June 1, but the Bureau of the Budget, who I
20. happen to have a little more confidence in with regard to...
21. to the fiscal...soundness of the State, indicates that the
22. deadline is not until June 30th. So, in fact, the urgency is
23. not quite there. I think we ought to also look at exactly
24. what this is doing. This Body last year appropriated, and we
25. have already spent, forty-three million dollars worth of State
26. funds going to the RTA and the CTA for various capital pro-
27. jects. Now, we're often accused of not being willing to...
28. shell out anything to support mass transit in the metropolitan
29. area, but we have already appropriated and already spent forty-
30. three million dollars for this purpose. What we're doing now
31. is increasing that by an additional five million. We're
32. trying to deal in this Body with the overall questions of the
33. structure and the financing and the operation of that transit

1. system and here we are coming in with a huge appropriation,
2. money which, frankly, we don't have, to buy thirty-four
3. new busses for the RTA area to replace and expand...existing
4. garages in some of the far reaching suburban areas when we're
5. not even sure it's wise to continue some of the busses, some
6. of which are empty, in those areas. ...is to buy a hundred
7. and twenty full-sized CTA busses and we've already spent, Lord
8. knows, how much for new busses and new construction during the
9. year. It's premature, it's expanding upon the huge amount
10. of money we have already dumped into the system and I think
11. it's not wise to do at this time.

12. PRESIDENT:

13. Alright. Senator Grotberg has moved the adoption of
14. Amendment No. 1 to Senate Bill 870. Any discussion? If
15. not, all in favor signify by saying Aye. All opposed. The
16. Ayes have it. The amendment is adopted. Are there further
17. amendments?

18. SECRETARY:

19. Amendment No. 2,...

20. PRESIDENT:

21. Pardon me. Senator McMillan has requested a roll
22. call on the adoption of Amendment No. 1 to Senate Bill 870.
23. Those in favor of the amendment will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question, the Ayes are 25, the Nays 20, none
27. Voting Present. Amendment No. 1 is adopted. Further amend-
28. ments?

29. SECRETARY:

30. Amendment No. 2, by Senator Grotberg.

31. PRESIDENT:

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. Thank you, Mr. President and members of the Senate. This
2. is a transfer...for the Comptroller's Office, the Bureau of
3. the Budget and the Treasurer's Office, signed by Don Smith.
4. I was informed by our accounting division yesterday that the
5. appropriations for four bonded interest redemption funds have
6. a deficiency for the June 1st principal and interest payments
7. etc. in the amount of eight hundred thousand dollar transfer
8. and I would move the adoption of Amendment No. 2.

9. PRESIDENT:

10. Senator Grotberg has moved the adoption of Amendment
11. No. 2 to Senate Bill 870. Is there any discussion? If not,
12. all in favor signify by saying Aye. All opposed. The Ayes
13. have it. The amendment is adopted. Further amendments?

14. SECRETARY:

15. Amendment No. 3, by Senator Grotberg.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTEBERG:

19. Now comes our famous...bank and trust...director and this
20. is a twenty-one thousand dollar transfer from the statistical
21. tab services and group insurance lines into the travel and tele-
22. communications line. The transfer is necessary due to the in-
23. creased costs of travel and additional telephone costs relative
24. to the operation of the Chicago office. Sincerely yours, William
25. Harris.

26. PRESIDENT:

27. Senator Grotberg has moved the adoption of Amendment No. 3
28. to Senate Bill 870. Any discussion? If not, all in favor
29. signify by saying Aye. All opposed. The Ayes have it. The
30. amendment is adopted. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

1. 3rd reading. 916, Senator Gitz. 963, Senator Gitz.
2. 968, Senator Carroll. You wish to hold that one? That's
3. the hospital...995, Senator McMillan. 1042, Senator
4. Grotberg. 1049, Senator Grotberg. On the Order of Senate
5. Bills 2nd reading, Senate Bill 1049. Read the bill, Mr.
6. Secretary.

7. SECRETARY:

8. Senate Bill 1049.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. The Committee on Agriculture offers
11. one amendment.

12. PRESIDENT:

13. Senator Grotberg.

14. SENATOR GROTBORG:

15. Thank you, Mr. President and members of the Senate. Senate
16. Bill 1049...separates out the retail minnow dealers from the
17. wholesale minnow dealers in the State of Illinois and the...the
18. amendment is clarifying. I move the adoption of amendment.

19. PRESIDENT:

20. Senator Grotberg has moved the adoption of Amendment No.
21. 1 to...this is Committee Amendment No. 1 not Floor amendment.

22. SENATOR GROTBORG:

23. Table it...Table Committee Amendment No. 1 and replace
24. it with the Floor amendment. Thank you.

25. PRESIDENT:

26. Alright. Senator Grotberg has moved to Table Committee
27. Amendment No. 1 to Senate Bill 1049. Any discussion? If
28. not, all in favor signify by saying Aye. All opposed. The
29. Ayes have it. Amendment No. 1 is Tabled. Further amendments?

30. SECRETARY:

31. No further committee amendments.

32. PRESIDENT:

33. Any amendments from the Floor?

1. SECRETARY:

2. Amendment No. 2, by Senator Grotberg.

3. PRESIDENT:

4. Senator Grotberg.

5. SENATOR GROTBORG:

6. The same explanation. This is the clarifying amendment
7. on wholesale-retail.

8. PRESIDENT:

9. Alright. Senator Grotberg has moved the adoption of
10. Amendment No. 2 to Senate Bill 1049. Any discussion? If
11. not, all in favor signify by saying Aye. All opposed. The
12. Ayes have it. The amendment is adopted. Further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. On the Order of Senate Bills 2nd reading,
17. Senate Bill 1042, Mr. Secretary. Read the bill, please.

18. SECRETARY:

19. Senate Bill 1042...Senate Bill 1042.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Any amendments from the Floor?

24. SECRETARY:

25. Amendment No. 1, by Senators Grotberg and Sangmeister.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Well, thank you, Mr. President and fellow Senators. A
30. few days ago, if I may have your attention, a few days ago
31. a tragedy in the State of Illinois occurred in that the Pontiac
32. trials aborted from both sides of the equation and the people
33. left concerned and injustice done to them are the families

1. of the slain Correction Department employees in Pontiac and
2. the emotional, psychological damage to the work force, the
3. thousands of employees, in Mr. Grotberg's, Mr. Sangmeister's
4. and Mr. Buzbee's district left us with a legislative pre-
5. rogative. We cannot run the courts, we know that. I can-
6. not help either the prosecution nor the defense attorneys in
7. what went wrong as far as justice was concerned. Riots are
8. a terrible thing and hard to prove. What I have done on
9. behalf of all of the Correction employees in the State of
10. Illinois is to cause to be drafted and amended into this
11. bill a theory of correctional employee line of duty awards.
12. Whereby, any employees slain in the...line of duty will
13. immediately, within ten days after that tragic death, his
14. beneficiary shall receive a stipend of one year's salary.
15. with no strings attached, immediately to reinforce and
16. upgird the support system in those families where tragedy
17. strikes, because it often takes years to get at the problems
18. involved in...in...in...straightening out estates, etc.
19. That is the thrust of this bill. It is set up very care-
20. fully, it has been on your desks for the last hour or so
21. and I would be glad to answer questions...pertaining to it.
22. Along with it goes a one hundred thousand dollar appropriation
23. to set up the fund. There were three in this year's case.
24. We grandfathered in, I believe, seventy months, some almost
25. five...six years, of time to take care of one other death
26. at Statesville and I would appreciate any questions you have,
27. otherwise I would move the adoption of Amendment No. 1 to
28. Senate Bill 1042.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. You've heard the motion. Any discussion? Senator
31. Collins.

32. SENATOR COLLINS:

33. Yes. A question of...of...of the sponsor.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he will yield.

3. SENATOR COLLINS:

4. Senator Grotberg, do we allow to the widowers of any
5. other kind of law enforcement officials or peace officers
6. the same kind of compensation that you are trying to set up
7. here?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Grotberg.

10. SENATOR GROTEBERG:

11. Not to my knowledge, Senator.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Collins.

14. SENATOR COLLINS:

15. Yes. Have you...did you include anything in this bill
16. for the agony and pain of the parent and relatives of those
17. young men who were falsely accused of murdering those three
18. guards? The pain and suffering that they suffered?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Grotberg.

21. SENATOR GROTEBERG:

22. Absolutely not and that is a matter of tort law having
23. nothing to do with the thrust of this bill, Senator.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Collins.

26. SENATOR COLLINS:

27. I...I think that the whole motivation of this bill, and as
28. you said it yourself, is designed for the sole purpose of
29. dealing with that...particular case. And the families of the
30. accused were just as much in pain and damage thinking that
31. their sons were going to the electric chair almost as though
32. ...really they died a death for a whole year. So if you're
33. going to provide compensation for them, I suggest you provide

1. compensation for the accused. Because...according to the
2. law, they were all acquitted.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Mahar.

5. SENATOR MAHAR:

6. Thank you, Mr. President. Will the sponsor yield for
7. a question?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. He indicates he will yield.

10. SENATOR MAHAR:

11. I was under the impression, Senator Grotberg, that,
12. presently, we have State Statutes that allows for twenty
13. thousand dollars compensation for those people who are killed
14. in the line of duty. Is that not correct?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Grotberg.

17. SENATOR GROTEBERG:

18. That may be correct in the Department of Law Enforce-
19. ment, but to...to my knowledge does not apply to the Depart-
20. ment of Corrections. Maybe Senator Sangmeister can help me
21. on that. Senator Bowers.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Sangmeister. He indicates he doesn't know.

24. Senator Bruce.

25. SENATOR BRUCE:

26. Well, whether or not this is an excellent idea, I think,
27. Senator, your amendment is defective...in two regards. First
28. of all, you did not...you did, in fact, change the title of
29. the Act, but then on page 3...page 4 you amend the Unified
30. Code of Corrections, which is not up in the title, and, also,
31. you amend the State Finance Act, which is not in the title.
32. Therefore, the amendment is...is improperly drawn. And I
33. would also ask the Chair the correctional line...the...fifth

1. page of the amendment requires a transfer of a hundred thousand
2. dollars and I believe there's a constitutional prohibition
3. against appropriation bills and substantive bills being rolled
4. into one. I...I'm not opposed to this, but I think if we're
5. going to do this kind of act, we ought to...do it appropri-
6. ately. And, I think, that what you're going to do, Senator, is
7. just have this thrown right back out of court and...and it
8. does, in fact, appropriate and transfer one hundred thousand
9. dollars from the General Revenue Fund.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bruce,...were you asking for a ruling on...them?

12. SENATOR BRUCE:

13. Do things properly, yes.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Well, if you are...Senator Grotberg.

16. SENATOR GROTBORG:

17. Senator Bruce, if you will look carefully on the second
18. paragraph of page 1 it amends an Act...in relation to dis-
19. turbances and correctional institutions. I believe that
20. that is generic enough to include everything there is in
21. here. The Reference Bureau happened to agree with me and
22. council and...and the Department Council.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Well on Senator Bruce's...second point, under the
25. Constitution under Article IV under...Section 8 under D,
26. it says, "appropriation bills shall be limited to the sub-
27. ject of appropriations." So, this...so, this is substantive
28. language...would you...look at the last...on page 5...line
29. 10...through 17? Senator, the Chair will rule that it
30. is an appropriation bill and it's out of order at this time.
31. Senator Bruce.

32. SENATOR BRUCE:

33. And I certainly don't want to stop Senator Grotberg

1. from proceeding, but it...well, Senator, we're going to do
2. things properly around here and...and it seems to me that
3. the Reference Bureau can draw this amendment. I...I would
4. also alert you to the fact that I don't think the title is
5. correct, 'cause you do amend two Statutes and Section I
6. does not indicate that you're doing that and...I have no
7. objection to...to...getting the amendment prepared properly.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. There's no objection to coming back to it in its
10. proper turn. Take it out of the record. Senator,...all
11. I can say is that we will get back to it in its proper
12. turn. I...I cannot guarantee that we will get back to
13. 2nd bills...Senate Bills 2nd reading. State your point.

14. SENATOR GROTBORG:

15. My point is, that the people of Illinois want some-
16. thing done by this General Assembly for some people and
17. we're finding some hairline cracks to...defuse what I think
18. is a decent gesture on behalf of the people and I would like
19. my turn at...not at bat, but to come back to it if we're still
20. on 2nd. I can correct this in fifteen minutes. May I have
21. that leave?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. You've heard the answer, Senator. Senate Bill 1049,
24. Senator Grotberg. Senate Bill 1082, Senator Jerome Joyce.
25. For what purpose does Senator Rhoads arise?

26. SENATOR RHOADS:

27. Well, on a point of parliamentary inquiry, Mr. President.
28. Was it your ruling that the bill under discussion, just now,
29. was, in fact, an appropriations bill and that was the reason
30. ...the amendment was not germane? It...it is not listed in
31. bold print on our Calendar.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Well, Senator, the language is sufficiently ambiguous...

1. to bring it in under the...

2. SENATOR RHOADS:

3. I'm sorry, I can't hear you, Mr. President.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...of appropriation.

6. SENATOR RHOADS:

7. I'm sorry, Mr. President, I couldn't hear you.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. We're trying to help Senator Grotberg out on a technical
10. problem here. Senator Rhoads.

11. SENATOR RHOADS:

12. The point I was trying to make, Mr. President, is, that
13. the...as I understand it, the...amendment under discussion
14. was an amendment to the State Finance Act. So, how could
15. that be interpreted as being an appropriation bill, particularly
16. when it did not, in fact, appropriate money?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator, on page 5, lines 10 through 17, the language
19. is sufficiently ambiguous to indicate to the Chair that it
20. is an appropriation bill. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you,...Mr. President and Ladies and Gentlemen of
23. the Senate. If I can amplify your comments, the last para-
24. graph of underlined material is a transfer. A transfer bill
25. as we've been dealing with all day is an appropriation. All
26. it takes is two separate pieces of legislation to accomplish
27. what he wants to accomplish. That's been the Statutory Law
28. of Illinois for quite some time, we've always followed it.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. One solution to the problem is,...

31. SENATOR CARROLL:

32. The Constitution requires it.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. ...can we have leave to bring Senate Bill 1042 back to
2. the Order of 2nd reading? To read it...to have the Secretary
3. read it a second time and move it to 3rd reading and let
4. Senator Grotberg, after he...after he adjusts this amend-
5. ment to recall it back? Read the...read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1042.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Any amendments from the Floor?

12. SECRETARY:

13. No Floor amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. 3rd reading. Senate Bill 1086, Senator Demuzio. Senate
16. Bill 1107, Senator McMillan. Senate Bill 1129, Senator
17. Etheredge. Read the bill, Mr. Secretary. Senator Etheredge.

18. SENATOR ETHEREDGE:

19. Mr. President, I would request that this bill be re-
20. referred to committee.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Etheredge moves that Senate Bill 1121 be re-
23. referred to Committee of Judiciary I. Is leave granted?

24. Leave is granted. Senate Bill 1144, Senator Bloom. Read
25. the bill, Mr. Secretary. For what purpose does Senator
26. Hall arise? Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 1144.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Agriculture offers
31. one amendment.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Bloom.

1. SENATOR BLOOM:

2. Alright. This...this amendment is...clarifying in
3. nature. It tightens up some...definitions and omits...some
4. language that is already in another bill. I'd move its
5. adoption.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bloom moves the adoption of Amendment No. 1 to
8. Senate Bill 1144. Those in favor indicate by saying Aye.
9. Those opposed. The Ayes have it. Amendment No. 1 is adopted.
10. Any further amendments?

11. SECRETARY:

12. No further committee amendments.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Any amendments from the Floor?

15. SECRETARY:

16. Amendment No. 2, by Senator Bloom.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Thank you, Mr. President and fellow Senators. Amendment
21. No. 2...picks up some language that the committee amendment
22. missed. I'd move its adoption.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not,...Senator Demuzio.

25. SENATOR DEMUZIO:

26. Amendment No. 2, Senator Bloom, would you tell us
27. those parts that the committee missed?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Bloom.

30. SENATOR BLOOM:

31. Thank you. What it does is...if...do you have the bill
32. in front of you? Okay. What it does is it says except that
33. this definition shall not include any person engaged in

1. agricultural activity, who is transporting a substance which
2. would normally be classified as hazardous, if the substance
3. was acquired for use by that person on his own property
4. in conjunction with agricultural activity. In other words,
5. it would exempt a farmer, Senator Demuzio,...it would exempt
6. a farmer if he had to transport some fertilizer or what have
7. you to a non-contiguous...field, you know.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Senator Bloom, I'm...I'm told that...Senator Mahar's bill
12. ...875, as I recall correctly, was on the Agreed Bill List,
13. it's now going to be pulled off the Agreed Bill List, will
14. contain...an amendment that will implement the Resource
15. Recovering Conservation Act in Illinois and that this amend-
16. ment on this exemption...may be a wee bit in conflict.
17. And I am told that the...language that will be contained in
18. ...the amendment that Senator Maitland will be offering to that
19. bill would...suffice.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bloom. Senator Bloom.

22. SENATOR BLOOM:

23. I'm waiting. Well, what's...what's your pleasure?
24. I mean I can...I can withdraw the amendment if you're saying
25. that...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. I'm...I'm not objecting, I'm just suggesting that...when
30. we pass 875 that...that has the exemption in it, this is a...
31. is a...a wee bit broader and it's simply up to you. I'm...
32. I'm prepared to support the amendment as is, but...we would
33. have two...conflicting...concepts.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bloom.

3. SENATOR BLOOM:

4. Okay. My problem is that I'm carrying this for the
5. Attorney General and...I...how about if I put it on and we
6. can take it off...if it becomes necessary.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Demuzio.

9. SENATOR DEMUZIO:

10. Well, when I carried it for Bill Scott, he always gave
11. me the authority to do those things and make those decisions
12. on my own and I'm...I'm sure that the new Attorney General
13. has...has...feels very confident in your ability on this
14. particular bill and we'll...we'll all stand by whatever
15. judgment that you decide.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bloom.

18. SENATOR BLOOM:

19. Well, let's leave it on. I can always take it off. I'd
20. move its adoption.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. Well, on behalf of Ty Fahner, I'm going to support the
25. amendment.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom moves the adoption of Amendment No. 2 to
28. Senate Bill 1144. Those in favor indicate by saying Aye. Those
29. opposed. The Ayes have it. Amendment No. 2 is adopted. Any
30. further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

34. 3rd reading. Senate Bill 1147.

1. Senator Berman. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1147.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. No committee amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Any amendments from the Floor?

8. SECRETARY:

9. Amendment No. 1 by Senator Berman.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President. When this bill was heard in
14. committee there were some questions raised as to what the meaning
15. of the word termination meant. We...this amendment clarifies
16. that language. I move the adoption of Amendment No. 1.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? If not, Senator...Senator DeAngelis.
19. SENATOR DeANGELIS:

20. Thank you, Mr. President. Senator Berman, I did have some
21. questions. I do not have a copy of this amendment, is it possible
22. for me to see a copy of this? Ho ho.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator DeAngelis.

25. SENATOR DeANGELIS:

26. I have it, Senator Berman. This does not address the problems
27. that were created...or discussed in committee. If you recall, the
28. questions I had, and you indicated to me, that you would, through the
29. amendatory process, attempt to ameliorate those objections.
30. First of all, you don't specify the type of notice that is to
31. be given. Secondly, you indicate in the bill, that the notice
32. is to be given within seventy-two hours, and I pointed out to
33. you some of the difficulties that occur because there are various

1. different policies that companies have with various different
2. payments made. For instance, some payments...some companies
3. pay for the entire month at the beginning of the month, which
4. then means, under your bill, if that employee were to be terminated
5. that somewhere within that month, but within the seventy-two hour
6. period, prior to expiration, they would have to notify the
7. employee that those benefits would, in fact, be terminated. But
8. let's take the situation where the employee, where the benefits
9. terminate with the employment, you again lose the seventy-two
10. hour...I really have some difficulties with this, and...and
11. the amendment does not rectify the difficulties that were presented
12. in committee that you said you would attempt to rectify.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR BERMAN:

16. I hear you, but I'm not sure that you have a problem. If
17. you read the bill, it says, "that the notice,"...first of all we
18. didn't specify what kind of notice, and I think that that's to
19. your...to the employer's advantage, if he wants to rely upon oral,
20. let him do it orally. If he wants to rely upon written, he's probably
21. better off, but I haven't said it. You want me to say written,
22. I'll say written, but that's...you want me to say written?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator DeAngelis.

25. SENATOR DeANGELIS:

26. Well, Senator...Senator Berman, you know better than I do
27. that when you leave things specifically ambiguous that there is
28. cause for pursuing it in a different manner which generally leads
29. to litigation. I...I think it should be...well written and de-
30. livered to where?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Berman.

33. SENATOR BERMAN:

1. I...if you want me to say written by registered mail to the
2. last known address of the employee, I'll do it. But that's...that's
3. a burden that I didn't want to impose upon the employer. You
4. want me to do it, I'll do it.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator DeAngelis.

7. SENATOR DeANGELIS:

8. My suggestion, Senator Berman, is that the employee be given
9. the notice at the same time the employee is terminated. That would
10. be that the notice would then be handed and it would be indicated
11. to him how long his insurance would last.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Berman.

14. SENATOR BERMAN:

15. If that's what the employer wants to do, that's allowable
16. under the terms of this bill at the moment. Now, what I'm saying
17. to you is, that the bill merely says that when the employer re-
18. ceives notice of the termination of the coverage, not of the
19. employment status. When the employer receives notice of the
20. termination of the insurance coverage, that is when the clock
21. starts to run, that's when he has to give the employee the notice.
22. Now, I think that's very simple. And it's very easily complied
23. with. He...that way, the employer doesn't have to refigure every
24. employee and when they were terminated. He only has to let the
25. clock run from the point that he receives the notice from the
26. insurance company that the insurance is terminated. It's...I
27. think you're making it more complicated than it has to be.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Senator Berman, you still...still have in there, within
32. seventy-two hours from the date of termination, which means, if
33. the policy is going to expire thirty days from now, you've got to

1. update this file and they don't all expire uniformly, that's
2. my point.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Berman.

5. SENATOR BERMAN:

6. You're in error. When the company terminates the coverage,
7. the notice that's given to the employer indicates when that cover-
8. age ceases to be in force. That's the kickback date for the notice
9. to be given, and I think Jimmy Rupp, who handles this kind of
10. stuff can either confirm or deny what I'm saying. There's...
11. with a notice of termination to the employer, there's a date
12. given as to when that coverage, in fact, ceases. It's within
13. seventy-two hours of that cessation of coverage that the notice
14. must be given.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator DeAngelis.

17. SENATOR DeANGELIS:

18. Well, Senator Berman, I think we're debating some things
19. here that will probably be more properly debated after 3rd reading.
20. But let me tell you, that in most instances, where an employer has
21. group insurance, they're self-enrolling and self-cancelling programs.
22. At the beginning of the month you put down all the employees that
23. are working for you and the following month if they're not there,
24. you don't enroll them again. All right, now, that...there's an
25. argument about when the termination date of that insurance is.
26. But why can't we just simplify it by indicating...by allowing the employer
27. to indicate at the time of the termination when the insurance
28. terminates. That way there's an assurance he has received a
29. notice and we don't have to go through all this additional work
30. that could be of questionable value to begin with later on.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce has indicated he may solve this...Senator Berman...

33. SENATOR BERMAN:

1. May I...may I suggest, Senator, I...I don't think you have any
2. problem with the amendment as far as it goes, what you're saying
3. is, it doesn't go far enough. Let's adopt the amendment, move
4. it to 3rd, prepare what you think you would like to see and show
5. it to me. I'll be glad to bring the bill back and accommodate
6. your interests.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? Senator Bruce.

9. SENATOR BRUCE:

10. Just for the record, Senator, since we insure a hundred and
11. thirty-three thousand State employees and each two years we ter-
12.minate a policy. It is clear by this amendment, that a termination
13. between the employer and the employee associations or groups does
14. not, in any way..we don't assume any liability unless it's solely
15. for the non-payment of premium, is that correct, Senator?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berman.

18. SENATOR BERMAN:

19. That's correct, that's why I put the amendment on.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Bruce...Senator Bruce.

22. SENATOR BRUCE:

23. And although the amendment does not speak to it, and it's
24. in the bill, is there any intention of removing the personal
25. liability of the chief executive officer? I noticed, for the first
26. time, that...that the corporation would not be liable at all, and
27. the chief executive officer would be totally liable. Now, I
28. know if you have a bankrupt corporation, you would not have
29. anybody to pursue. The problem is, if...if the individual is not
30. flush and the corporation is, you have then made liability on the
31. wrong person. I wonder if you should not say, the corporation or
32. the chief officer? I don't know, it just...this...this intrigues
33. me, the whole bill does.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Rupp.

3. SENATOR RUPP:

4. Thank you, Mr. President. I might just add a little bit
5. more to the confusion. I think part of the trouble is that, Senator
6. Berman is talking about termination of the insurance, and Senator
7. DeAngelis is talking about termination of employment. And they
8. sometimes do not coincide.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, Senator Berman may
11. close debate.

12. SENATOR BERMAN:

13. I move the adoption of Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You've heard the motion. Those in favor will indicate by
16. saying Aye. Those opposed. The Ayes have it. Amendment No. 1
17. is adopted. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. 3rd reading. Senate Bill 1160, Senator Hall. Read the bill,
22. Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1160.

25. (Secretary reads title of bill)

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

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Any amendments from the Floor?

29. SECRETARY:

30. Amendment No. 1 by Senator Maitland, and this bill did have
31. a request for a fiscal note, which has been answered.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Maitland.

1. SENATOR MAITLAND:

2. Thank you, Mr. President, and Ladies and Gentlemen of the
3. Senate. Yes, the State Mandates Act does apply, and Amendment
4. No. 1 simply indicates that the State will pick up one hundred
5. percent of the cost of...of Senate Bill 1160.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion?

8. SENATOR MAITLAND:

9. I'd move for its adoption.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion on the motion? Senator Hall.

12. SENATOR HALL:

13. ...thank you, Mr. President, and Ladies and Gentlemen of the
14. Senate. I rise in opposition to this amendment. I'm looking
15. around, I want to be sure, Senator Maitland, have you got your
16. troupes? That I oppose this...this bill, would demand that the
17. State pick up the entire tab, and it...this just provides an
18. equitable and reasonable...method of insuring teachers a fair
19. salary at the outset of their teaching career. It does not place
20. any burden on the school districts because of the minimum salary
21. schedule for teachers, and Bachelor and Master Degree will be
22. based on a two years data. So, it's not necessary to put that
23. on, and I will resist this. And I call for...that everybody
24. to vote...or just say no on this amendment.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not, Senator Maitland may
27. close debate.

28. SENATOR MAITLAND:

29. Well, Senator Hall, it...it...it does place an extra burden,
30. there is an extra cost here, involved. And the chances are very
31. good that the State Mandates Act does apply and would pick up
32. one hundred percent. If that's the case, then the amendment, you
33. know, is not going to hurt anything, anyway. But in the unlikeli-
hood that that is not a fact, this will assure that the State will

SB 1193
2nd reading

1. pick up one hundred percent of the cost to the local school districts.
2. And...and those...those are the...entities that we're concerned
3. about. We simply don't like to be placing mandates upon school
4. districts without providing the funding to take care of that man-
5. date. Roll call, Mr. President.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Maitland moves the adoption of Senate...Amendment
8. No. 1 to Senate Bill 1160. Those in favor indicate by saying Aye...a
9. roll call has been requested. Those in favor of Amendment No. 1
10. to Senate Bill 1160 will vote Aye. Those opposed will vote Nay.
11. The voting is open. Have all voted...have all voted who wish?
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question, the Ayes are 26, the Nays are 26,
14. none Voting Present. Amendment No. 1, having failed to receive
15. a majority vote is declared lost. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. 3rd reading. Senate Bill 1193, Senator Grotberg. Read the
20. bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1193.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Any amendments from the Floor?

27. SECRETARY:

28. No Floor amendments.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. 3rd reading. Senate Bill 1195, Senator Berning. Read the
31. bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1195.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. No committee amendments.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Any amendments from the Floor?
5. SECRETARY:
6. No Floor amendments.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. 3rd reading...oh, I've got an indication...Senator Berning.
9. SENATOR BERNING:
10. Thank you, Mr. President. Senator Newhouse is not on the
11. Floor. I agreed to hold this till Monday. I've been waiting for
12. him to come to me, I just want the record to show that if he comes
13. to me with an amendment, I will be willing to bring it back to
14. 2nd reading.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. The record so indicates. Senate Bill 1200, Senator Gitz.
17. Senate Bill 1202, Senator Chew. Senate Bill 1209, Senator Maitland.
18. Senate Bill 1214, Senator Berman. Read the bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 1214.
21. (Secretary reads title of bill)
22. 2nd reading of the bill. No committee amendments.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Any amendments from the Floor?
25. SECRETARY:
26. Amendment No. 1 by Senator Berning, and this bill did have
27. a request for a fiscal note, which has been answered.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Berning. Who is that amendment by?
30. SECRETARY:
31. Senator Berman.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Berman.

1. SENATOR BERMAN:

2. The amendment...the amendment came up from the Reference
3. Bureau..When the bill was drafted, there were gaps in the drafting
4. of the...of the bill. This puts the bill in the same condition
5. as it should have been when it was presented to the committee.
6. I move the adoption.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? If not, Senator Berman moves the
9. adoption of...of Amendment No. 1 to Senate Bill 1214. Those in
10. favor indicate by saying Aye. Those opposed. The Ayes have it.
11. Amendment No. 1 is adopted. Any further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. 3rd reading. Senate Bill 1218, Senator Nash. Read the bill,
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1218.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Any amendments from the Floor?

23. SECRETARY:

24. Amendment No. 1 by Senator Bloom.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator...for what purpose does Senator Nash arise?

27. SENATOR NASH:

28. I'll handle the amendment.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Nash indicates he will handle the amendment for
31. Senator Bloom. Is leave granted? Leave is granted.

32. SENATOR NASH:

33. Mr. President, and Ladies and Gentlemen of the Senate. Amendment

1. No. 1 to Senate Bill 1218 is a technical one. It puts back in
2. the Statute a chapter that was left out two years ago when we
3. passed Senate Bill 494 out of the Senate. I move for its adoption.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? If not, Senator Nash moves the
6. adoption of Amendment No. 1 to Senate Bill 1218. Those in favor
7. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
8. ment No. 1 is adopted. Any further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. 3rd reading. Senate Bill 1221, Senator Hall. Senate Bill
13. 1225, Senator Vadalabene. Senator Vadalabene, for what purpose
14. do you arise?

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President, and members of the Senate.
17. Since you have called Senate Bill 1225, and it's on 2nd reading,
18. I would like for you to use the necessary language to have this
19. ...this bill referred back to the Committee on Transportation.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator, which committee do you...it was in Finance and
22. Credit Regulations.

23. SENATOR VADALABENE:

24. But it was rereferred to Transportation.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Vadalabene moves to recommit Senate Bill 20...1225
27. to the Committee on Transportation. All those in favor indicate
28. by saying Aye. Those opposed. The Ayes have it. The bill is
29. recommitted. We have a request to return to Senate Bill 832, a
30. fiscal note was asked for, the fiscal note request was withdrawn.
31. So, on page...page 7, on the Order of Senate Bills 2nd reading,
32. Senate Bill 832, Senator Marovitz. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 832.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...any amendments from the Floor?

6. SECRETARY:

7. No...I'm sorry, Mr. President. Labor and Commerce offers
8. one amendment.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Marovitz. We have a committee amendment offered,
11. Senator Marovitz. Do you want to speak to it or...Senator Geo-Karis.

12. SENATOR MAROVITZ:

13. Yes, I...Committee Amendment No. 1 which is going to be sub-
14. stantially changed by Floor Amendment No. 1 which is being offered
15. by Senator Geo-Karis. Committee Amendment No. 1 was, in fact, the
16. bill, detailing for notice for carcinogenic, that's the word,
17. Kenny, carcinogenic substances in the work place. And I would
18. ask for adoption of Committee Amendment No. 1, which will then
19. be supplanted by Floor Amendment No. 1, which I support, offered
20. by Senator Geo-Karis.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator...Senator Marovitz moves the adoption of Committee
23. Amendment No. 1 to Senate Bill 832. Those in favor indicate
24. by saying Aye. Those opposed. The Ayes have it. Committee
25. Amendment No. 1 is adopted. Any further amendments?

26. SECRETARY:

27. No further committee amendments.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Any amendments from the Floor?

30. SECRETARY:

31. Amendment No. 2 by Senator Geo-Karis.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Mr. President, and Ladies and Gentlemen of the Senate. Amend-
3. ment...Floor Amendment No...well it's...it's Floor...it's Amend-
4. ment No. 2, which I am sponsoring, will permit employees to
5. request and receive information regarding toxic substances and
6. infectious agents, detailing the name of the substance and symptoms
7. of overexposure, proper handling procedures, and remedies for over-
8. exposure. And also, it would alter the reporting requirements
9. to the benefit of the employer by requiring easily understood relevant
10. information to be provided by an employer upon request. And em-
11. ployers would also benefit under this amendment, since the require-
12. ments in the bill for technical information are...are significantly
13. eased. And I move the passage of this amendment.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You've heard the motion. Any discussion? If not, Senator
16. Geo-Karis moves the...moves the adoption of Amendment No. 2 to
17. ...Senator Demuzio.

18. SENATOR DEMUZIO:

19. I defer to my seatmate on my left.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Gitz.

22. SENATOR GITZ:

23. Mr. President, and members of the Senate. I'd like to slow
24. this freight train down a little bit, because this bill has very
25. far reaching consequences in terms of what kind of substances. And
26. I'm told that in terms of what it is originally introduced, and the amendment
27. that went into it, we're going to be in the business of having
28. to post virtually everything in any restaurant or gas station.
29. Now, Senator Geo-Karis, I know that your amendment aims at making
30. some limitations on this, and I want to know what's in this amend-
31. ment specifically. I have it in front of me, and frankly, it's
32. in Greek. I want to see what this amendment exactly does.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. If it's in Greek, you want me to tell you in Greek? This
4. amendment, Mr. President, and Ladies and Gentlemen of the Senate,
5. what it does, actually it restructures the bill a bit in order to
6. be a little fairer to both the employer and to the employee. And
7. incidentally, I have cleared this amendment with the two big unions,
8. UAW, AFL-CIO, and also with industry. And if you want me to ex-
9. plain it point by point, I'll take a copy of the bill, and go over
10. it because it's a one page amendment. And it...it simplifies it,
11. I've explained it. It alters the reporting requirements to benefit
12. employees by requiring easily understood relevant information to
13. be provided by the employer upon request. Employers would also
14. benefit under this amendment since requirements in this bill
15. for technical information are significantly eased, and would
16. apply to currently employed individuals. Now, if you want me to
17. tell you in Greek, I'll tell you in Greek.

18. (Greek phrase given by Senator Geo-Karis)

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. And we'd all like a copy of that transcribed, immediately.

21. Senator Gitz.

22. SENATOR GITZ:

23. Thank you. Now, would you specifically tell me what kind of
24. toxic substances are going to be posted, and what kind will not
25. be.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Geo-Karis.

28. SENATOR GITZ:

29. ...the information that I was shown this morning, I mean the
30. man gave me a file that was three hundred pages thick in terms of
31. the kind of substances that could be interpreted. If you're going
32. to limit it, I'd like to know what's in and what's out.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. If I may ask you to take the copy of the amendment I cir-
4. culated, if you will notice, I did not remove any of the descriptions
5. of toxic substances in the bill. Is that correct...nothing was
6. removed from it on the...as to the labeling of the toxic substances.
7. They're already in the bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator...Senator Gitz.

10. SENATOR GITZ:

11. In other words, I am to assume by the effect of this amend-
12. ment, that we're not limiting the kinds of substances at all?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. You're absolutely correct. Because we did not, if you'll
17. notice my amendment, it does not limit...mention..take any name
18. of a substance off of it at all. And the same substances are in
19. there. All we're doing is clarifying the...the procedure of easing
20. the...reporting requirements so that everybody can understand,
21. and so that both labor and business can live with it. And I've
22. already cleared it with the sponsor of the bill, and also with
23. two big unions who are involved with this.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Gitz.

26. SENATOR GITZ:

27. Well, Mr. President, I guess that get to the heart of our
28. confusion. Senator Geo-Karis, it's nice that it's cleared with
29. the unions, but that does not mean anything to me. My concern
30. was, that when I told the sponsor that this bill was all inclusive
31. he lead me to believe that Amendment No. 2 was going to clean some
32. of that up. And now, I find out that Amendment 2 doesn't limit
33. that at all. And it's the kind of broad range in interpretations

1. of those substances which is at the heart of my concern about
2. this bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Geo...

5. SENATOR GEO-KARIS:

6. Mr. President, and Ladies and Gentlemen of the Senate. To
7. refer back to Senator Gitz. It...it cleans up the reportorial
8. requirements, it does not eliminate the names of the substances
9. that are already in the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt Amendment No. 2. Further discussion
12. on...Senator Joyce.

13. SENATOR JEROME JOYCE:

14. Yes, a question of the sponsor, please.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates she will yield. Senator Joyce.

17. SENATOR JEROME JOYCE:

18. Yes, would farm herbicide and chemical applicators be in-
19. cluded in this?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. We're not dealing with that in this amendment, Senator Joyce.
24. If it's covered under the definitions of the bill as amended,
25. which I had nothing to do with, then it's in there, but it's not
26. in my amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Jerome Joyce.

29. SENATOR JEROME JOYCE:

30. Then it's in there. And I...I think we ought to be a little
31. careful with this. We're going to be requiring, God knows who,
32. to do whatever this bill tells us to do.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, no, Senator we...further discussion? Further discussion?
2. The question is on the adoption of Amendment No. 2. On that,
3. all in favor say Aye. Opposed Nay. The Ayes have it. Amendment
4. No. 2 is adopted. Further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. 3rd reading. Is there leave to go now to...Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President, and Ladies and Gentlemen of the
11. Senate. By way of announcement, Senator Shapiro and I, again,
12. have agreed that we ought to work until about six o'clock this
13. evening. And I have consulted with him and the committee chairmen,
14. and there will be no committee meetings tomorrow morning. The
15. committees are cancelled tomorrow morning. And we will commence
16. Session at 9:00 a.m. and again, attempt to put in a full days
17. work. You can see that by virtue of recalls and 2nd's it took
18. more time than we had planned on. But I think we've got a couple
19. of hours of good work. We will, again, begin on Senate Bills 3rd,
20. where we left off, which was Senate Bill 272, and just proceed
21. ahead. And then when we adjourn, we will come back at nine o'clock
22. tomorrow morning, and proceed all day.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch. All right. We will go to page 12 on your
25. Calendar, and we will begin with Senate Bill 272. I will alert
26. the membership that we are not going to go through this Calendar too
27. many more times, and don't forget that we moved a lot of bills
28. on 2nd, that will, in fact, may be in front of you tomorrow. So,
29. if you go by, we may not, in fact, get back to it this week. We
30. will start on page 12 with...where we left off yesterday. Senate
31. Bill 272. Senator Netsch, do you wish the bill read a third time?

32. SENATOR NETSCH:

33. Yes.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Read the bill, Mr. Secretary, please.

3. SECRETARY:

4. Senate Bill 272.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you, Mr. President. This bill is essentially responsive
11. to a 1979 Illinois Supreme Court opinion. When the Retail In-
12. stallment Sales Act was first enacted some time ago, there was
13. a provision for a private action for damages for those who had
14. been injured by violations of the Act. Later at a point when
15. a number of other Consumer Protection Laws were being enacted,
16. this one was reenacted and the Motor Vehicle Retail Installment
17. Sales Act was enacted. And the provision was left out for private
18. damages. This became apparent, really, in 1979 in the Illinois
19. Supreme Court decision in the Hoover case. The court pointed
20. out that the section had not been reenacted in the Retail
21. Installment Sales Act and the Motor Vehicle Retail Installment
22. Sales Act, although a similar right and provision had been
23. included in all of the other consumer protection Statutes. The
24. only enforcement methods, as a result, unless something like this
25. is enacted, are injunctive actions by the Attorney General and
26. the State's Attorneys, and that is generally conceded not to
27. be a very effective enforcement mechanism. So, this bill would,
28. in effect, reenact what was once part of the Retail Installment
29. Sales Act and incorporate the same provision in the Motor Vehicle
30. Retail Installment Sales Act. And it would provide for a private
31. right of action for damages for those who had been injured by
32. violations of the Act. The language was redrafted to make it
33. much clearer as a result of questions raised in the committee.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is on the passage of Senate Bill 272. Is
3. there discussion? The question is, shall Senate Bill 272 pass.
4. Those in favor vote Aye. Those opposed vote Nay. The voting is
5. open. Have all voted who wish? Have all voted who wish?
6. Have all voted who wish? Take the record. On that question,
7. the Ayes are 24, the Nays are 29, 1 Voting Present. Senate...
8. the sponsor requests that further consideration of Senate Bill 272
9. be postponed. Senator Lemke on 276. Read the bill, Mr. Secretary...
10. Senator Lemke.

11. SENATOR LEMKE:

12. I think that we have two bills on changing the Primary date,
13. 275 and 276, one says April, one says...one says September. And
14. I think both of the bills should be considered on the same day,
15. so everybody has the opportunity to vote for what Primary day
16. they want. So, I'd like to have them both postponed, and have
17. them both come up at the same time.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right.

20. SENATOR LEMKE:

21. That's what I want leave for.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Fine. 280, Senator Lemke. Fuel relief grants. Read the bill,
24. Mr. Secretary, please.

25. ACTING SECRETARY: (MR. FERNANDES).

26. Senate Bill 280.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Lemke.

31. SENATOR LEMKE:

32. This bill is a bill that...of a section of a bill that the
33. Governor vetoed last Session. What we're doing here...an amendatory

1. veto out of the Senior Citizen Tax Relief. What we're doing
2. here is giving fuel grants to senior citizens, effective for
3. this winter. I understand there will be no Federal programing
4. and there will be no other grants. And this...these are important
5. to our senior citizens in the State, and disabled people to be
6. able to pay the high cost of fuel which will be this winter. I
7. ask for favorable consideration.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Rhoads.

10. SENATOR RHOADS:

11. Philip, first.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator...Senator Philip.

14. SENATOR PHILIP:

15. Thank you, Mr. President, and Ladies and Gentlemen of the
16. Senate. And I'm sure, Senator Lemke, the idea is laudable, it's
17. another 13.5 million dollars, not in the Governor's budget. As
18. you know, we have a shortfall of revenue this year, at least,
19. two hundred million, maybe four hundred million. And it would
20. seem to me, that we ought to give this a red light.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator McMillan.

23. SENATOR MCMILLAN:

24. Very briefly, I would concur with Senator Philip's comments.
25. We can't afford it, the...the procedures by which the amounts would
26. be determined are...are questionable. It's getting us into an
27. area where I don't think we're ready to administer it. And I
28. think it just should not be accepted at this time.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Further discussion? Senator Lemke may
31. close.

32. SENATOR LEMKE:

33. I can't see that the senior citizens and disabled people who

1. have an income of less than ten thousand dollars, where they are
2. going to get this money to heat their homes and not freeze to
3. death, and not be...put up with problems, they should get this...
4. this fuel adjustment. And I cannot see why they should be denied
5. after they have,for all their years,contributed to the revenues
6. of the State of Illinois, and now we don't have money, so now we
7. take things away from them and not give them a chanceand an op-
8. portunity. I think it's wrong, and I think, that we should make a
9. decision right now that this is necessary so the senior citizens
10. will be able to have comfort in their homes for this coming winter.
11. And I ask for a favorable adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall Senate Bill 280 pass. Those in favor
14. vote Aye. Those opposed vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 29,
17. the Nays are 20, 1 Voting Present. The Senate sponsor asks that
18. further consideration of Senate Bill 280 be postponed, it will
19. be placed on the Order of Postponed Consideration. Senate Bill
20. 282, Senator Lemke. Read the bill, Mr. Secretary, please.

21. ACTING SECRETARY: (MR. FERNANDES)

22. Senate Bill 282.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke.

27. SENATOR LEMKE:

28. What this bill does is provides a lein for delinquent utility
29. charges on certain real estate. What we're saying here is, that
30. what's happening is, that utilities are ordered not to shut out the
31. gas and the electric in certain buildings in the City of Chicago
32. and downstate. So, what this bill does, is gives a lien on that
33. real estate until that bill is paid. What happens now is, they run

1. up a three and four and five thousand dollar utility bill, then
2. they sell the property, and then the utility company is unable to
3. collect the money because the corporate owners or the trust owners
4. are gone, and that amount of money is spread back into the other
5. consumers and, therefore, the rates go up. So, what this bill
6. does, is just simply allows a lien on real estate, which they can
7. file against that particular piece of property for that amount of
8. money. And I think it's a good bill, I think it protects not only
9. the consumers, but also the utility. And I'm talking about the
10. consumers that pay their bills. I think it's a good bill, and I
11. think we should adopt it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Collins.

14. SENATOR COLLINS:

15. One quick question. What size units are you talking about?
16. Are you talking about family dwellings or did you...exclude family
17. dwellings, family homes?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator...Senator Lemke.

20. SENATOR LEMKE:

21. What we're...what we're saying here is, consisting of five
22. or fewer units, are exempt. So, that would...include owner occupied
23. consisting of five or fewer, they are exempt. What we're after
24. here is, the big apartment buildings where they can't shut off...
25. we don't want them to shut off the gas because the tenants are
26. paying the rent, but we also want a lien on that property to say
27. that if you sell the property, the utility company gets paid.
28. And, I think it's a good bill, and I don't think the utility
29. companies will file liens for little money, they will just file
30. liens for that big amount of money that's getting lost. I know
31. on water rates in the City of Chicago, four and five thousand dollars.
32. So, I ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is, shall Senate Bill
2. 282 pass. Those in favor vote Aye. Those opposed vote Nay.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Have all voted who wish? Take the record. On that
5. question, the Ayes are 31, the Nays are 19, none Voting Present.
6. Senate Bill 282, having received the required constitutional
7. majority is declared passed. Senate Bill 283, Senator Lemke.
8. Leroy...Senator Lemke. Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 283.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke.

15. SENATOR LEMKE:

16. What we're doing here is amending the public utility re-
17. garding subsidies of utilities. If a utility owns or...or controls...
18. engaged in any kind of business, the public utility shall be
19. considered to be carrying on the business of the corporation. We
20. exclude the...the telephone company, who is covered under a different
21. code. The amendment was put on, and...and that's what it does.
22. So, I ask for its favorable consideration.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Maitland.

25. SENATOR MAITLAND:

26. A question of the sponsor, Mr. President.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield. Senator Maitland.

29. SENATOR MAITLAND:

30. Senator Lemke, it appears to me as though really what we're
31. doing here is, simply duplicating, because in...in Section 8 of
32. that same chapter, we're doing, you know, we're...the authority
33. is there for the Commerce Commission to...to examine those franchises

1. as is. And I...I can't understand why the need for...for the
2. legislation.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Lemke.

5. SENATOR LEMKE:

6. No, the Commerce Commission doesn't have the authority to
7. examine certain things like coal companies and other things that
8. go into the rate making process of these utilities, and I think
9. this is a good bill. I think that commonly held subsidiaries
10. of public utilities, including businesses.... coal mines, synthetic
11. gas plants, transportation companies, you should be considered in
12. when you're considering rates. And I think this is...is important.
13. And I think it's a necessary bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further...further...Senator Maitland.

16. SENATOR MAITLAND:

17. Well, simply to say that that's currently done, and it...it
18. clearly spells out in Chapter 8...or Section 8, I'm sorry, other
19. property owned, leased, controlled, operated, managed, conducted,
20. and all of that's in there. The Commerce Commission is now doing
21. it, and that's in the Statute. It would seem to me that the
22. legislation is superfluous.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Lemke.

25. SENATOR LEMKE:

26. My understanding is, the Commerce Commission can't do it,
27. they don't have the authority to do it, and this would give them
28. the right to check a utility and to see if they're paying inflated
29. prices for transportation or for supplies from another subsidiary
30. ...that they own. And I think this is all in consideration, and
31. I understand they cannot do that at the present time. And that's
32. what this bill does.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maitland.

2. SENATOR MAITLAND:

3. Well, Senator, it's...it's our understanding that the
4. Commerce Commission is opposed to this because it does conflict
5. with existing authority.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Lemke may close.

8. SENATOR LEMKE:

9. I think this is a bill...bill that incorporates...they have
10. some rules, but this incorporates into the law, and makes them...
11. so when the Commerce Commission changes their...the body, the
12. rules will be observed by the new...the new body. This will be
13. consistently carried out by everybody on the Commerce Commission.
14. Your rules of a commission can change, but when we change the
15. Statute we have the power to change that Statute. And I think this
16. is a good bill, because they have to come to us to change the rules
17. and explain why they don't want it. And that's something the
18. Commerce Commission, we all know, doesn't do. They don't want
19. the Legislature monkeying around with them, they like to be their
20. own bureaucracy, and do what they want to do, and they ignore any-
21. thing we do to them. I think this just sets forth, and keeps
22. them honest, and keeps the rules the way they are, so they can't
23. be changed. So, I ask for a favorable adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall Senate Bill 283 pass. Those in favor
26. will vote Aye. Those opposed vote Nay. The voting is open. Have
27. all voted who wish? Have all voted who wish? Have all voted
28. who wish? Take the record. On that question, the Ayes are
29. 30, the Nays are 24, none Voting Present. Senate...Senate Bill
30. 283, having received the required constitutional majority is de-
31. clared passed. There's been a request for a verification. Will
32. the members please be in their seats. The Secretary will call
33. those who voted in the affirmative, and under the rules, if you

1. would please reply when your name is called.

2. ACTING SECRETARY: (MR. FERNANDES)

3. The following voted in the affirmative: Becker, Berman,
4. Bruce, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
5. Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Lemke,
6. Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse, Rupp,
7. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Maitland, do you question the presence of any member?

10. SENATOR MAITLAND:

11. Senator...Senator Becker.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Becker on the Floor? Senator Becker. Strike his
14. name, Mr. Secretary. All right, on the verified roll call, there
15. are 29 Ayes, 24 Nays. Senator Lemke. The sponsor asks that
16. further consideration of Senate Bill 283 be postponed, it will be
17. placed on the Order of Postponed Consideration. Senate Bill
18. 296, Senator...no. Senate Bill 298, Senator Davidson. Read the
19. bill, Mr. Secretary, please.

20. SECRETARY:

21. Senate Bill 298.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President, and members of the Senate. The bill does
28. exactly what the title says. There's no cost to the State Treasury.
29. This is only if you have a refund, it's only a voluntary contri-
30. bution, if you want to participate. We, who are hunters and fish-
31. ermen, for many, many years have furnished the money that has put
32. forth State parks, conservation areas. Those who are the non-
33. hunters have said...have said to me, and I've always said, put your

1. money where your mouth is, this gives those people an opportunity to
2. do it. And I'd urge a favorable vote.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Senator McMillan.

5. SENATOR MCMILLAN:

6. Mr. President, and members of the Senate. I rise in opposition
7. to my seatmate's bill. I know he means well, I know the cause
8. is worthy, but the fact of the matter is, what we would be in-
9. stituting is a special provision in the process of collecting and
10. ...and refunding income taxes for one special program. This is
11. worthy but who's to say that it wouldn't be more worthy to have
12. such available for cancer research. Or who's to say it wouldn't
13. be more worthy to have such available for alcoholism programs in
14. schools. Who's to say it wouldn't be more worthy to have any
15. number of other programs and interests that all of us have. The
16. fact of the matter is, that if this ought to be accomplished
17. as an act of public policy, it ought to be put into a regular
18. program, and appropriated through regular funds. And the idea,
19. no matter how good it is, is not worthy of us starting this process
20. of...of botching up our tax process in this way. And I would seek
21. a No vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, I heard that argument the last time we had a go around.
26. This bill passed the Senate last time with forty-three votes, and
27. I think perhaps it ought to get an even bigger roll call this
28. time. Two years ago we had a lot more money for various worthy
29. projects. Frankly, Senator McMillan, I would have no objections
30. to listing most of the things you mentioned on the income tax.
31. I think we've reached a point here in Springfield where we've all
32. realized that there's not money for every project under the sun.
33. Here a group of people who want to do something, and they want to

1. pay for it themselves. Other states, much smaller, I think,
2. Colorado, raises half a million dollars with this technic. People
3. want to voluntarily contribute to this worthy cause, they
4. ought to be given a chance. It's a good bill, and I certainly
5. recommend a favorable roll...roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? The question is, shall Senate Bill...
8. did you wish to close, Senator? The question is, shall Senate
9. Bill 298 pass. Those...Senator Rock.

10. SENATOR ROCK:

11. A question of the sponsor, if he'll yield.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. He indicates he will yield. Senator Rock.

14. SENATOR ROCK:

15. Under the legislation as proposed, the appropriation by the
16. General Assembly will be made to the Department of Conservation.
17. What does the Department of Conservation currently spend on programs
18. of this sort?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Senator Rock, I can't tell you what the amount is in breaking
23. out cause they...they spend both for conservation areas and State
24. parks on land acquisitions. To break it out on any, "non-game
25. park," I can't tell you what the amount is. Excuse me, I stand
26. corrected. They...two hundred and twenty-eight thousand, one
27. hundred dollars last year were appropriated out of General Revenue
28. Fund last year.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? The question is, shall Senate Bill 298
31. pass. Those in favor vote Aye. Those opposed vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who wish?
33. Have all voted who wish? Take the record. On that question,

1. the Ayes are 19, the Nays are 18, 2 Voting Present. Senate
2. Bill 298, having failed to receive the required constitutional
3. majority is declared lost. Senate Bill 299, Senator Davidson.
4. Read the bill, Mr. Secretary, please.

5. SECRETARY:

6. Senate Bill 299.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Yes, Mr. President, and members of the Senate. This bill
13. does exactly what it says in the title. It is a "may" bill, an
14. option of the individuals. When I first put it in, it covered
15. all State employees, at the request of the State Treasurer, the
16. Comptroller, and the Democrat sponsorship and leadership in
17. the committee, I went back and met with the Comptroller and
18. Treasurer and worked out an amendment. They would like
19. to do a pilot program, and try it with the annuitants 'cause
20. there's not too many of them. Then there is a certain group of
21. public aid recipients, I think there's twenty-four thousand
22. of them, that get a regular check every month, the blind, the
23. disabled and aged that have made a request because of checks being
24. stolen, that if they choose, and it's a... voluntary on the recipient
25. to choose to make a direct deposit. The Comptroller and Treasurer
26. said they'd like to see a pilot program, see what they can do
27. with it. I'd appreciate a Yes vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Demuzio.

30. SENATOR DEMUZIO:

31. One additional question. Is there any cost to the individual
32. involved if he elects to have his check or pay voluntarily...made
33. electronically to the financial institution?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. To my knowledge, no. There's no cost to the recipient.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Kenneth Hall.

7. SENATOR HALL:

8. If I...thank you, Mr. President. If I remember, correctly,
9. I think it was said that there would be a loss to the State if...
10. by them taking the money right now. Am I correct in asking you
11. Senator, would you please tell me, how much would this cost the
12. State?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. Senator Hall, I can only respond as to what the...the State
17. Treasurer's Office said, was if...if all of the annuitants would
18. go this route, and I don't...they didn't give me any number how
19. many that was, they could...could be a possibility of loss of
20. three hundred thousand dollars of interest that's earned on their
21. money that the State would...would receive in this way because
22. of the money going to the recipient a couple of days sooner. Now,
23. the Treasurer's Office, when they came in and talked to you, when
24. I said it applied to all employees, objected because they thought
25. it was too...be too much. When I worked out the agreed amendment,
26. to hold it to the annuitants and the public aid recipients they
27. withdrew their objections and support the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Kenneth Hall.

30. SENATOR HALL:

31. I...I have one other question. Now, also that the Treasurer's
32. Office...or the Comptroller's Office will mail these recipients a
33. notice that...or some type of receipt to show that...was mailed,

1. is that correct?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. As I understand it from Mr. Foster, who represented the
6. Comptroller's Office, that the recipients would receive notice
7. of the direct deposit to their bank account if they chose for
8. that, they would receive notice. And I...I can only respond...what
9. they said.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Collins.

12. SENATOR COLLINS:

13. Question...question of the sponsor.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates he will yield. Senator Collins.

16. SENATOR COLLINS:

17. How many banks would be involved in this pilot program?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. There is no banks involved, per se, Senator Collins. It
22. is the recipient who makes the choice to whether they would want
23. it deposited direct or not.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Collins.

26. SENATOR COLLINS:

27. I...I understand that, but...but if you're going to do a
28. pilot program, would it allow each recipient to decide that they
29. wanted to go to a hundred different banks, if you had a hundred
30. different recipients?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Davidson.

33. SENATOR DAVIDSON:

1. As the Comptroller explained to me, the recipient makes the
2. decision to have it...a direct deposit to the bank of their
3. choice.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Thomas.

6. SENATOR THOMAS:

7. Senator Collins, this might help a little bit. This is very
8. similar to the Social Security Check Program. A person who re-
9. ceives social security checks can, if they want to, have that
10. money directly deposited in their bank. It's a convenience.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Demuzio.

13. SENATOR DEMUZIO:

14. Yes, I reluctantly rise in support of the legislation and
15. point out, even though that it is, in fact, a convenience for those
16. individuals who are annuitants or social security, what have you,
17. that it's only possible where those banks have the electronic mechanism,
18. at least to my understanding, that has the ability to make those
19. ...those credits to those various accounts. I think that it's
20. certainly laudable that we begin on a small basis, a pilot basis,
21. but there will be many of these individuals whom Senator Davidson
22. has referred to, that, in fact, will not be able to participate
23. in the program because their financial institution will not have
24. the ability to...to be involved on a direct basis. This may be
25. a...a method by which those other financial institutions get into
26. the electronic area as an incentive, and perhaps this will stem
27. the...the development of the proprietary networks and the electronics
28. ...fund Illinois into a more progressive stance, at least, from this
29. prospective. And therefore, I support it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? The question is,
32. shall Senate Bill 299 pass. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish? Have all

1. voted who wish? Take the record. On that question, the Ayes
2. are 53, the Nays are none, none Voting Present. Senate Bill
3. 299, having received the required constitutional majority is
4. declared passed. Senate Bill 300, Senator Weaver. Read the
5. bill, Mr. Secretary, please.

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(END OF REEL)

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SECRETARY:

1. Senate Bill 300.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Thank you, Mr. President and members of the Senate. This
8. is the Bankruptcy Exemption Bill. As you know last year we
9. opted out of the Federal exemptions and reverted back to
10. the old State exemptions and at...at that time we stated
11. that we would review our exemptions and come in at a later
12. date with some liberalization of the old exemptions. There
13. are quite a list of changes here. If anyone has any particular
14. questions, I can answer regarding the changes, I'd be happy
15. to, otherwise, I'd appreciate a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Jeremiah Joyce.

18. SENATOR JEREMIAH JOYCE:

19. Senator Weaver.

20. SENATOR WEAVER:

21. Yes, Sir.

22. SENATOR JEREMIAH JOYCE:

23. My bill is coming up next on the Calendar and I've always
24. wondered, if I vote for this bill, will you vote for my bill
25. when it comes up next?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Weaver.

28. SENATOR WEAVER:

29. Well, now, Senator Joyce, you know I always vote for your
30. good bills.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Jeremiah Joyce. Further discussion? Further
33. discussion? Senator Demuzio.

34. SENATOR DEMUZIO:

LB300
3rd Reading

1. Yes, just very briefly,...I think Senator Weaver needs
2. to be supported on this legislation. Anything is better than
3. we currently have.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? The question is, shall Senate Bill
6. 300 pass. Those in favor vote Aye. Those opposed vote Nay.
7. The voting is open. Have all voted who wish? Have all voted who
8. wish? Take the record. On that question, the Ayes are 51,
9. the Nays are none, 1 Voting Present. Senate Bill 300 having
10. received the required constitutional majority is declared
11. passed. Senate Bill 305, Senator Jeremiah Joyce. Read the
12. bill, Mr. Secretary, please.

13. SECRETARY:

14. Senate Bill 305.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Jeremiah Joyce.

19. SENATOR JEREMIAH JOYCE:

20. Thank you, Mr. President and members of the Illinois
21. Senate. Senate Bill 305 has been before this Body previously
22. in different...form and with slightly adjusted content. But
23. what it does is, it reduces the standard for assessed valuation
24. from thirty-three and one-third to thirty percent.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator McMillan.

27. SENATOR MCMILLAN:

28. Mr. President and members of the Senate, I rise in
29. opposition to the bill. I understand how popular this idea
30. would have to be at first look to anybody who pays property
31. taxes. Most of them assume that the assessor determines their
32. taxes rather than the local taxing body anyway and because of
33. that they assume that this is going to...automatically mean

1. that they have a considerable amount of tax relief. I really
2. think the problem with the volume and the size of property
3. taxes deals with the amount of property taxes levied and ex-
4. tended. The budget is set by local units of government when
5. they decide what amount of money to take from the taxpayer
6. through his property tax. And I would simply say if we
7. really want to do something about the level of property
8. taxes, if we really want to do something about the imposition
9. that property taxes places upon us, we need to...we need to
10. either put limits on the amount of tax that local units of
11. government can raise or put some restrictions on the manner
12. in which they need to go about it, but limiting...lowering
13. the level of assessment in this area really attacks the
14. wrong aspect of the problem and does nothing in the long
15. run to deal with the real problem, which is the increasing
16. budgets that some local units of government have. I would
17. seek a No vote on the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Further discussion? Senator
20. Jeremiah Joyce may close.

21. SENATOR JEREMIAH JOYCE:

22. Thank you, Mr. President. Very briefly in response to
23. Senator McMillan's commentary, I would concur with most of
24. what he has said,...but this, in fact, does address some of
25. the questions that he raised. This...in that it will force
26. local government with a reduced assessed valuation to, in
27. those instances, where they are not restricted by Statute
28. to increase their tax rate or lower their budget. So I
29. think it does respond to some of the concerns that Senator
30. McMillan has voiced here today and I would ask your...favor-
31. able roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall Senate Bill 305 pass. Those in

1. favor vote Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Have all
3. voted who wish? Take the record. On that question, the Ayes
4. are 31, the Nays are 14, 4 Voting Present. Senate Bill 305
5. having received the required constitutional majority is de-
6. clared passed. Senate Bill 352, Senator Lemke. Is Senator
7. Lemke on the Floor? Senate Bill...Senator Lemke, you have
8. a whole series. Well, we have...alright, 354, garnishment
9. of wages. Read the bill, Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 354.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. On this bill the amendments...to the bill, what we do
18. is make any garnishment of public employees' wages...illegal.
19. You can't garnish public employees. We go back to the old
20. system. I talked to the Department of Law Enforcement, the
21. Corrections System...what we have here is a problem. In
22. the old days the creditor would come to the...the police
23. chief or the captain and he would work out a payment schedule
24. for this employee. What we have now is a garnishment being
25. filed and then the local government or the state having to
26. hire a lawyer they pay seventy-five dollars...eighty-five
27. dollars to process a garnishment for an employee and they get
28. paid about four or five dollars for handling that garnishment.
29. I think this is a good bill, it saves government money and
30. it works out things. According to law enforcement, they
31. want to know when a guy is getting in debt so they can work
32. with him so...before he gets too far in debt and becomes cor-
33. rupt. I think it's a good bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Keats.

3. SENATOR KEATS:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. This bill came out of the Senate Labor and Commerce
6. Committee with 4 Aye votes...I mean 5...Aye, 4 Nay, and 1
7. person Voting Present. It's just a minor technical problem
8. in that it makes it basically impossible to collect a debt. And
9. while I'm sympathetic to the...the idea that garnishment is,
10. maybe, not the best way to do it, I think we are all well aware
11. that there are certain people who simply don't pay their debts.
12. And if you don't have possible garnishment proceedings, you're
13. never going to get the money back. So while you can sympathize
14. with the problem and that there may be some abuses...in the
15. longer sense this is really the only avenue open and I don't
16. see why one set group of employees should be treated differently
17. than another. I would appreciate a...No vote. Thank you.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Further discussion? Senator Lemke
20. may close.

21. SENATOR LEMKE:

22. What this bill does is we go back to the old system and
23. no creditor ever had a problem of collecting a debt...a debt from
24. the Department of Correction or any police department or
25. anything. They simply worked it out in the office and they
26. knew when a guy was getting in, they could counsel him and
27. guide him so he could not get himself too far into debt
28. and then do something corrupt and have...cause a bad...
29. reputation to that department. There is no creditor that...
30. that ever was not paid on his debt. This bill is a good bill.
31. It saves money. Why should we, as a State, pay seventy-five
32. dollars or eighty-five dollars to process a garnishment when
33. that creditor can come to the Personnel Department and work

SAB 355
3rd reading

1. out that problem and they can set up a payroll deduction pro-
2. gram? Why should we have to have a lawyer come into the pic-
3. ture and garnish and go through court proceedings and then
4. have the State having to file an answer to a garnishment when
5. they're not even involved in the contract or the debt? I
6. think it's a good bill and I think it saves...money. I know in
7. certain departments, Department of Correction, it will save
8. quite a bit of money and we don't have the money. I'd like
9. to see that money be used for other things, not for lawyer's
10. fees.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall Senate Bill 354 pass. Those in
13. favor vote Aye. Those opposed vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Have all
15. voted who wish? Take the record. On that question, the Ayes
16. are 23...25...the Ayes are 25, the Nays are 27, none Voting
17. Present. Senate Bill...Senate...the sponsor asks that further
18. consideration of 354 be postponed. It will be placed on
19. the Order of Postponed Consideration. Senator Lemke on 355.
20. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 355.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke.

27. SENATOR LEMKE:

28. This bill is exactly what the title says. It just
29. applies what we have in the Civil Practice Act to the Ad-
30. ministrative Law Procedure. It says that if you bring a
31. small businessman in for harassment, they simply get their
32. legal fees if they prove there's harassment. I think it's a
33. good bill and as far as the cost, what...the cost depends on

how much that department harasses a small businessman. And

1. I think it's a good bill and I ask for a favorable consideration.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? Senator Bloom.

4. SENATOR BLOOM:

5. Sponsor yield?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Bloom.

8. SENATOR BLOOM:

9. Senator Lemke,...your definition of...party...you...

10. well, let me...I understand what you're trying to do and it's

11. not a bad idea, but isn't this correct, you're basically taking

12. the Federal Act and...and plugging it into...the State? Is

13. that correct? Yes.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. What we're doing here is...is...is plugging in the Federal

18. Act, which is the...bill introduced by...Congressman Hyde and

19. other people in...in Congress, and applying it to the State. And

20. I think it's a...what we're trying to do is protect small busi-

21. nessmen from being harassed.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Bloom.

24. SENATOR BLOOM:

25. Fifty-nine,...you know, fifty-eight other great Americans

26. agree with you, but it just doesn't work. That's the...best

27. way to put it. For example,...by using the net worth approach

28. in defining party, you're excluding a lot of small farmers,

29. because of the inflated land value. They can get harassed, as

30. you put it, and still not be able to...collect their attorneys'

31. fees if they win. The other point that I...I think should be

32. made...is that...well, I'd like to ask you, would labor union

33. pension funds be included in the net worth and how do you de-

34. fine that worth...when just starting with the...the so-called

1. small parties?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Lemke.

4. SENATOR LEMKE:

5. I think we have to start somewhere and what we're doing
6. here is sole owners of corporation partnerships association
7. and organizations, whose net worth exceeds...is excluded...
8. net worth exceeds five million dollars or more. This is
9. strictly for small businessmen. This is to help them
10. against bureaucracy's harassment. What happens is...is
11. very simple, these...these companies are harassed into submitting
12. to those...environmental or any type of changes because they
13. can't hire a lawyer to go out and the guy keeps coming back
14. every week until the guy makes the change. It would cost
15. them more financially than anything else.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator...Senator Bloom.

18. SENATOR BLOOM:

19. Well, you know, I don't...I don't want to belabor it, but,
20. you know,...I'm...I'm addressing the bill and, you know, you're
21. addressing the label. The point is...you...you...would this
22. include...pension funds? I think it would. I think that if it...
23. Aye on the concept, but the bill, as drawn,...there are...ware
24. many other features that just...just don't work. You just
25. don't take it and plug it into the State Statutes. This
26. bill really needs substantial reworking and...I very reluctantly
27. ...rise in opposition...to the bill. Thank you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Lemke may close.

30. SENATOR LEMKE:

31. At the...this bill is supported by the...Small Business-
32. men Association, the...Illinois Manufacturers' Association, and
33. all those groups that have been harassed by the State Environmental...

1. and all these other agencies. And all this is, is very simple,
2. I ask for equal justice for small businessmen. I ask for a
3. favorable vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall Senate Bill 355 pass. Those in
6. favor vote Aye. Those opposed vote Nay. The voting is open.
7. Have all voted who wish? Have all voted who wish? Have all
8. voted who wish? Take the record. On that question, the Ayes
9. are 38, the Nays are 8, none Voting Present. Senate Bill 355
10. having received the required constitutional majority is de-
11. clared passed. Senate Bill 356, Senator Lemke. Senator.
12. Read the bill, Mr. Secretary, please.

13. SECRETARY:

14. Senate Bill 356.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Lemke.

19. SENATOR LEMKE:

20. What this bill does is lets it optional up to that...
21. that particular thing, but if the fire department is used
22. as arson investigators they have the right to carry a weapon
23. if the...the...local government or the fire system in...have
24. the law enforcement people...they are...they are...are in it
25. too, because both...the fire departments are required to take police
26. training in those things and the...police department is required
27. to take fire training in arson. This correlates and puts to-
28. gether...the arson investigator and gives them experience
29. both in fires and in police work. I think it's a good bill
30. and I ask for a favorable adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Rhoads.

33. SENATOR RHOADS:

1. A question of the sponsor if he will yield.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield. Senator Rhoads.

4. SENATOR RHOADS:

5. Senator, does the Police Department of the City of Chicago
6. have a position on this bill?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke.

9. SENATOR LEMKE:

10. The Police Department in the City of Chicago now does
11. arson investigation. I have no...received no position from
12. the police department. I know the Police Chiefs Association
13. now is with the bill with the amendment and they think it's
14. a good bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. I'm sorry, the Illinois Association of Chiefs of Police
19. does endorse the bill, is that what you said?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Lemke.

22. SENATOR LEMKE:

23. With the amendment that we put on they endorse the bill.
24. The last amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. The reason I asked about the...Chicago Police Department
29. was last year I had a very similar bill...relating to FBI
30. agents in the State of Illinois to grant them peace officer
31. status. That bill passed the Senate, again with the...support
32. of the Association of Chiefs of Police, got to the House and was
33. killed in the House because of the opposition of the Chicago

1. Police Department. I just wondered what,...you know, why they
2. would be opposed to that bill and...and in favor of this one,
3. but I guess you're telling me they don't have a...a position
4. at all on this one.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke.

7. SENATOR LEMKE:

8. See this bill makes it optional with local government.
9. If they choose, they have the police department do this, then
10. the policemen will take fire training and arson investigation
11. and so forth. Where in Chicago, we use the police department.
12. We used to use the fire department, now we use the police
13. department. If we go back to the fire department, then the
14. fire department will use...take that...that necessary police
15. ...training to...to be an investigator. What we have is
16. guys going on the...we got fire...firemen going on the job
17. without a weapon and they're asked by the...by the police
18. if you've got a gun to protect yourself and they don't have one.
19. And so what this does is just allows them to have that gun
20. when they go and investigate an arson. And I think it's a
21. good bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Well, if the bill now as amended does not include the City
26. of Chicago, then who is it designed to aid? What...what
27. suburban departments or downstate departments have asked for
28. this bill?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Lemke.

31. SENATOR LEMKE:

32. This bill does include the City of Chicago, but it lets
33. it optional in local government. If the local government

1. chooses the police department to do the investigation, that's
2. one thing. If the local government should decide that they
3. want the fire department to do arson investigation, then that's
4. up to them. This does not make anything mandatory, this is
5. optional. It's up to the local authorities to choose one or
6. the other, but what it says is that if the fire department does
7. it, they must have police training and be able to carry a gun.
8. If the police department...does it, then they must have fire
9. training in order to be an adequate investigator.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. One more and then I'm through. If...if we now make them...
14. give them peace officer status do we then affect the...insurance
15. and liability and other things...of the...the downstate Police-
16. men's Pension Fund? Now, Senator Bruce had an amendment to
17. my bill last year that took care of that problem. Has this
18. bill...been amended or are these fire investigators still under
19. the Firemen's Pension Fund?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Lemke.

22. SENATOR LEMKE:

23. This bill only requires fire investigations to take the
24. training. They...they still are firemen, they don't take
25. complete training, they only take the handling of arms. In
26. other words, we...this bill is...is...makes a fireman almost
27. the same status as a security guard. You know, we allow
28. security guards, a guy sixty-five years old, to walk around
29. with a gun, but we can't let an arson investigator, who goes
30. on a scene where he's going to get shot at, carry a gun. That's
31. what this bill does. But we give that...they have to have fire-
32. arms training to carry that gun. And they only carry that gun
33. during the arson investigation.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Walsh.

3. SENATOR WALSH:

4. Mr. President and members of the Senate, I...I'm not real
5. excited about...about giving...arms to...to fire investigators,
6. however,...the Office of the State Fire Marshal...has asked
7. that...that we support this bill. I guess it's only natural
8. that the...the firemen be for it and I'm not sure whether the
9. policemen are, they're probably against it. But at any rate,
10. I intend to vote...to vote Aye,...because, as I've indicated,
11. the Fire Marshal has said it's good legislation and he re-
12. quests that it pass.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is, shall Senate Bill 356 pass. Those in
15. favor vote Aye. Those opposed vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Have all
17. voted who wish? Take the record. On that question, the Ayes
18. are 54, the Nays are none, none Voting Present. Senate Bill
19. 356 having received the required constitutional majority is
20. declared passed. 358, Senator Lemke. Senator Lemke. 358,
21. Senator. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 358.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke.

28. SENATOR LEMKE:

29. What this bill is, it amends the Act in relation to the
30. ...limitations as requested by the Illinois Supreme Court to
31. conform the rules, it's supported by the Bar Association. What
32. ...what it says is Section 21-2, "tort, or breach of contract of
33. the Act, and arising out of patient care to...to include those exemptions

1. from,...found in...Section 21, exceptions as to minors, which
2. provides an additional two year period in which to bring an action
3. after certain disabilities, minor, insanity are here...are
4. removed." It's effective January 1st. It's a...it's a good bill.
5. It's requested by the Supreme Court to settle the maze of
6. confusion and having different decisions.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Will the sponsor yield for a question?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Indicates he will yield.

13. SENATOR GEO-KARIS:

14. There was a case recently in the Supreme Court that
15. extended the responsibility of the physician. Is your bill
16. trying to...cut down that responsibility or what?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Lemke.

19. SENATOR LEMKE:

20. No, all we're trying to do is...is say this is the Statute
21. of Limitations. It's two years from the date...your dis-
22. ability is removed. That's all it says, it conforms it
23. similar to negligence actions...and everything else. It's
24. just...it's there, it's in the books and everybody knows where
25. you're at and...and whether you're a doctor, an insurance
26. company, a lawyer, or...or...a...individual, you know where
27. you're at, it sets the limits.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Would you just explain,...I'm sorry, I couldn't quite
32. understand your explanation. Will you tell me how you are
33. clarifying it. What is it now and what will your bill do, very
34. briefly.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Lemke.

3. SENATOR LEMKE:

4. Now, sometimes the court allows it, sometimes they don't
5. allow it. What the court says, we think that what you should
6. do is specify in the Statute what the Statute of Limitations
7. are, just like any other action. This merely provides an
8. additional time period for minors with disabilities to com-
9. mence an action after such disability is removed. I think
10. it's a good bill and I ask for its adoption.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Further discussion? The question
13. is, shall Senate Bill 358 pass. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted
15. who wish? Have all voted who wish? Take the record. On
16. that question, the Ayes are 46, the Nays are 4, 2 Voting
17. Present. Senate Bill...358 having received the required
18. constitutional majority is declared passed. 359, Senator
19. Lemke. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21. Senate Bill 359.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Lemke.

26. SENATOR LEMKE:

27. What this bill does is...is, amends the Criminal Code
28. and provides that a mandatory one year prison sentence should...
29. to be served entirely in penitentiary incarceration for anyone
30. convicted of illegally distributing or using any controlled
31. substance in a prison. The prison applies to unauthorized
32. articles smuggled into or originate in the prison. We have
33. an amendment on there that says a person commits the offense

1. of possessing contraband in a penal institution when he know-
2. ingly and...without authority distributes or uses an item of
3. contraband in the prison whether it originated in the penal
4. institution or it was smuggled into the penal institution.
5. This...this amendment and the bill has been approved by the
6. Department of Corrections. It's also been worked out with the
7. amendment with Senator Bowers and I think it's a good bill
8. and I ask for its adoption.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Netsch.

11. SENATOR NETSCH:

12. A...a question of the sponsor. Is the prohibition of
13. good time still in the bill?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. In this case, we're talking about an additional one year,
18. there's no probation, you serve that one year. What we're
19. trying to do here is prevent somebody from smuggling drugs
20. into a prison. That's what we're trying to do and I don't
21. think anybody, whether they have good time or bad time, should
22. ...should...should be getting off easier than anybody else.
23. And I think that if they smuggle in drugs into a prison, you
24. should serve an additional year and know you're going there.
25. 'Cause I'll tell you this, those convicts that do it know they're
26. going to stay and they're not going to do it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Netsch.

29. SENATOR NETSCH:

30. They...no, I'm just trying to establish something. The...
31. the prohibition on the good time allowance is still in the
32. bill. Is that correct? The only reason why I raised the
33. question, is that traditionally they corrections people find

1. that very difficult when they have a prohibition. It,...
2. obviously, has an impact on maintaining discipline in the
3. prison and I didn't know whether you had removed that or not.
4. And your answer is you had not, correct? Did the Department
5. of Corrections support it even with the prohibition on good
6. time?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke.

9. SENATOR LEMKE:

10. The Department of Corrections supports the amendment,
11. which says you serve one year and there's no way out of it,
12. that's what your term is...and one more year for using drugs
13. or smuggling drugs into prison. That's all it says and...
14. and that's what we're talking about here. 'Cause we can't
15. have...have prisons used for drug activities, which are
16. being done right now sometimes. And I think it's a good
17. bill and I think it's time we start cracking down on
18. convicts instead of lolly-dollying them and giving them...a
19. Waldorf-Astoria suite while they serve their time.

20. PRESIDENT:

21. Further discussion? If not, the question is, shall
22. Senate Bill 359 pass. Those in favor will vote Aye. Those
23. opposed will vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Have all voted who
25. wish? Take the record. On that question, the Ayes are 51,
26. the Nays are none, none Voting Present. Senate Bill 359
27. having received the required constitutional majority is
28. declared passed. 361, Senator Lemke. On the Order of Senate
29. Bills 3rd reading, Senate Bill 361. Read the bill, Mr.
30. Secretary.

31. SECRETARY:

32. Senate Bill 361.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Lemke.

3. SENATOR LEMKE:

4. What this bill does is provides that in all mortgage
5. foreclosure actions that all dependents...all defendants
6. be personally served unless...unless the defendant has
7. abandoned or vacated the premises. In other words, if
8. they live on the premises you must personally serve them.
9. What we're having is problems of second mortgages where
10. guys are being served, their houses are being taken from
11. them and they're living on the premises. And we're dealing
12. with indigents and people that don't know the law...mostly
13. in the inner City of Chicago and...and people are taking
14. advantage of them. And it's not the large institutions, it's...
15. it's where they borrow money from a private lender, who
16. scalps them, and it doesn't affect...has anything to
17. do with...with mortgage foreclosures by savings and loan
18. or anything else, because they always serve personally,
19. because they know that's the best service. And the
20. problem is this, that under Section 2 of the Civil Practice
21. Act, they cannot set aside a judgment where they have never
22. been served. So if a BFP comes in, they buy their property
23. up for that judgment for twenty-five hundred dollars and
24. they might get a forty thousand dollar house. And this
25. is a good bill. It prevents unscrupulous mortgage...creditors
26. from taking advantage of these people.

27. PRESIDENT:

28. Is there any discussion? Senator Ozinga.

29. SENATOR OZINGA:

30. This all sounds...real well and good, but what about the
31. guy that intentionally avoids service by either...not abandon-
32. ing but moves and keeps away from the process server?

33. PRESIDENT:

1. Senator Lemke.

2. SENATOR LEMKE:

3. We took that provision out,...Senator Ozinga. Senator
4. Berman did that. We talked about that. That was the amend-
5. ment we put on. We took it out to...to make that bill. So
6. if he is intentionally, he goes...they go before the court
7. and they tell the court these...they filed their affidavit, they're
8. intentionally avoiding or he has abandoned the property or vacated
9. it and it's simply...they can...then they can use substitute
10. service.

11. PRESIDENT:

12. Further discussion? Senator Bruce.

13. SENATOR BRUCE:

14. I...I think Senator Ozinga has hit upon something. I...
15. that is how do you get service on a nonresident party if
16. you will not accept substitute service? I mean, here's a
17. guy that skips on you, he knows you're looking for...he...
18. avoids the jurisdiction of the court. How do you get service
19. now? Because what...what Senator Berman took out...doesn't
20. answer the question. It...it certainly doesn't require the
21. court to know that he absented himself on purpose, but how do
22. you now get a hold of the guy since your last line says,
23. "substitute service shall be invalid for purposes of mortgage
24. foreclosure actions?" Senator Lemke.

25. PRESIDENT:

26. Senator Lemke.

27. SENATOR LEMKE:

28. Simply go in and, if he's not...he's a nonresident that
29. means he has abandoned or vacated the premises. Therefore,
30. you can use substitute service. We exclude that...if you
31. read that such defendant has abandoned or vacated that...resident.
32. So, it doesn't apply to nonresident defendants. It only
33. applies to resident defendants with that language. How can

1. you...how can you be a nonresident and not vacate the premise?

2. PRESIDENT:

3. Further discussion? Senator Becker. Further discussion?
4. If not, the question is, shall Senate Bill 361 pass. Those in
5. favor will vote Aye. Those opposed will vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who wish?
7. Have all voted who wish? Have all voted who wish? Take the
8. record. On that question, the Ayes are 24, the Nays are 26,
9. 1 Voting Present. Senate Bill 361 having failed to receive
10. the required constitutional majority is declared lost. 373,
11. Senator Weaver. On the Order of Senate Bills 3rd reading,
12. Senate Bill 373. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 373.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Weaver.

19. SENATOR WEAVER:

20. Thank you, Mr. President and members of the Senate. This
21. legislation comes about as a result of the Legislative Audit
22. Commission Subcommittee on higher education accountability. It
23. was looking into areas of handling funds derived from patents
24. of discoveries and copyrightable material. In the past, these
25. funds have been handled through the alumni...or the university
26. foundation and then allocated by the foundation. This is a
27. recommendation of the...the Auditor General that they be
28. handled by the Board of Trustees and...audited by the Attorney
29. General. If there's any questions, I'll be happy to try to
30. answer them.

31. PRESIDENT:

32. Is there any discussion? If not, the question is, shall
33. Senate Bill 373 pass. Those in favor will vote Aye. Those

1. opposed will vote Nay. The voting is open. Have all voted
2. who wish? Have all voted who wish? Have all voted who wish?
3. Take the record. On that question, the Ayes are 54, the Nays
4. are none, none Voting Present. Senate Bill 373 having received
5. the required constitutional majority is declared passed. Senator
6. Marovitz on 377. On the Order of Senate Bills 3rd reading, Senate
7. Bill 377. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 377.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Marovitz.

14. SENATOR MAROVITZ:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. Senate Bill 377 is in response to a...a recent court
17. decision in the Cohn Case, which caused a tremendous amount
18. of consternation, regarding...bifurcated divorces. This bill
19. clarifies the...validity of bifurcated divorces so that...a
20. judge...could validly...dissolve a marriage, issue a judgment
21. for divorce, and reserve the question of child custody and
22. maintenance, child support, disposition of property. And...
23. I would ask for a affirmative vote on Senate Bill 377. It's
24. endorsed by the Illinois State Bar Association, the Chicago
25. Bar Association, and the American Society of Matrimonial
26. Lawyers.

27. PRESIDENT:

28. Any discussion? If not, the question is, shall Senate
29. Bill 377 pass. Those in favor will vote Aye. Those opposed
30. will vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Have all voted who wish? Take the
32. record. On that question, the Ayes are 53, the Nays are none,
33. none Voting Present. Senate Bill 377 having received the

1. required constitutional majority is declared passed. 379,
2. Senator Friedland. On the Order of Senate Bills 3rd reading,
3. Senate Bill 379. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 379.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Friedland.

10. SENATOR FRIEDLAND:

11. Thank you, very much, Mr. President. Senate Bill 379
12. as...amended would authorize the Department of Administrative
13. Services to sell 4.090 acres...of vacant surplus property to
14. Elgin Township and 5.728 acres of vacant surplus property to
15. the Easter Seal Association. It would require three appraisals
16. and both...transfers have hold harmless and right of reentry
17. clauses and I'd urge your favorable consideration.

18. PRESIDENT:

19. Any discussion? If not, the question is, shall Senate
20. Bill 379 pass. Those in favor will vote Aye. Those opposed
21. will vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Have all voted who wish? Take the
23. record. On that question, the Ayes are 56, the Nays are none,
24. none Voting Present. Senate Bill 379 having received the re-
25. quired constitutional majority is declared passed. 384, Senator
26. Nimrod. 388, Senator Lemke. On the Order of Senate Bills 3rd
27. reading, top of page 15, Senate Bill 388. Read the bill, Mr.
28. Secretary.

29. SECRETARY:

30. Senate Bill 388.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

SB 401
3rd Reading

1. Senator Lemke.

2. SENATOR LEMKE:

3. What this bill does is amends the Vehicle Code. It...
4. it eliminates the restriction as to...that the trailer has
5. to be a certain size and that the tractor has to be a certain
6. size, but keeps the restriction that the...the whole unit
7. can only be...the sixty feet that's required. What this does
8. is allow the can industry and the drum industry to use a
9. smaller tractor to...haul their cans to the bottling plants
10. and...and so forth. It's a good bill. The IMA supports it,
11. the Teamsters are not opposed to it and I think everything
12. has been worked out where it will help industry...in the
13. State of Illinois and help...us...keep jobs. I ask for its
14. favorable adoption.

15. PRESIDENT:

16. Is there any discussion? The question is, shall Senate
17. Bill 388 pass. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish?
19. Have all voted who wish? Have all voted who wish? Take the
20. record. On that question, the Ayes are 46, the Nays are 1,
21. none Voting...3 Voting Present. Senate Bill 388 having received
22. the required constitutional majority is declared passed. 390,
23. Senator Vadalabene. 401, Senator Davidson. On the Order of
24. Senate Bills 3rd reading, Senate Bill 401. Read the bill, Mr.
25. Secretary.

26. SECRETARY:

27. Senate Bill 401.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Mr. President and members of the Senate, it does exactly

1. what it says on the title of the bill. This bill came out of
2. the investigative reporting done by the Chicago Tribune, Chicago
3. Sun Times in relation to ill-equipped and non-equipped and just
4. plain dangerous ambulances in the Chicago area. And it has the
5. support of law enforcement, Secretary of State, all the different
6. private ambulance companies and everybody concerned. Appreciate
7. a favorable roll call.

8. PRESIDENT:

9. Any discussion? If not, the question is, shall Senate
10. Bill 401 pass. Those in favor will vote Aye. Those opposed
11. will vote Nay. The voting is open. Have all voted who wish?
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question, the Ayes are 54, the Nays are none,
14. none Voting Present. Senate Bill 401 having received the
15. required constitutional majority is declared...passed. 412,
16. Senator Rupp. On the Order of Senate Bills 3rd reading, the
17. middle of page 15, Senate Bill 412. Read the bill, Mr. Secre-
18. tary.

19. SECRETARY:

20. Senate Bill 412.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Rupp.

25. SENATOR RUPP:

26. Thank you, Mr. President. This bill increases the
27. Statutorily defined "regular interest rate" from five
28. percent to six percent. This "regular interest rate" is
29. used only twice and once is when the...in determining the
30. amount of money that has to be put in by the individual when
31. he is trying to get credit for prior service. The other time
32. is when there is a refund in the amount...in the event of a
33. death of a member and at that time, those two instances when

1. this "regular interest rate" is used. There was similar
2. legislation passed in '77, when it was raised from four to
3. five percent and I ask for a favorable vote on this bill.

4. PRESIDENT:

5. Any discussion? If not, the question is, shall Senate
6. Bill 412 pass. Those in favor will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who wish?
8. Have all voted who wish? Have all voted who wish? Take the
9. record. On that question, the Ayes are 53, the Nays are none,
10. none Voting Present. Senate Bill 412 having received the
11. required constitutional majority is declared passed. 413,
12. Senator Bloom. On the Order of Senate Bills 3rd reading,
13. Senate Bill 413. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 413.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Bloom.

20. SENATOR BLOOM:

21. Thank you, Mr. President and fellow Senators. This
22. bill provides...private causes of action under the above
23. mentions...Act. You may recall, that it was tightened up by
24. an amendment, which...deleted the reference to Statutory
25. damages and satisfied the objections of the Attorney General's
26. Office by allowing...that office to intervene in a private
27. action that is brought under this Act. This was...the genesis
28. of this bill is...the Legal Aid Society and...I'll answer
29. any questions,...otherwise, I'd ask for a favorable roll call.

30. PRESIDENT:

31. Any discussion? If not, the question is, shall Senate
32. Bill 413 pass. Those in favor will vote Aye. Those opposed
33. will vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Have all voted who wish? Take the
2. record. On that question, the Ayes are 49, the Nays are 2,
3. none Voting Present. Senate Bill 413 having received the
4. required constitutional majority is declared passed. 420,
5. Senator Philip. Is Senator Philip on the Floor? Yes, he
6. is. Alright. On the Order of Senate Bills 3rd reading,
7. Senate Bill 420. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 420.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Philip.

14. SENATOR PHILIP:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. Senate Bill 420 amends the County Law Library Act
17. and raises the population from five hundred thousand to one
18. million. As you're probably aware, when...when a county goes
19. over five hundred thousand the operation of the Law Library
20. is turned over to the county board. What we have done is raised
21. that population to one million, which allows our Circuit
22. Court to run the Law Library. Quite frankly, we have a very
23. good Law Library, it runs well and there's no problem with
24. our county board or our Circuit Judges. It only affects
25. DuPage County.

26. PRESIDENT:

27. Any discussion? If not, the question is, shall Senate
28. bill 420 pass. Those in favor will vote Aye. Those opposed will
29. vote Nay. The voting is open. Have all voted who wish?
30. Have all voted who wish? Have all voted who wish? Take the
31. record. On that question, the Ayes are 55, the Nays are none,
32. none Voting Present. Senate Bill 420 having received the re-
33. quired constitutional majority is declared passed. 424, Senator

SB 426
3rd Reading

1. Bloom. On the Order of Senate Bills 3rd reading, Senate Bill
2. 424. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 424.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you, very much,...Mr. President and fellow Senators.
11. This bill,...basically,...addresses...foreign sales and what
12. it...what it does is...for a corporation that uses the standard
13. three...factor...formula could apportion the income. And...
14. it redefines the Illinois sales, so it excludes sales made
15. abroad or to a...through a subsidiary...that is made abroad.
16. I'd answer any questions and seek a favorable roll call.

17. PRESIDENT:

18. Any discussion? If not, the question is, shall Senate
19. Bill 424 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question, the Ayes are 50, the Nays are 3,
23. 1 Voting Present. Senate Bill 424 having received the re-
24. quired constitutional majority is declared passed. Is Senator
25. Bowers on the Floor? Alright. On the Order of Senate Bills
26. 3rd reading, Senate Bill 426. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 426.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Sangmeister.

33. SENATOR SANGMEISTER:

1. Yes, I'm cosponsor with...Senator Bowers on this and, I
2. believe, last year we staggered the not for profit corporation
3. filings. This staggers the corporate...filings and makes it
4. easier for the Secretary of State to handle it and that's
5. all that's involved in the bill and would ask for a favorable
6. roll.

7. PRESIDENT:

8. Any discussion? If not, the question is, shall Senate
9. Bill 426 pass. Those in favor will vote Aye. Those opposed
10. will vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Have all voted who wish? Take the
12. record. On that question, the Ayes are 51, the Nays are none,
13. none Voting Present. Senate Bill 426 having received the
14. required constitutional majority is declared passed. The top
15. of page 16, on the Order of Senate Bills 3rd reading, Senate
16. Bill 429. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 429.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Mr. President and members of the Senate, it does exactly
25. what it says in the Calendar. This came about from the Secre-
26. tary of State and from the Motor Vehicle Laws investigation
27. that...in trying to cut out fake...or false titles. It makes
28. it a...now a felony if you got this blank title paper, which
29. is a special paper. Move...I ask for a favorable roll call.

30. PRESIDENT:

31. Any discussion? Senator Bruce.

32. SENATOR BRUCE:

33. Well, we...we've had this bill in before...and what I can-
34. not understand, is as a printer, who is...at least...an

1. advocation of a printer, how do I know...that I have in my
2. possession blank paper? For example, who is the marketer of
3. this stuff? Someone manufacture it...manufacturer is now a
4. felon because he has in his possession the paper. As soon
5. as the distributor gets it, he is a felon because he has the
6. paper to sell to the State of Illinois, he becomes a felon.
7. The marketer, here in Springfield, gets it...well, Senator,
8. that's what the bill says and I would just like to know
9. how we keep the...the manufacturer, distributor and retailer
10. of this from becoming felons?

11. PRESIDENT:

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. The amendment, which was put on the bill put the words,
15. "an unauthorized" and therefore, anybody who is unauthorized
16. involved and those people which you speak about, would be
17. authorized individuals. It's no problem. It's only "an un-
18. authorized" individual having this blank title paper would be
19. subject.

20. PRESIDENT:

21. Further discussion? The question is, shall Senate Bill
22. 429 pass. Those in favor will vote Aye. Those opposed will
23. vote Nay. The voting is open. Have all voted who wish? Have
24. all voted who wish? Have all voted who wish? Take the record.
25. On that question, the Ayes are 39, the Nays are 6, 4 Voting
26. Present. Senate Bill 429 having received the required consti-
27. tutional majority is declared passed. 433, Senator Collins.
28. 434. On the Order of Senate Bills 3rd reading, Senate Bill
29. 434. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 434.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. Senate Bill 434 adjusts what we had done in the last
6. Session on graduated payment mortgages. We had provided for
7. graduated payments for twenty-five percent of the total number
8. of years of the mortgage. The Feds have now allowed that for
9. a ten year period. This would adjust State law to correspond with
10. Federal law so that we could allow graduated payment mortgages
11. for a ten year period. I would...ask for a favorable roll call
12. and answer questions.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? If not, the question is, shall
15. Senate Bill 434 pass. Those in favor will vote Aye. Those
16. opposed vote Nay. The voting is open. Have all voted who
17. wish? Have all voted who wish? Take the record. On that
18. question, the Ayes are 53, the Nays are none, none Voting
19. Present. Senate Bill 434 having received the consti-
20. tutional majority is declared passed. Senate Bill 434, Senator
21. Lemke. 435, I'm sorry. Senator Lemke. Read the bill, Mr.
22. Secretary.

23. SECRETARY:

24. Senate Bill 435.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Lemke.

29. SENATOR LEMKE:

30. What this bill does is simply set up a commission to
31. study the problems with the nine-eleven system, which we
32. put through. Back some time ago we passed legislation to set
33. up a nine-eleven and we all know that in the State the nine-

1. eleven system is not being properly administered by the Commerce
2. Commission. What we're doing here is saying we're going to
3. have a legislative commission look into that and come back and
4. make recommendations. There's no cost to us at the present time
5. because there's money in the Commerce Commission budget to...to
6. do this for the nine-eleven system and we'll use that money
7. to try to oversee the...administrative agency to see what kind
8. of bureaucracy is tying up this system and we get the nine-
9. eleven system working in the State.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. Senator, are you saying that you would transfer...
14. appropriation from the Commerce Commission to this in order
15. to fund it, or is there...will there be a...companion appro-
16. priation bill to fund this study commission if it passed?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Lemke.

19. SENATOR LEMKE:

20. According to my staff notes, it says funds are appro-
21. priated to the Illinois Commerce Commission for expenses
22. in connection with the development of a State-wide emergency
23. telephone service to utilize Illinois. We would utilize
24. this fund, 'cause this would be a proper thing to do for
25. us, as a body, to oversee what's the...why is there a failure
26. in the...in coordinating the system in the State of Illinois.
27. Maybe there's some legislation we need, maybe there's some
28. other things we need, but I think we, periodically, should
29. set up commissions to examine something that's...we set up
30. and then we don't follow up. And what this is, is a follow-
31. up commission. There was nothing put in the original bill for
32. a follow-up by the Legislature and we all know in the State
33. nine-eleven is not doing too good and there's a reason...

1. I don't know what the problem is, but I think we should find
2. out and come back and see if we have to change laws or some-
3. thing to make it operate 'cause I think it's necessary to the
4. State.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Well, Mr. President, I understand the Senator's intent,
9. but this is creating another commission to, you know, ...
10. there's lots of commissions that we could create to follow up
11. on things that agencies and departments of government haven't
12. done that the Legislature instructed them to do. But if we
13. followed up on every single one of them,...we'd just be
14. creating hundreds of new commissions and it just doesn't seem
15. to me that this is necessary. I...appreciate the Senator's
16. concern that the Commerce Commission isn't doing its job in
17. this area and maybe some others as well, but it just seems
18. to me we're creating another new commission with no...particular
19. purpose to it.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Maitland.

22. SENATOR MAITLAND:

23. Thank you, Mr. President. Senator Rhoads has made a
24. number of my points. I must remind the Body that a number
25. of years ago legislation was enacted to mandate everyone into
26. nine-eleven and at that particular point in time that looked
27. like a good thing to do. But we've found that it just wouldn't
28. work with overlapping phone services, overlapping companies,
29. overlacking...overlapping bodies, different jurisdictions,
30. it simply would not work in rural Illinois. Senator Joyce,
31. two years ago,...advanced legislation, it was signed into
32. law, to...to make it permissive and I...I just, simply, think
33. that,...Senator Lemke, as...as good as this appears to be on

1. the surface, I think the outcome will just simply put us
2. right back where we are and I would urge opposition to the
3. legislation.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. Just to make the observation
8. that, while I don't have the figures in front of me, some
9. short time back I saw the results of a study which indicated
10. that...it is never going to be possible to fund the nine-
11. eleven system in much of the State of Illinois and I think
12. that...it gets right down to that, dollars, and if we now pro-
13. ceed from what I recall of the State Mandates Act and were
14. attempt to mandate this we would...be incurring a great
15. State debt.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any other discussion? Senator Lemke may
18. close debate.

19. SENATOR LEMKE:

20. This bill does not mandate anything. All it says is
21. the General Assembly will...it will make...conduct an
22. investigation to see why the nine-eleven system isn't
23. working in the State of Illinois. This system works in
24. other states, it works in some municipalities, some counties,
25. but why doesn't it work in the entire State and I think it's
26. a necessary system. It should work in the State of Illinois,
27. there should be correlations. If there's...some problems down
28. in Springfield and...and they have to get somebody to the Burn
29. Clinic in Cook County or some place for some important thing,
30. it can be correlated and not wait for two hours or three hours
31. and have the guy die before...it can be done. And this...
32. we're not doing anything here that...that we're not required
33. to do. It's our job, as the Legislature, once we start up

1. we pass a law and...say to the people, "this is going to be
2. what's going to be done" and then a few years down the line
3. it doesn't work right, we should get into that, especially
4. when it's a good idea, and see what needs to be done. If
5. we find out that the nine-eleven system cannot work in the
6. State, then we should abolish it and quit wasting the money
7. for the system in the State. But we should not keep funding
8. it like we're doing now and finding out that it's not working, and
9. we all say it's permissive and it's not working. What this
10. will do is..we'll come back, it's a sunset provision, in a
11. year...and we'll come back in '82 and recommend to the General
12. Assembly either to abolish the system or make the corrections
13. to make it work efficiently so our money is not wasted. Right
14. now the money is being wasted and nobody knows why. Nobody
15. can tell you why the system is not working and I think it
16. should work. It works in other states, why can't it work
17. here? And I think it's a good system and I think we should
18. pass this bill. It's our job, as a...as the Legislature, to
19. make these...to follow up on legislation we pass and
20. that's what I'm asking for. I ask for a favorable consideration.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall Senate Bill 435 pass. Those in
23. favor will vote Aye. Those opposed vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish?
25. Have all voted who wish? Take the record. On that question,
26. the Ayes are 25, the Nays are 21, 2 Voting Present. Senate Bill
27. 435 having failed to receive a majority vote is declared lost.

28.
29. END OF REEL
30.
31.
32.
33.

1. Senate Bill 438, Senator Lemke. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 438.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Lemke.

8. SENATOR LEMKE:

9. What this bill does now is what the Department of Labor
10. has come up with an amendment. I think it's effective. What
11. it says is, "on amusement rides in the State of Illinois, before
12. you can operate them you must...have insurance." It's a com-
13. pulsory insurance bill on amusement rides. The reason being
14. is that before you can get insurance from these particular
15. companies, the company makes an inspection of those rides
16. and you pay for that inspection. I think it's a bill for
17. the safety of the people in the State of Illinois and the
18. children and I think...no one has any objection with it
19. now because those reparable concerns do this now. And
20. the ones that we're talking about, don't do it and they
21. don't have insurance and this will protect everybody in
22. the State of Illinois from some accident injuring a
23. kid or...a parent. I ask for its favorable adoption.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any discussion? Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Yes, Mr. President, Ladies and Gentlemen of the bill...
28. now that...the Senate rather...now that the bill has been
29. amended to provide that the amusement ride owners should
30. have adequate insurance, I think it's a good bill and I
31. certainly support it.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any further discussion? If not...if not the

1. question is shall the Senate...Senator Rock.

2. SENATOR ROCK:

3. Yes, thank you, Mr. President, Ladies and Gentlemen of
4. the Senate. Question of the sponsor, if he'll yield. How
5. is the Department of Labor in this bill at all?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Lemke.

8. SENATOR LEMKE:

9. The Department of Labor is not in this bill at all.
10. What it does, now, is say that...these rides, you must
11. have insurance to operate these rides in the State. They
12. do not do any inspections, the Department of Labor is completely
13. out of it, it's all between the amusement ride operator
14. and the insurance company because otherwise he can't...the
15. amusement ride operator cannot operate a ride in the State
16. unless he has insurance and I...and being exposed to the insurance
17. industry, especially amusement rides when I was going to law
18. school, I know this, that every insurance company inspects
19. those rides once a week to make sure they have adequate
20. inspections. One of the companies, USF and G, I remember
21. they insured Riverview. And every Monday the park was
22. closed and every Monday these inspectors went over those
23. rides and they had a clause in their insurance policy, if
24. they didn't correct the...problems in those rides, they just
25. would not open that park. And they...they couldn't get
26. insurance. And they would...that...that ride would be
27. shut down till that correction was done. And this is the
28. only way to do it. I think it's a good bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rock.

31. SENATOR ROCK:

32. Well, the difficulty is, the idea may be good, but I, the...
33. the amendment as drafted, leaves, in my judgment, something to

1. be desired. It says the policy or bond shall be procured from
2. one or more insurers or assurities acceptable to the department
3. and licensed to transact business in this State. So that if
4. I am operating a ride and I do, in fact, have insurance
5. and yet, at some point, it's proved to be unacceptable to
6. the Department of Labor, even though I'm supposed to have
7. no contact with them, I am then guilty of a Class A misde-
8. meanor...it...it's backwards.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Lemke.

11. SENATOR LEMKE:

12. This is the language of the Department of Labor, and
13. this is the language they want and I think it's...proper
14. the way it is. If there needs to be a correction, I'm..
15. I'm sure the department would have came up with it. And
16. I think the amendment, as it is, makes it a good bill
17. and lets the operator of the amusement park and the
18. insurance company to do their thing, but they just don't
19. operate those rides unless they comply with this law.

20. SENATOR ROCK:

21. Mr. President, could...could I inquire of the Secretary.
22. Were there two amendments adopted?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Mr. Secretary.

25. SECRETARY:

26. There are two amendments on the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Two amendments have been adopted.

29. SENATOR ROCK:

30. I would like an explanation of Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Lemke.

33. SENATOR LEMKE:

1. What does that amendment do?

2. SENATOR ROCK:

3. That's what I'm asking.

4. SENATOR LEMKE:

5. I don't have the numbers. What number is that? LR..

6. SECRETARY:

7. It's engrossed in the bill Senator, I wouldn't
8. have it either, it's up...upstairs.

9. SENATOR LEMKE:

10. You have the LRB number, Senator Rock?

11. SENATOR ROCK:

12. Well, I have a copy of the printed amendment, which
13. is available in the bill book.

14. SENATOR LEMKE:

15. Amendment No. 1...Amendment No. 2...

16. SENATOR ROCK:

17. No. 1 was the one that struck everything after the enacting
18. clause and put in what the Department of Labor wanted, even
19. though they have no...no connection with this bill.

20. SENATOR LEMKE:

21. Okay. What Amendment No. 2 did, according to the Reference
22. Bureau is corrects...Enrolling and Engrossing of it. It does,
23. on Page 4, line 25, deletes "to use" and inserts in lieu
24. thereof, "the use of." Page 6, line 2, deletes "seesaws"
25. and inserts thereof, "in lieu thereof," "seesaws." And in
26. Page...line 3, by deleting, "ride propel", insert in lieu
27. thereof, "ride propel." In other words the amendment is
28. typical Enrolling and Engrossing spelling corrections and
29. commas and so forth.

30. SENATOR ROCK:

31. Difficulty I have, however Senator, is that Amend-
32. ment No. 2 was addressed to correct errors in the bill as
33. originally introduced. By virtue of Amendment No. 1, you
34. have stricken everything after the enacting clause and, in

1. fact, there is no Page 4 anymore.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Lemke.

4. SENATOR LEMKE:

5. Senator Rock, you know the experience we have with the...
6. Reference Bureau, we've been getting amendments and amendments
7. and amendments. And I...I don't know what the problem is down
8. there this year, but they just haven't been...I have never seen
9. so many bills being corrected. If there's an error, just take
10. it out of the record, we'll correct it. But I...I think the
11. concept is good. Sorry there's an error, it's not my fault,
12. I'm going by what the...I can only go by what the Reference
13. Bureau tells me and we put those amendments on, when...when
14. I get a note that this is to correct the bill. And the
15. staff tells me yes and we go and that's it. I...I can't,
16. it's not my fault.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator would you take it out of the record? Is that what...
19. take it out of the record. Senate Bill 440, Senator Lemke.
20. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 440.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Lemke.

27. SENATOR LEMKE:

28. This is simply an inheritance tax exemption for orphans, those
29. children that do not have a mother or father, both are killed.
30. It takes and gives them a multiple of five thousand dollars
31. from the age they are to the age of twenty-one. There's
32. a schedule set up, it...it...and according to my fiscal note
33. it'll have no impact on the...on the inheritance tax structure

1. and...not, it's the impact on the State inherited receipts.
2. The impact will be very insignificant and I think it's a
3. good bill, it helps orphans to get these exemptions and
4. gives them an adequate amount of five thousand dollars a year
5. to keep them...keep them going until they reach twenty-one
6. and get on their own.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? Senator McMillan.

9. SENATOR McMILLAN:

10. Mr. President and members of the Senate. This...this
11. does have impact on the revenues to receive...be received
12. from the inheritance tax, it is admittedly small compared
13. with a lot of the other inheritance tax bills that have
14. been before this Body. I really believe that if there is
15. intent in this Body to do something with regard to the
16. inheritance tax, there are a couple of other bills that
17. are...are more comprehensive in terms of how they deal
18. with the question and how they deal with the burden that
19. huge numbers of people have in dealing with the inheritance
20. tax and I would seek a No vote on this particular amendment
21. to the Inheritance Tax Law.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Further discussion? If not, Senator Lemke may close
24. debate.

25. SENATOR LEMKE:

26. Well, I think this is a good bill, it helps those
27. people that are unfortunate, and lose both their mother and
28. father, and have no one to help them grow up to be twenty-one.
29. According to the Attorney General's Act, it has a minimal
30. impact and it will not affect our budget one well...one way
31. or the other. And I think it's time for us to help orphans
32. in this State. That's what this bill does.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. The question is shall Senate Bill 440 pass. Those in
2. favor will vote Aye. Those opposed vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Have all voted who wish? Have all voted who wish? Take
5. the record. On that question the Ayes are 30, the Nays are
6. 24, 1 Voting Present. Senate Bill 440 having received the
7. constitutional majority is declared passed. For what purpose
8. does Senator McMillan arise?

9. SENATOR McMILLAN:

10. Verification of the affirmative vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator McMillan requests a verification of the affirmative
13. vote. Will all the Senators be in their seats. And will the
14. Secretary read the affirmative votes.

15. SECRETARY:

16. The following voted in the affirmative: Becker, Berman,
17. Bruce, Carroll, Chew, Collins, D'Arco...Dawson, Degnan, Demuzio,
18. Egan, Friedland, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
19. Lemke, Marovitz...McLendon, Nash, Nedza, Nega, Netsch, Newhouse,
20. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator, is there any question of...

23. SENATOR McMILLAN:

24. Senator Dawson.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is Senator Dawson in his seat? Senator Dawson is on the
27. Floor.

28. SENATOR McMILLAN:

29. Senator Jeremiah Joyce.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Joyce is in the phone booth, he popped his
32. head out. Senator Joyce on the Floor? Yes, he is, he's
33. right in the back. Senator Marovitz. Senator Marovitz is in

1. his seat. The roll call has been verified and the Ayes
2. are 30, the Nays are 24 and...and 1 Voting Present. Senate
3. Bill 440, having received the constitutional majority is
4. declared passed. Senate Bill 441, Senator Lemke. Read
5. the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 441.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Lemke.

12. SENATOR LEMKE:

13. What this bill does, it provides a twenty-five percent
14. real property tax for...for business to help them relocate
15. in the State of Illinois and to stay within it. It allows
16. local counties to give that thing...an abatement and allow...
17. allows them to reimburse by the State. I think it's a
18. good concept, I think this will help business in the
19. State of Illinois and I think that's what we're here to
20. do. We're always...hear that business is running away from
21. the State because we don't have the laws. This law will
22. help business.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator McMillan.

25. SENATOR McMILLAN:

26. Mr. President, members of the Senate. I rise in opposition
27. to the bill. Number one, there will be a cost, nobody can
28. guess how much it is or define it in detail because no
29. one can predict exactly how much such movement there will be.
30. But it does cause the State to reimburse any real estate taxes
31. lost. And that's at a time when the State can scarcely afford
32. it. I think another part of the problem, it leads to cannibalism
33. between various units of government. It would allow a business
34. to leave the City of Chicago and go into one of the Cook

1. County suburbs and therefore have the...the credit claimed.
2. It's one thing to talk about trying to attract business into
3. this State from other states, it's one thing to talk about
4. trying to keep Illinois businesses in this State. But this
5. simply allows one area of this State to compete with the
6. other and use State funds as the bait. I don't think it's
7. wise public policy and would seek a No vote.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Thank you, Mr. President. I would reiterate some of
12. the points that Senator McMillan has made. It is true that
13. there is a cost and it is also correct that we do not have
14. an estimate of the cost because there is just nothing on which
15. to base it. But I think the real problem with the bill,
16. Senator Lemke and I pointed this out in committee, is that
17. it does, in fact, lead to inter and intra county cannibalism,
18. to borrow Senator McMillan's phrase, and I think that is a
19. very, very bad use of State funds and I would have to say
20. that I think that the area that is most likely to suffer
21. from that kind of rebating is our own area. For that reason
22. it seems to me that it is not a constructive approach.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bruce.

25. SENATOR BRUCE:

26. Thank you, Mr. President and members of the Senate.
27. I had thought perhaps that this bill should not be supported.
28. But I've had a chance to review it and those from downstate,
29. I think this is our prime opportunity to move some of those
30. businesses out of the City of Chicago. You are evidencing problems
31. with your Regional Transportation Authority with the crime in
32. the streets, with the problems you have with handguns,
33. and all the bills we've been talking about, your Chicago

1. School System. Most of our school systems are alive and well,
2. prospering and sending our kids and giving them a good education.
3. This will allow us to attract those businesses out of Cook County,
4. out of the City of Chicago into downstate, where we have a
5. very low crime rate, a very good school system, a high quality
6. transportation system and...all of that with the assistance
7. of fully, of the State Treasury, of the State of Illinois, so
8. we can locate businesses in Decatur and Rockford and Olney
9. and all the downstate...and Edwardsville and all the downstate
10. communities. I think that this bill has a great deal of
11. merit and all of this is going to be done at the State expense.
12. And we can rebate all the taxes we want and the State Treasury
13. is going to stand the load. So I think it's a good bill for
14. downstate economic development, bringing jobs from northern
15. Illinois into the southern valleys and the beautiful hillbilly
16. area of downstate Illinois.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? Senator Bloom.

19. SENATOR BLOOM:

20. And not only that, Mr. President, but it's free 'cause
21. the State pays for it, so it won't cost anything, right? Thank
22. you.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Further discussion? Senator Lemke may close debate.

25. SENATOR LEMKE:

26. Well, maybe some people think this is a joke and maybe
27. it will cost...cause competition within the State. But right
28. now, for the last twenty years, those industries that have made
29. improvements because their plants were obsolete, did not
30. go in the State of Illinois anywhere. They went out of the
31. State of Illinois and built new plants. What this bill says, is
32. that the business that's already here, if they're going to
33. make an improvement, they can move to another locality and

1. get this abatement which they get in another state. You know,
2. every sunbelt state lures business into their possession with
3. tax breaks and if we, in the State, do not want to keep the
4. existing business here, in the State of Illinois because
5. we're afraid that Chicago is going to lose business and Rockford
6. is going to gain business. One thing you got to remember, that
7. business stays in Illinois. The job stays in Illinois and
8. the taxes they raise stay in Illinois and it...there's no
9. unemployment, we keep people working. And no matter what
10. the competition is, I'm willing to risk intrastate competition
11. for industry instead of...instead of risking New Mexico or
12. Kansas stealing our industry and luring it away with tax
13. breaks because we don't want to give any tax breaks because
14. it's going to create all this cannibalism between counties.
15. This is silly, if we have to have cannibalism, let it occur
16. in our State, and let's not let it occur with us being eaten up
17. by the Sunbelt states. I think it's a good bill, I think
18. it helps business, I think it helps jobs and I ask for a
19. favorable vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is shall Senate Bill 441 pass. Those in
22. favor will vote Aye. Those opposed will vote Nay. The voting
23. is open. Have all voted who wish? Have all voted who wish?
24. Have all voted who wish? Take the record. On that question
25. the Ayes are 19, the Nays are 33, none Voting Present. Senate
26. Bill 441, having failed to receive a constitutional majority
27. is declared lost. Senate Bill 443, Senator Lemke. Read the
28. bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 443.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Lemke.

2. SENATOR LEMKE:

3. What this bill has done now, Senator Becker and I have
4. worked out the problems with the Department of Revenue in
5. regards to bingo licenses that have been revoked and with
6. certain groups like Sokol and athletic clubs and hunting
7. clubs. We have set up the date, the cut-off date, they're
8. not being renewing...those licenses that have been revoked for
9. cause, will not be...renewed under this amendment. I think
10. now with the amendment it's a good bill and I ask for its
11. favorable adoption.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Becker.

14. SENATOR BECKER:

15. Thank you, Mr. President, and members of the Senate.
16. About a month ago, Sokol-Brookfield notified me that their
17. license was being revoked by the Director of Revenue, of the
18. State of Illinois. I've had several meetings with Director
19. Johnson over the past month. He has informed me that effective
20. June the 1st, there will be approximately five hundred licenses
21. revoked in the State of Illinois because certain groups do not
22. qualify as the law is written today. The senior citizen groups
23. in the State of Illinois do not qualify. The Little League
24. groups...and when we're talking about five hundred licenses
25. to be revoked...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Totten.

28. SENATOR BECKER:

29. ...it's going to affect just about every Senator's district
30. in our State. In this amendment, as it is prepared, goes back
31. to December the 31st of 1979, stating that anyone who held
32. a license as of that date, and had his license revoked, has
33. the right to reapply and get a new license. It also states

1. in the amendment, that anyone who had their license revoked
2. for a cause cannot receive another license. I have the
3. ethnic groups, the Polish Falcons, but most it's the
4. senior citizen groups who are supporting their buildings
5. and their recreational facilities by having one bingo game
6. per week. I say this bill, as it's written now, and I
7. take just a second...to say that to cover these people...
8. if you'll take just one second, I know we're going to get a
9. favorable roll call, but it may be interesting to all of
10. you to know the groups and how they will be covered. They
11. will be covered under Ethnic Youth Athletic and Senior
12. Citizens. And anyone who had the license revoked prior
13. to '79, December the 31st, will be eligible to reapply
14. and we ask for a favorable vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bruce or Senator Rock. Bruce...

17. SENATOR BRUCE:

18. Yes...all in favor of the legislation, I just wonder
19. about the language, the last part on Page 3 which says, anyone
20. who has a license on December 31st, '79 shall have their
21. license renewed without...regard to any violations of the
22. Act that might have occurred. What does that mean?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Lemke.

25. SENATOR LEMKE:

26. That is the date where licenses were issued and that
27. is the date the Department of Revenue has determined is the
28. necessary date. And what we'd made the exception there, if
29. your license was revoked because of cause, you can't get
30. it back. But this protects the majority of the groups, hunting
31. clubs and so forth, they want this, the Department of Revenue
32. wants this date. I think we talked to them...initially September and
33. then they went back to December of '79, another three months.

1. They looked at the...the problems that were involved before
2. and I think the amendment now is proper and good.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bruce.

5. SENATOR BRUCE:

6. Senator Lemke, it seems to say that anyone who had a
7. license on December 31st, '79 and since these groups don't
8. have licenses at...at all, on Page 3, I mean we're opening
9. it up. We're not talking about this group, we're talking
10. about groups who in '79 had a license who had it revoked
11. for cause, can now get a license without the department
12. having any reason to object and that...that seems to me
13. going very far toward removing the right of regulation
14. by the department for anyone who had a license prior
15. to...December 31st, 1979 and we're not talking about
16. these ethnic, fraternal, all of your ethnic youth, athletic
17. senior citizens, all those, we're talking about people who
18. had a license prior to this. This act says that the depart-
19. ment can never do anything but renew those licenses. And I
20. ...I wonder why that has to be in.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Lemke.

23. SENATOR LEMKE:

24. If you read the language, you can't get a license if
25. your license...you lost it and revoked prior to such date
26. because of cause. That's what this date does. A lot of
27. licenses weren't renewed prior to December 31st, 1979. This
28. gives them an opportunity to get a license, we make every-
29. body comply. This date is the date the department has
30. set, most of the clubs that now are existed got their
31. licenses before this date. That's why this date is put
32. in there. After this date, there was some...people that
33. came in here that were using this for corrupt practices
34. and that's why they want this date.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bruce.

3. SENATOR BRUCE:

4. I would just point out to you and Senator Becker
5. that if the department...if you have found a fellow that
6. was fraudulently taking prizes, poorly running an operation
7. and he has had his license revoked, but...well, Senator,
8. that's the problem with your language. Once he has had
9. a license, it says that if he had a license on December 31st,
10. '79 the department shall renew those licenses upon submission
11. of...of evidence of a license being issued prior to December
12. 31st. And...and a convicted person under this act could
13. go in, say I was licensed on December 31st and they would
14. have to issue a license. I don't see what that has to do
15. with this act at all, I...I...it causes me to have great
16. suspicions about that paragraph.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bruce, Senator Becker indicates that he can
19. answer your concern on that, Senator Becker.

20. SENATOR BECKER:

21. Senator Bruce, there was Amendment No. 4 that read...
22. had their licenses revoked prior to such date. You're reading
23. an earlier bill, I believe. All right, that's in there...on
24. Amendment 4. Our staff person will get the file, Senator
25. Bruce. But we had to put that in there at the request of
26. the Revenue Department.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Bruce.

29. SENATOR BRUCE:

30. On...both you and Senator Lemke understand that if the
31. department has...has brought proceedings against any operator,
32. they were convicted, lost their license, but had a license on
33. December 31st, 1979, without regard to this ethnic, fraternal,

1. senior citizen's thing, that all they've got to do is come
2. back in, say hey, I had a license, I was revoked, I'm a convicted
3. felon, but you've got to give me a license because the law
4. says that, you understand that's what the operation of this
5. paragraph is.

6. SENATOR BECKER:

7. ...not have it renewed, Senator. That's the protection that
8. the Revenue Department asked for and we agreed with them.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Bruce.

11. SENATOR BRUCE:

12. Well, let me read the language to...and you tell me
13. why I don't...don't understand it. "All organizations and
14. associations who were licensed under this act, prior to
15. December 31st, '79, shall be entitled to have their licenses
16. renewed by the department of...by the department upon submission
17. to the department of evidence of the issuance of a license prior
18. to December 31st, 1979." That's the clear language in the
19. act.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Becker.

22. SENATOR BECKER:

23. The way it reads, Senator, under Amendment 4,"and any
24. other provision to the law to the contrary notwithstanding.
25. All organizations and associations who were licensed under
26. this act prior to December 31st, 1979, who never had their
27. licenses revoked prior to such date, shall be entitled to
28. have their license renewed by the department upon submission
29. to the department of evidence of the issuance of a...license
30. prior to December 31st, 1979."

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Now, Senator, we are at the issue and that is...that is
2. not in the amendment that was adopted. The language that you
3. had about "whose licenses were not revoked," I wonder if the
4. Secretary would...would check the line...it would be line
5. 14 on Page 3. I just...

6. SECRETARY:

7. That would change by amendment in the Engrossing. I
8. ...I have on lines...on line 1, "all...all organizations
9. and associations who were licensed under this act prior
10. to December 31st, 1979 shall be entitled to have their
11. license renewed by the department upon submission to the
12. department evidence of the issuance of a license prior to
13. December 31st, 1979.

14. SENATOR BRUCE:

15. Okay...right. And...and that's my point, the wrong
16. amendment was adopted, Senator Becker, and the one that's
17. on this bill does not say what you think it says. Evidently,
18. according to your staff, two amendments were floating around,
19. the wrong one has been adopted. And there were two Amend-
20. ment No. 4 and the Secretary has read...so it...it seems
21. to me you two have...the bill as now amended, does not say
22. what you think it says.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Becker.

25. SENATOR BECKER:

26. Senator Lemke, you'll then have to pull this one and
27. present the correct amendment. They were the ones that...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Lemke.

30. SENATOR LEMKE:

31. Apparently there's an Enrolling and Engrossing problem.
32. We'll take the bill out of the record and get to it later.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 445.
3rd reading
5-20-81

1. Take it out of the record.

2. SENATOR LEMKE:

3. But just...just don't make...if we can get
4. back to this...get this straightened out because this has
5. to be done before June 1st, if we don't do it before June 1st
6. all these licenses are gone. So we better get a bill out and
7. on the Governor's desk before June 1st so they...

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. ...Is leave granted to return to this bill after the
10. Enrolling and Engrossing error is straightened out? After
11. the amendment problem is straightened out. Leave is granted.
12. Senator Berning.

13. SENATOR BERNING:

14. Well, Mr. President, since this...may I speak to a
15. question on that bill that might be corrected while they're...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. No, I would suggest that we do not, the bill is out of
18. the record, they're going to check the amendment and get
19. their correct amendment together and we'll speak to the bill.
20. Senate Bill 444, Senator Lemke. Senate Bill 44...445, Senator
21. Ozinga. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 445.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Ozinga.

28. SENATOR OZINGA:

29. Mr. President, members of the Senate. This bill amends
30. the Inheritance Tax Law to overhaul the system for assessing
31. and collection of the tax under this act by giving the
32. Attorney General the responsibility for assessing and
33. requiring payments...assessing the tax, requiring the tax

1. returns to be filed with the Attorney General and requiring
2. payments of the tax be made directly to the State Treasurer.
3. This legislation attempts to eliminate a lot of structural
4. problems of administering a State tax through county
5. governments and the Circuit Court. What this bill really
6. attempts to do is to make a direct payment system for
7. tax payments as improvements long recommended by the
8. Independent Certified Public Accountants and have examined
9. the books of the State Treasurer. Streamlining in the
10. tax assessment process by using administrative hearings in
11. lieu of Circuit Court determination of...of the tax assessment.
12. It also eliminates the ten percent penalty for late filing
13. in substitution of a twelve percent per annum simple
14. interest penalty. The most important feature of the bill
15. is the simplification of the extremely complex collection
16. apparatus. The inheritance tax is the only major State
17. tax which is collected by local units of government. It
18. is administered by a combination of two constitutional
19. officers, the State Treasurer and the Attorney General,
20. the Circuit Court System and two elected county officials.
21. Such an approach as this may well have been appropriate
22. way back when. However with the computer system and the
23. limitation on the addressment of funds, why it has become
24. obsolete. Now, what we're trying to do here in order to
25. appease the State Treasurers and the counties, we are...we
26. have amended the bill so that the bill now calls for a six
27. percent distribution to the counties where the tax will be
28. assessed. We've also amended the bill, the amendment...the
29. ...that we put on the bill, amendment changes the process
30. for appealing the assessment of the inheritance tax by
31. the Attorney General. In lieu of an administrative hearing
32. subject to the review under the Administrative Review Act,
33. the amendment provides for a conciliatory hearing followed

1. by the right to a Judicial determination and assessment of the
2. tax. The Judicial determination is to be a de novo trial
3. in the Circuit Court and the conciliatory hearing is, in
4. effect, an optional hearing because there are really no
5. subpoenas or anything else that are required. I would appreciate
6. a favorable roll call.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? Senator...Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Would the...sponsor yield for a question?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. He indicates he will.

13. SENATOR GEO-KARIS:

14. If I understand your bill correctly then, instead of
15. us paying the inheritance tax as we usually do...the County
16. Treasurer's Office, we are to pay it directly to the Attorney
17. General. Is that correct?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Ozinga.

20. SENATOR OZINGA:

21. To the State Treasurer.

22. SENATOR GEO-KARIS:

23. In other...in other words, we will be eliminating going
24. to the County Treasurer, but just directly to the...to the
25. State Treasurer in Springfield. Is that right? Or in Chicago?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Ozinga.

28. SENATOR OZINGA:

29. That's right.

30. SENATOR GEO-KARIS:

31. Well, I'll speak in favor of this bill because I think
32. it will cut down a lot of unnecessary paper work and I'm in
33. favor of it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Berning. Senator Berning.

3. SENATOR BERNING:

4. ...Thank you, Mr. President. Unfortunately, I must
5. rise in opposition to this bill. It appears to me that
6. what we are attempting to do here is further concentrate
7. authority in the State offices at the expense of the local
8. offices. The County Treasurer is perfectly equipped to handle
9. this and it seems to me from my own personal experience, a
10. county seat where the County Treasurer is located is where
11. most of the attorneys are situated to do the practice of
12. the law, including this Inheritance Tax Law. It's a
13. convenience rather than an inconvenience for the County Treasurer's
14. Office to be available to these parties to the inheritance tax.
15. Further, rightly or wrongly, the inheritance tax dollars
16. come from the residents of the county. There has long been
17. a feeling by many of us that that inheritance tax money belongs
18. to the county. Rather than take it away now, even though
19. we are going to give a six percent collection fee, and I point
20. out to you that the former two percent and four percent fee
21. was a fee to reimburse the cost of the Treasurer's Office
22. operation. That's laudable, that's defensible. I think it
23. is perfectly proper. Now, we're going to just turn around
24. and remit six percent without leaving any of the responsibility
25. or the workload with the County Treasurer. I...I believe,
26. Ladies and Gentlemen of the Senate, that this is a reversal
27. of what has been our normal position and what ought to be
28. our stance in protecting the prerogatives of the county
29. government.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Sangmeister.

32. SENATOR SANGMEISTER:

33. Yes, I would rise in support of the bill. I think
34. anyone who has practiced in the inheritance tax field

1. would understand that for a long time, or always, the Attorney
2. General is who you have to work with on these matters. It's
3. only..proper, I think, that we now give the authority to the
4. Attorney General to handle these matters between those
5. who practice in that field and the lawyers. The only problem
6. is, is the one, of course, that Senator Berning is presenting,
7. is that's the big change...is that instead of paying it to
8. the County Treasurer, you now will pay it to the State
9. Treasury. I don't think the County Treasurers like that,
10. even though they'll be getting two percent more than they're
11. getting for collecting it now. Apparently because, I suppose,
12. they can hold the inheritance tax funds at least thirty days
13. before they turn them over to the State Treasury and I imagine
14. they make a few bucks of interest on that and that may be
15. ...the difference. But as far as the...the content in the
16. intent of the bill, to expedite inheritance tax proceedings
17. in the State of Illinois, particularly if there's a dispute,
18. you can still go to the Circuit Court de novo, which I
19. asked be put in the bill and I think that's very important.
20. It now makes it a much more expeditious way to handle inheritance
21. tax proceedings and on that basis, I would support the bill.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Thank you, Mr. President. I would speak strongly in
26. favor of this bill also and second Senator Sangmeister's
27. comments. The problems that have been called to the attention
28. of...of many of us in the diffused collection process, would
29. be solved by this and I think there's no reason why we should
30. continue to suffer them. The six percent that is written
31. into the bill now, I would point out, particularly to Senator
32. Berning, is not suggested to be a...a fee reimbursement.
33. It is pure revenue sharing to the counties so that county

1. governments will have a source of funds from the State
2. Treasury and I think it should be acknowledged as a form
3. of revenue sharing. What it means is, that effectively, the
4. counties will not lose anything and, in fact, may end up
5. gainers in terms of revenue collected. But the main thing
6. is that it will produce a much better administered system
7. of collecting and enforcing the inheritance tax.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Sommer.

10. SENATOR SOMMER:

11. Mr. President and members, having filed a great...or
12. a certain number of these, anything to improve the current
13. very bizarre system is an improvement and I...I think this
14. is long overdue and it's an excellent bill Senator Ozinga.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator, if you'd wait a second...Senator Rock has
17. indicated he wishes to speak on this and he's been called
18. off the Floor for a second. Senator Bruce.

19. SENATOR BRUCE:

20. Yes, just in the absence of Senator Rock. I wonder
21. if anyone...if the sponsor can tell me what the position
22. of the County Treasurer's Association and the Association
23. of County Boards who are going to lose the float on this
24. money for all the county government in the State of Illinois.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. Yes, I'd like to answer that by saying that the County
29. Treasurer's Association were in opposition to the bill at
30. the onset. There are still some individual County Treasurers
31. that would be in opposition, however the bulk of the rest of
32. the County Treasurers main opposition was due to the investment
33. of the funds locally. Now, just to answer, the estimated effect

1. of the six percent revenue sharing of the inheritance tax
2. where the estimated gain to the counties from two percent
3. which they...or four percent, which they were receiving, to
4. six percent revenue sharing. Or based on the hundred and
5. forty-two million, the...investment of ten percent would
6. give them approximately two million, eight hundred and
7. forty thousand dollars. If they invested this fund at
8. approximately fifteen percent, it would give them two
9. ...two million, eight hundred and forty thousand. The
10. estimated net gain to the counties because of the six
11. percent and the lack of investment would be an increase
12. of approximately one million three hundred and two
13. dollars and...three hundred and two thousand, four
14. hundred and fifty dollars. At a fifteen percent, they
15. would still gain five...five hundred and thirty-three thousand,
16. six hundred and seventy-five dollars. So you divide that
17. up amongst the...various counties and I think this is what
18. Senator Rock was wondering about, I believe that the County
19. of Cook would receive about sixty-nine percent? Senator,
20. I think you know that figure better than I, as far as the
21. amount that the County of Cook would receive out of that
22. share.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President, Ladies and Gentlemen of the
27. Senate. I rise somewhat reluctantly in opposition to Senate
28. Bill 445 and would point out to those members who have not taken
29. the opportunity to read this bill that it is a...a dramatic
30. overhaul of the State's Inheritance Tax Collection System.
31. And I think the County Treasurers should be opposed to this,
32. for the simple reason that they were receiving four percent
33. of the monies collected in their county for processing and

1. for working within the system. Now we are taking them out
2. of the system and as a carrot to assuage their opposition
3. we're saying, well, we'll even give you six percent. I'll
4. tell you what I would do and...and I'm sure is going
5. to happen, revenue sharing is...is no longer in vogue
6. around here, we are in a very tight fiscal situation.
7. And I suggest to you that one of the first recommendations
8. of the Bureau or the Governor's Office is going to be to
9. amendatorily veto out this little number. I think we're
10. short circuiting the counties and I...I...before we do
11. that, we ought to think carefully about what we're doing.
12. The Inheritance Tax Collection System has been in...in
13. place a long time and while admittedly there...there
14. may have been a difficulty or two with some of the
15. smaller counties who don't handle the major estates, frankly,
16. in the County of Cook, it works very well. And before we
17. dramatically overhaul it, I think we ought to take a long
18. hard look. This amendment simply doesn't do what it
19. purports to do and if the County Treasurers fall for this
20. one, they're not as smart as they ought to be or as
21. I think they are. I think this bill deserves further
22. study. It is a recommendation, I am told, of the Audit
23. Commission. I think it deserves much, much more scrutiny
24. than it has received to date and I would urge a No vote.
25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Egan.

27. SENATOR EGAN:

28. Yes, thank you, Mr. President and members of the Senate.
29. I just would like to echo what Senator Rock has said and say
30. further that not only does it work well in Cook County,
31. it works well in Lake County and DuPage, to my knowledge, and
32. I...I...I really question the...the direction in which you're
33. going Senator Ozinga, and I...I don't think...certainly

1. the Attorney General wants it. I can't imagine anybody that
2. does.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? Senator Ozinga
5. may close the debate. Oh, I'm sorry, Senator DeAngelis. Sorry,
6. did not see...Senator DeAngelis.

7. SENATOR DeANGELIS:

8. One...quick question of the sponsor, please.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield, Senator DeAngelis.

11. SENATOR DeANGELIS:

12. Senator Ozinga, why are we taking a four percent factor
13. where they did something and moving up to six percent for
14. doing nothing?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Ozinga.

17. SENATOR OZINGA:

18. Couldn't hear the question.

19. SENATOR DeANGELIS:

20. Why are we...why are we taking a situation where we
21. were giving them four percent for doing something and then
22. upping it to six percent for them doing nothing?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Ozinga.

25. SENATOR OZINGA:

26. That is to satisfy just exactly what some of the
27. members have said, to satisfy the money that they had
28. received by way of investment of the funds for the period
29. of time that they are holding. They hold these funds for
30. approximately fifteen days.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Ozinga may close.

33. SENATOR OZINGA:

1. Well, true, it has been said, this is the recommendation
2. of the...of the Audit Commission. We have analyzed the problem
3. thoroughly, the Auditor General has analyzed it...three or four
4. times and for the benefit of those in the Body, this bill was
5. formerly sponsored by the President of the Senate in 1980 and
6. at that time, why it was a good bill and I still think it's
7. a good bill now.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rock.

10. SENATOR ROCK:

11. This bill was what?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Ozinga.

14. SENATOR OZINGA:

15. This bill was sponsored by you, in 1980, I am told.

16. SENATOR ROCK:

17. I think you're told in error.

18. SENATOR OZINGA:

19. It was Senate Bill 1152, on the 80th General Assembly.

20. SENATOR ROCK:

21. I...I have never proposed to dramatically overhaul
22. the inheritance tax.

23. SENATOR OZINGA:

24. Sponsors were Senators Moore-Rock.

25. SENATOR ROCK:

26. In any event, I'm still against it. It did not pass, I assume.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is shall Senate Bill 445 pass. Those in
29. favor vote Aye. Those opposed vote Nay. The voting is
30. open. Have all voted who wish? Have all voted who wish?
31. Have all voted who wish? Take the record. On that question
32. the Ayes are 19, the Nays are 36, none Voting Present. Senate
33. Bill 445, having failed to...Senator Ozinga.

1. SENATOR OZINGA:

2. ...We have to put this on Postponed Consideration for
3. the Auditor General.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right. Is there leave to place it on the Order
6. of Postponed Consideration? Leave is granted. Senate Bill
7. 447, Senator Vadalabene. Read the bill, Mr. Secretary, please.

8. SECRETARY:

9. Senate Bill 447.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Thank you, Mr. President and members of the Senate.
16. Let me say at the outset that Senate Bill 447 is another
17. product of the Legislative Audit Commission...of which
18. I am secretary.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, just a little fun there, Mr. President. What it
23. does, it establishes a procedure for the transfer of an
24. employee from one State agency to another on a temporary
25. basis. It permits these transfers for one ninety day
26. period with one ninety day renewal permitted. It also
27. amends the Personnel Code to provide for protection of
28. employee status, seniority rights and related benefits.
29. And I...would appreciate a favorable vote. That's all it does.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Senator DeAngelis. Senator Lemke,
32. did you have...on this bill. Okay. Senator Carroll.

33. SENATOR CARROLL:

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

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield, Senator Carroll.

4. SENATOR CARROLL:

5. Why would we want to allow agencies to flop employees
6. around at their discretion where they'd be paid for from
7. other agency's budgets but doing work for someone else?
8. It just...doesn't make sense to me.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. At the bottom of the page, it says Senate Bill 447
13. is necessary to permit some degree of flexibility in the imple-
14. mentation of strengthened voucher certifications. There
15. will be times when it is necessary or desirable to make
16. inner agency transfers of employees for special projects,
17. for example, or to respond to emergencies. This proposal
18. provides a mechanism which preserves the integrity of
19. the expenditure...process and protects the employment
20. status and other seniority rights of the affected employee.
21. It's not a bad idea and Senator Carroll, it's a good bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Carroll.

24. SENATOR CARROLL:

25. Well, we tried for years to get the employees in from the
26. cold that the Governor had had hidden in budgets all over
27. the State. He finally agreed to that and brought them in under
28. his budget so we know who is working where. It don't make
29. sense to me to all of a sudden turn around and put them back
30. out in the cold. It's nice and warm in the agencies they were
31. hired by, we're paying the utility costs and to let them run around
32. in other departments doing work sounds to me like a very
33. bad idea.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further debate? Senator Weaver.

2. SENATOR WEAVER:

3. I think, Senator Carroll, this is just kind of to take
4. the sheet off of the...the ghost, you know, you're always
5. looking for those ghost employees, this kind of takes
6. the sheet off of them, doesn't it, Senator Vadalabene?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. Governor Walker had the ghost, if you'll recall. Just
11. takes the sheet out of it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. ...Senator DeAngelis. Senator DeAngelis.

14. SENATOR DEANGELIS:

15. Welcome to Animal Farm. Thank you, Mr. President. I
16. had not intended to speak, but as...since there is some
17. discussion on this, I am the hyphenated sponsor. This
18. is the work of the Legislative Audit Commission. Senator
19. Carroll, to answer your question, the requesting agency
20. is the one that pays the bill, not the permanent agency
21. to which the person came from. It's also an opportunity
22. to take care of some vacancies without creating new
23. employment or new jobs. I ask for your support on this
24. bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Vadalabene may close.

27. SENATOR VADALABENE:

28. Yes, Senator DeAngelis gave my closing remarks and
29. I ask for a favorable vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is shall Senate Bill 447 pass. Those in favor vote Aye.
32. Those opposed vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question the Ayes are 23, the Nays
2. are 28, 1 Voting Present. Senator Vadalabene. Oh...Senate
3. Bill 447, having failed to receive the constitutional majority
4. is declared lost. All right, Senator Lemke sought leave,
5. we have corrected or found the problem with his bill and it
6. is of some problem of time. Is there leave to return to
7. ...Senate Bill 443? Senator Ozinga, I think you're going
8. to get a chance to be the first out of the box tomorrow.
9. Is there leave to return to 443? Leave is granted. We're
10. back on the order of 443. Senator Lemke now moves to
11. ...place Senate Bill 443 on the Order of 2nd reading for
12. the purpose of an amendment. Is there leave? Leave is
13. granted. The bill is on the Order of 2nd reading. Mr...
14. Senator Lemke.

15. SENATOR LEMKE:

16. Understand and...correct...to correct the Enrolling
17. and Engrossing problem, we must Table Amendment No. 4
18. and adopt Amendment No. 5.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Yeah, all right, just to defend Enrolling and Engrossing.
21. It...it is not their error, it's just the wrong amendment.

22. SENATOR LEMKE:

23. No...wrong amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Right...so the motion is to reconsider the vote by
26. which Amendment No. 4 was adopted. On the motion to reconsider
27. all in favor say Aye. Opposed Nay. The Ayes have it. The
28. bill is...the amendment is reconsidered. Senator Lemke now
29. moves to Table Amendment No. 4. On the motion to Table, all
30. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
31. No. 4 is Tabled. Are there further Floor amendments?

32. SECRETARY:

33. Amendment No. 5 by Senators Lemke and Becker.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senators Lemke and Becker. Senator Lemke moves the
3. adoption of Amendment No. 5. Discussion? All in favor
4. say Aye. Opposed Nay. The Ayes have it, Amendment No. 5
5. is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 3rd reading. And we are going to come right back to
10. this one, Gentlemen, because we have a time problem with it.
11. I think we have one resolution we would like to...okay.
12. Resolutions. We have three we'd like to get to today.

13. SECRETARY:

14. Senate Resolution 192 by Senator Sangmeister, it's
15. commendatory.

16. Senate Resolution 193 by Senators Nash, Geo-Karis, Rock
17. and all Senators. It's congratulatory.

18. And Senate Resolution 194...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Consent Calendar.

21. SECRETARY:

22. Senate Resolution 194 by Senator Newhouse and all Senators.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Newhouse is recognized.

25. SENATOR NEWHOUSE:

26. Thank you, Mr. President and Senators. I'd like to
27. read the text of this resolution. This resolution is celebrating
28. the birthday of our leader, Senator Kenneth Hall.

29. (Senator Newhouse reads SR 194)

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Congratulations, Senator. Senator Newhouse moves
32. the suspension of the rules for the immediate consideration
33. and adoption of the resolution. All in favor say Aye.
34. Opposed Nay. The Ayes have it. On the motion to adopt,

1. the Secretary informs me Senator, Senator Hall, the Secretary
2. informs me that Wyvetter Younge has an amendment down here
3. on the economic development areas or something on this
4. resolution. On the motion to adopt, all in favor say Aye.
5. Opposed Nay. The Ayes have it, the resolution is adopted.
6. Right, the resolution is adopted. Now, is there leave to
7. return to the Order of Senate Bills 3rd reading? Leave is
8. granted. Senate Bill 443. Read the bill, Mr. Secretary,
9. please.

10. SECRETARY:

11. Senate Bill 443.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. We have put the amendment on to correct the problem,
18. I ask for a roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is shall Senate Bill 443 pass. Those
21. in favor vote Aye. Those opposed...Senator Berning.

22. SENATOR BERNING:

23. Well, Mr. President...there was one question that I
24. wanted to raise that I'm sure the sponsor can answer. While
25. we have with this amendment, and I call your attention to it
26. as saying...all...any other provision in the law to the contrary,
27. notwithstanding, all organizations and associations who were
28. licensed under the act. What about the...the situation of
29. a...an individual in the...in office of one of those associations,
30. if he or she is convicted. Does that affect this at all?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Lemke.

33. SENATOR LEMKE:

1. No, that...that wouldn't affect the...the...the only
2. effect the new amendment has is if their license was revoked
3. for cause, the agency. You know we all have corrupt people
4. but it doesn't mean the group is corrupt. And it does
5. have no effect. I...think the amendment on it now makes
6. the bill a good bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berning, further discussion? The question
9. is shall Senate Bill 443 pass. Those in favor vote Aye.
10. Those opposed vote Nay. The voting is open. Have all
11. voted who wish? Have all voted who wish? Take the record.
12. On that question the Ayes are 39, the Nays are 16, none
13. Voting Present. Senate Bill 443, having received the
14. required constitutional majority is declared passed.

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26. End of Reel
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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there leave to go to the Order of Motions? Leave
3. is granted. (Machine cut-off)...does Senator Philip arise?

4. SENATOR PHILIP:

5. Thank you, Mr. President, the purpose of an announcement.
6. To let the membership know there is no softball practice
7. tonight. I understand we have a very good chance of practicing
8. tomorrow evening after the Session. So bring your shoes, et
9. cetera.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President, Ladies and Gentlemen of the
14. Senate. Just to remind everybody, there are no committee
15. meetings tomorrow morning and we will, when we quit, in a
16. very few minutes here, adjourn until nine o'clock tomorrow
17. morning. And I would ask everybody to make a special effort
18. to get here so we can get started and we will start
19. again where we left off with Senate Bill 448, Senator Ozinga's
20. bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right. No committees tomorrow. And we will start
23. at nine o'clock tomorrow morning. Motions in Writing.

24. SECRETARY:

25. Motion in Writing.

26. I move that the Senate resolve itself into Executive
27. Session for the purpose of considering the confirmation of
28. Charles G. Stalon of Carbondale, Daniel W. Rosenblum of
29. Chicago to be members of the Illinois Commerce Commission for
30. terms expiring January the 20th, 1986. Dated May the 14th, 1981.
31. Signed by Senator Friedland.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right. We have before us a Motion in Writing by

1. Senator Friedland. The Chair is prepared to rule that the
2. Motion in Writing is defective for the following reasons,
3. Senator Friedland. That we are asked to consider the
4. confirmation of two individuals and under Senate rules we
5. consider the report of the Committee on Executive Appointments
6. and not the confirmation per se. Secondly, the motion more
7. properly stated should request that we return to the order
8. of business known as reports of standing committees and we
9. have not yet received the report from that committee, rather
10. than this direct and really unprecedented approach and to my
11. knowledge we have never allowed an individual Senator to call
12. for the question of advising and consenting to a Governor's
13. appointment. To maintain Senate order in this process, we
14. should more properly require that the Senate return to that
15. item of business, which would be Executive Appointments, rather
16. than to the question of confirmation of any individual.
17. Senator Friedland.

18. SENATOR FRIEDLAND:

19. Thank...thank you, Mr. President. I agree with you and
20. I move to do just what you said.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Thank you, Senator. If you would put that in writing,
23. I'm sure we will get to the Order of Motions in Writing.
24. Further motion...but your motion as it's presently constituted
25. is out of order. Further Motions in Writing?

26. SECRETARY:

27. Motion in Writing.

28. I move that the nomination of Daniel Rosenblum to
29. the Illinois Commerce Commission be recommitted to the Executive
30. Appointments, Administrations Committee for further consideration.
31. Dated May the 15th, 1981. Signed, Senator Berman.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berman.

1. SENATOR BERMAN:

2. So move, Mr...Mr. President.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is on the recommission of...of the named individuals

5. to the Committee...on those. All in favor of the motion, say Aye.

6. Opposed Nay. The Ayes have it, the gentlemen are recommitted.

7. Senator Rock moves that...stand adjourned until nine o'clock

8. tomorrow morning. On the motion to adjourn, all in favor say

9. Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned

10. until 9:00 a. m. tomorrow morning.

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