

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 25, 1982

PRESIDENT:

The Senate will please come to order. Will the members please be at their desks. Will our guests in the gallery please rise. Prayer this morning by Rabbi Barry A. Marks, Temple Israel, Springfield, Illinois. Rabbi.

RABBI BARRY A. MARKS:

(Prayer given by Rabbi Marks)

PRESIDENT:

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

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, May the 19th; Thursday, May the 20th, and Monday, May the 24th, in the year of 1982 be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Johns. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Alright, if you'll turn to Page 12 on the Calendar, with leave of the Body, we'll move to the Order of House Bills 1st Reading. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 958, Senator Hall.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 960, Senator Hall.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1119, Senator Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1733, Senator Maitland.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1943, Senator Mahar.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1922, Senators Lenke-Rhoads.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1971, Senator Grothberg-Sangmeister.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2039, Senators Geo-Karis-Mahar.

(Secretary reads title of bill)

1st reading of the bill.

House...House Bill 20...2013, Rhoads-Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2041, Senator D'Arco.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2116 by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2281, Senator Berning.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2282, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2285, Senator Philip.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2287, Senator Blooa.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2337, Senator Philip...2377, Senator Philip.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2384, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House bill 2391, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2394, Senator D'Arco.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2406, Senator Jerome Joyce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2486, Senators Jerome Joyce and McMillan.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2496, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2498, Senator Savickas.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2501, Senator Savickas.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2502, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2520, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2536, Senator Sangmeister.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2540, Senator Mahar.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2561 by Senator Savickas.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2577, Senator D'Arco.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2588, Senator Philip.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2610, Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2618, Senator Keats-Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1463, Senator Grotberg.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2134, Senator Lemke-Rhoads.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

With leave of the Body, we'll move to the Order of Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 96 offered by Senator Schaffer, it's congratulatory.

Senate Resolution No. 540 offered by Senator Donnewald, congratulatory.

Senate Resolution 541 offered by Senator Grotberg, it's...it's a proclamation of Pickle Day, or something.

Senate Resolution 542 offered by Senator Simms, congratulatory.

And Senate Resolution 543 offered by Senators Keats and Bermaa, it's a death resolution.

PRESIDENT:

Consent Calendar for the foregoing resolutions, and the House Bills 1st that were read in will go to Rules Committee.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 544 offered by Senator Johns, congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Vadalabene, Chairman of the Committee on Executive Appointments, Veterans Affairs and Administration, to which was referred the Governor's Message of April 30, 1982 reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Governor's Message of April 30th, 1982.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and the Senate has now resolved itself into Executive Session. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of April 30th, 1982, I will read the salaried appointment to which the Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do in...advise and consent, and after reading this appointment, I intend to ask leave to consider it on one roll call.

To be Assistant Director of the Department of Commerce and Community Affairs for a term expiring January 17, 1983, Mr. M. Edwin Marlin of Kankakee.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on one roll call.

PRESIDENT:

You've heard the request. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Will you put the question as required by our rules.

PRESIDENT:

The question is, shall...does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of April 30th, 1982, I will read the names of the unsalaried appointments to which the Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and con-

sent, and after reading the appointments, I intend to ask leave to consider all of the unsalaried appointments on one roll call unless any Senator has objection to any particular appointment.

To be a member of the Economic Technical Advisory Committee for a term expiring March 31, 1983, Ronald Ranson of Horton.

To be a member of the Ohio Valley Water Sanitation Commission for a term expiring January 4th, 1988, Dr. Richard S. Engelbrecht of Urbana.

To be a member of the Illinois Housing Development Authority for a term expiring January 10, 1983, John J. Viera of Des Plaines.

To be Public Administrator, Guardian and Conservator of Pope County for a term expiring December 2nd, 1985, Jeanne Boglino of Golconda.

To be Public Administrator, Guardian and Conservator of McLean County for a term expiring December 2nd, 1985, Thomas J. Lovelass of Normal.

To be Public Administrator, Guardian and Conservator of Jefferson County for a term expiring December 2nd, 1985, Emmet Wilson of Mt. Vernon.

And to be Chairman and member of the Illinois Law Enforcement Commission for a term expiring November 1st, 1985, Daniel W. Weil of Chicago.

And to be members of the Illinois Law Enforcement Commission for a term expiring November 1st, 1985, Larry L. Thompson of Glen Ellyn, Herbert D. Brown of Rockford, Richard J. Brzeczek of Chicago, Richard J. Elrod of Lincolnwood, C.E. Hughes of Rossville, Dallas C. Ingemunson of Yorkville, Joseph Kozenczak of Des Plaines, Ben K. Miller of Springfield, Richard Mills of Virginia, Philip G. Reinhard of Rockford, Wayne C. Townley of Normal, Michael P. Lane of Springfield. And Mr. President and members of the Senate,

having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDENT:

You've heard the request. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I now move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, there is a joint Senate resolution that I would like to get over to the House...make a motion to suspend the rules for immediate consideration of that resolution.

PRESIDENT:

Alright. With leave of the Body, we'll go to the Order

of Resolutions. Read the resolution, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 97...by Senator D'Arco.

(Secretary reads SJR No. 97)

PRESIDENT:

Alright, Senator D'Arco moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 97. Any discussion? Senator Keats.

SENATOR KEATS:

I...I was just going to ask, being a member of the commission, we'd had a couple of meetings recently, unfortunately, all of them on days I was out of town. If I could say, what is the Joint Condominium Study Commission doing anymore outside of employing a couple of people? Does it really do anything? I don't mean to be cynical, but I thought the major work we did was about three or four years ago. I'm not aware of anything major we're doing today other than keeping a few people on the payroll.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

No, what...what we're doing...what we're attempting to do is to codify the condominium Statutes so...because they are all over our Statute books and we're trying to unify them, and in order to do that, in fact, the work is being done right now, and that's the reason why we need this extended date to January 12th of '83.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I would ask as...as Senator D'Arco is Chairman, I appreciate what we're doing, could we just sort of get a Gentlemen's agreement here that maybe January 12th, '83 ought to be a target deadline, because

we're sort of extending beyond what was ever the original intent of that commission, and I'm perfectly willing to go along to January 12th of '83. But, I mean, I think we're at the point where we've got to start saying, this is a commission who may be outliving its usefulness.

PRESIDENT:

Alright. Any further discussion? Senator D'Arco has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 97. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The rules are suspended. Senator D'Arco now moves for the adoption of Senate Joint Resolution 97. All in favor signify by saying Aye. All opposed. The yes have it. The resolution is adopted. Alright, with leave of the Body, we'll go to the Order of Senate Bills 3rd Reading, and we will proceed ahead with this caveat that there are some bills...the persons up in Enrolling and Engrossing worked until two or two-thirty or three o'clock this morning, and there are some that simply, physically are not yet back to the Secretary, and we will indicate that and as soon as they are back, we will certainly afford the sponsor the opportunity to call same. Additionally, I have been provided by the Chairman of...of the Appropriations Committee with a list of bills that are currently under discussion. At the request of the sponsors, most of whom are on the Republican side, that their agencies have asked the Senators to further discuss with the view toward possible further corrective amendment, and we will recognize that and certainly afford them that opportunity. So with those two caveats, if a bill is...is requested to be held, it's one reason or the other, and...and we'll just try to proceed on that basis. On the Order of Senate Bills 3rd Reading, the bottom of Page 3. On the Order of Senate Bills 3rd Reading, Senate Bill 121, Senator Maitland. Read the bill, Mr.

Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1212.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1212 as amended amends the Corn Marketing Act. Presently, as the procedures in advance of the referendum are developed, the picking of the...the...the temporary operating board and other things such as that, those procedures have to go through the Administrative Procedures Act. Senate Bill 1212 will now exempt this Corn Marketing Act from having to go through those procedures. In addition, there is one other change in the Corn Marketing Act in that it...it eliminates the automatic increase by half...to a half a cent after five years with two-thirds majority of the board voting in the affirmative. If in the judgement of the operating board that it is necessary to, after five years, go to one-half a cent check off, they then will take that to, once again, a referendum. So, that is also an additional change in Senate Bill 1212.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the...Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President, it's nine forty-five and this is the first bill on the call, and just time to get situated here and see exactly what's happening. What you're doing is you're increasing the checkoff for every bushel of corn now from one-quarter cent to one-half cent, that's what my synopsis says, Senator Maitland. Is that...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No, that is not correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, I have a little thing here dated April 28th, which our staff did an analysis, Committee Amendment No. 1 to Senate Bill 1212 and it says, "After the first five years of the program, the Corn Marketing Board can increase the... assessment from one-quarter cent per bushel to one-half cent per bushel," is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, I guess it's partially correct, Senator Buzbee, you just haven't read the whole thing. Presently, the operating board, if you would have listened to my opening remarks, the operating board has the right by two-thirds approval of that board to increase after five years the checkoff to one-half a cent. This would eliminate that procedure and would cause the operating board to call for a farmer referendum after five years to take that to one-half a cent. Really, I think, we're addressing some concerns that...that your side of the aisle had in...in the Corn Marketing Act, and I think this is...I think, really, this is making it better.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, the...it's my understanding that the farmers of this State voted this...this provision...or this...this proposition, voted it down overwhelmingly in a referendum of awhile back, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

It was defeated sometime ago, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, I...I don't farm too many acres, Senator Maitland,...and none of them are in corn. None of my nine acres are in corn, but why are we doing this to the farmers if they don't want it done to them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

We're not...we're not doing anything whatsoever to the farmers. I'm reasonably sure that, once again, the mechanism will be put forth to offer a referendum, once again, to the farmers. Nothing...nothing that we're doing here really changes any of that except that it exempts the temporary operating board from the necessity of going to the joint committee in advance of the referendum. I might also say that we did this very same thing last year for the lamb and wool people, and the joint committee, of which I am a member, has passed a resolution that we will introduce legislation that will affect all of the commodity checkoff programs that we have in the State of Illinois. The purpose being that really it's duplicative. The joint committee is passing judgement on a decision that subsequently farmers are going to make their own decision on, and so, really, it's just unnecessary bureaucracy, and that's the reason that we're advancing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee. Senator Hall.

SENATOR HALL:

Yes, along that same line. Senator, why are we getting into this? I haven't received anything from the people in my farm bureau in regards to this. I mean, why is the State getting into something when they have no right to dictate to farmers? I'm not a farmer. I'd like to hear from some of these people. Who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, I don't think the State is...is really dictating anything, Senator Hall. My farm bureau supports it. The Statewide farm bureau is supporting it. And...and I think, quite frankly, farmers want the checkoff. This...we're not really addressing that issue at all though, we're simply amending the Act at this particular point in time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, if they had turned it down, and it's been turned down and now we come right back, going to force something on them, according to what I said, that...I don't see no reason why we ought to be forcing something on people if they don't want it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. Senator Hall, are you there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall, Senator Bloom requests your presence.

SENATOR BLOOM:

Yeah, the genesis of this bill came during the joint committee's five year review process, and we had at the time said, "Gee, why don't you do this through the Administrative

Procedure Act," and the Department of Agriculture said, "No, wait a second, this shouldn't be done, this is...this is a private sector thing, and these guys get together and...and do their corn marketing in their own way and we don't want a bureaucratize it." So, the joint committee backed down and then said, "Okay, go ahead, take it out of the Administrative Procedure Act because it's something that's run by farmers for farmers." That's the genesis of this legislation. It has nothing to do with forcing anything down anyone's throats. If...if anything, it's going the other way, okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator J.J. Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I might add some light to this, maybe...it was voted down over two to one, but that was because of the...of the cost that was going to be incurred with the so many...percentage of cents a bushel. Now, this gives the farmer another opportunity to see if he wants to go along with this, with...with that change that Senator Maitland has said, that it's not...it's going...if there's going to be an increase, it will be done by referendum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Maitland may close debate.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I...I believe that...that the...the area has been covered quite well. I held this bill on 3rd reading for a number of days so that everyone would have an opportunity to view it and understand the impact, and therefore, I would just appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1212 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 7, 1 Voting Present. Senate Bill 1212 having received the constitutional majority is declared passed. Senate Bill 1242, Senator Berman. Senate Bill...WCIA-TV is requesting permission to film these proceedings. Is permission granted? Leave is granted. Senate Bill 1264, Senator Rhoads. Senate Bill 1265, Senator Buzbee. Senate Bill 1266, Senator Egan. Senate Bill 1267, Senator Netsch. Senator Netsch. Senate Bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1267.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill addresses the problem that is raised, and I guess raised rather regularly, by the quadrant assessment system in Cook County. And what it is intended to do is to loosen up or provide some flexibility for that decision. It allows the county board to establish not less than two assessment districts for the County of Cook. It does not mandate that, but it does permit it. I think that there are many of us who have sat through extensive hearings on the problems of the quadrant multipliers and the quadrant assessment districts in Cook County who believe that the present system is not good, particularly in a time of rapidly inflating real estate prices, but probably at no time is it really all that sensible now. And it does create some major disparities among groups of taxpayers who are situated in Cook County. This would certainly permit the establishment of two assessment districts, one being the City

of Chicago for whom the major taxing districts are coterminous with the city boundaries, and one being the...the suburban part of the county. I personally feel that that probably is the most sensible way of handling that problem. It would also permit the assessments to take place biennially rather than every four years, and I think in the long run that probably is beneficial to everyone involved including the taxpayers because it does not then result in these massive increases in assessed valuation. But in any event, the...the bill does not mandate the two unit assessment resolution of the problem, but it does permit it. I think that it is at least a recognition that everyone seems to agree that the present system is not good and that there ought to be a...an adjustment made. There was, at least in committee, no opposition to the bill, and I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator McMillan.

SENATOR McMILLAN:

Very briefly, I rise in support of the bill. It is permissive. I believe it's an option that ought to be available, particularly because it would allow reassessment every other year rather than once every four years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR NIMROD:

Yeah, Senator Netsch, I...I'm...I support the idea of getting down to two and then eventually to one, particular...instead of the quadrennial assessment, but you mentioned something in this presentation I had not heard before. Is there something in the bill that I have overlooked that

says that when...if it's divided into two, one will be Chicago and one will be the suburbs? If it's going to be that way, it's going to be very bad and very dangerous. And I would oppose the bill if that's the circumstance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, the answer is, no, it does not say that. The exact language is that the county board in a county over three million may by resolution after 1983 divide the county into no less than two nor more than four assessment districts. It does not say what those are. I have my own personal view about what would make sense based on all the testimony we've heard, but there are differences of viewpoint on that and it does not mandate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you. In that case, I would still support the...the bill, but however, I would like to, for the record, indicate that I think it would be objectionable and certainly not in the best interest if we were to assess on two quadrants and have the suburbs separated from the City of Chicago. What it would do then, is to start to set up two assessing procedures, one for the suburbanites and one for the Chicago, and allow for a differential among those who are doing the assessing, and it seems to me that what we need to do is to continue the quadrants that take parts of the city and part of the suburbs to the north or to the south or to the west. It would not be very satisfactory to have homes on the south side being assessed at the same time as the...the northern suburbs are being assessed, and it's the same thing with the southern suburbs while the north side's being assessed. It's entirely different areas and different quadrants. We ought

to keep similar communities, especially as we go from the city to the suburbs gradually change, we'd like to see that all being done by the same assessing procedure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close debate.

SENATOR NETSCH:

I think it...thank you, Mr. President. I think all the points have been made. There was no objection, it is permissive, and I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1267 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. Senate Bill 1267 having received the constitutional majority is declared passed. Senate Bill 1272, Senator Coffey. Senate Bill 1280, Senator D'Arco. Read the bill, Mr....Senator D'Arco.

SENATOR D'ARCO:

Thank you, I would call it back to 2nd reading, Senator Collins has an amendment she desires to offer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator D'Arco seeks leave of the Body to have Senate Bill 1280 brought back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Senator D'Arco.

SENATOR D'ARCO:

Thank you. Senator Collins wishes to offer...is that...I have an amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

There are...there are two amendments, Senator. One by D'Arco, one by Collins.

SENATOR D'ARCO:

Alright, the...the first amendment is a technical amendment, is that the one by D'Arco? Alright, that amendment is a technical amendment, and I would offer Amendment No. 1 to Senate Bill 1280.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there any discussion? Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 1280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. I'm sorry, that's Amendment No. 2. Senator D'Arco's was Amendment No. 2. On Amendment No. 3, Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Amendment No. 3 to Senate Bill 1280 is an attempt to address, I think, what most of the people in my area are concerned about when we talk about compulsory insurance. While many of those people see the necessity of compulsory insurances, they are leary of the fact that the insurance rates will go up so high, until they would no longer be able to afford insurance...liability insurance. It is true that in all of the states who has...who have compulsory laws the insurance rate did, in fact, go up substantially. In the City of Chicago and surrounding areas, the cost of automobile liability...insurance is almost prohibitive at this time. The State of Illinois is the only state in the country which does not have some type of controls over automobile insurance rates. Amendment No. 2 is an attempt to address that critical problem. If we are, in fact, going to go...to have compulsory liability insurance, which I personally feel is a good idea, then it is imperative that the Department of Insurance be given some authorities to control or to regulate the rate...the rate making process. The amendment itself allows and promotes open competition. It is, in fact, a file and use, meaning that the insurance company or agency can, in fact, file

their...put their rates into effect but within fifteen days they must, in fact, file those rates with the Department of Insurance. The Department of Insurance is given the authority to review those rates to determine whether or not they are excessive or discriminatory in any way, and if so, they have a right to repeal the rates of the insurance company that's in effect, and in fact, have the companies refund the policyholder for the overcost of the insurance. I will have...be happy to answer any questions, and I move for a favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rhoads.

SENATOR RHOADS:

There is, Mr. President, considerable interest on our side of the aisle in the amendment, and I think I'm joined by four other Senators in requesting a copy of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...amendment was distributed to all Senators on yesterday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

I stand corrected, Senator, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Would the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR SCHUNEMAN:

Senator, apparently you're seeking to impose some kind of a governmental control over insurance rates in Illinois, and

I'm sorry that I haven't had a chance to look at your amendment until right now. I'm wondering if the sponsor might be willing to take this out of the record for awhile 'til we've had an opportunity to at least study your...your amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator D'Arco.

SENATOR D'ARCO:

What did he say?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The request was that if you would take it out of the record so that they may study this amendment.

SENATOR D'ARCO:

Well, I mean, the...the amendment was distributed yesterday, and I...you know, I don't see why if you...if you couldn't read it yesterday, you probably can't read it today either, I mean...so I don't see...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman, Senator D'Arco wants to move the bill.  
Senator Schuneman.

SENATOR SCHUNEMAN:

I...I think you may have misunderstood, Senator. It isn't that I can't read it, I think I can read it, but I was not aware that it was here. I would have to rise in opposition to this amendment, Mr. President. The insurance rates in the State of Illinois have, under our present...under our present free market system, the insurance rates in Illinois have performed much better on behalf of the consumer than insurance rates have in states where the government tries to control insurance rates, and I would think that we would be making a very serious mistake in Illinois if we try to move back to the old system of prior approval of insurance rate making. And as I understand the sponsor of this amendment, that's what she is seeking to do. Now, certainly there are...there are areas in this State where insurance rates are

high, but the effect of having the government impose insurance rate making is to spread the cost of that high risk area throughout the entire State. There are, certainly, people in this State who have to pay high insurance rates, but the effect of the government...imposing rate making procedures is to spread the cost of those high insurance rates over the entire population, who for the most part have not caused the greatest number of accidents. So, I think that we should definitely oppose this amendment. It has nothing to do with the concept of compulsory automobile insurance and I think is a...a step in the wrong direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR OZINGA:

I'm trying to analyze what she said with reference to this resolution, and I make out nothing except possibly a delegation of authority from the Department of Insurance to a regulatory agency within the City of Chicago for the determination of a stated rate over high risk people. Now, is that about what this amendment does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I don't know what amendment you have, but the amendment that I have right now under discussion has nothing to do with Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

Does this delegate to another agency other than the

Department of Insurance a...a regulation...or regulatory authority?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Absolutely no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

As to the rates?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Is there further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. On a little bit of a quandary, I was willing not to say one word against this amendment because I thought if we got it on the bill it would make the bill even worse than it is, and we would be able to perhaps talk a little bit directly to the entire bill as amended. But one thing I would like to ask the sponsor, if I may, the sponsor of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR RUPP:

On the first page, Line 18, you have a twenty percent figure where you say that there should not be any area which would be twenty percent more than any other area in the State. On what did you base that twenty percent? Is that just your wish, or is there any...actuarial basis for it, where did you get the twenty percent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Actually, it is not...the twenty percent figure was what

I considered to be a reasonable amount that one should pay in a high risk area in the same classification of insurance. I...I thought it was a reasonable amount, and...and in doing so, let me...let me tell you how I arrived at that figure. In doing so, I took my own automobile insurance, I moved on the first of March from Oak Park across the line to the City of Chicago, and at that point, my insurance went up from eight hundred seventy dollars and ninety-six cents per year on two cars, the same cars, to now fourteen hundred thirty-four dollars and eighty cent. At twenty percent, however, the increase would have only been a hundred and seventy-four dollars a year. That is reasonable, I'm assuming, rather...which would have been a savings of three hundred and sixty-nine dollars and sixty-five cents. That is outrageous that one should have to pay that much difference in insurance for less than a half a mile in terms of distance between residence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

The...well that means...what you're saying, in effect, is that the twenty percent is an arbitrary figure that you just decided on and has no connection whatsoever with the experience, or the losses, or the driving records, or the...accident frequency in the area into which you moved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR RUPP:

And you're just saying it...just should not be that there should be an increase of that much, but if that extra cost that comes to the company from those particular areas is not charged, then that means...in that area, that means that you, the others who live out-state, others who live not in that area are going to be paying more than they should.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

That is not correct. The bill...the amendment specifically says, within the same class. It simply means that if...if you are above twenty...the age...in the same age group, in above twenty-five...good driving records, no...moving violations, no accidents, that there should be no reason why you should assume the total burden for all of the bad drivers in a highly populated area, because most of the...the traffic that contributes to the...the high rate of accidents in an area, for example, like Chicago is also caused by those persons who commute to and from the city, because the most accidents occur during the rush hours in the mornings and in the afternoon. So, why not have the responsibility for that risk also spread it out throughout the State. If, in fact, I'm...I am a good driver, I have no accidents, no moving violations, then I should not have to assume all the responsibility. That is just basic fairness, risk does have something to do with it, it is...territory alone does not have nothing to do with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rupp.

SENATOR RUPP:

(Machine cut-off)...sponsor, I was wondering...the...another question from the Senator. How did you vote on the re map? Why don't you...do you want to move back to Oak Park?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Newhouse...oh, Senator Rupp.

SENATOR RUPP:

Yeah, I do have other questions, but I will save it to...when the main bill comes up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

I rise in support of this amendment. The theory of insurance, presumably, is to spread the risk over a wide number of people, and what has happened in the City of Chicago is that the City of Chicago has been broken down into areas for insurance purposes. The areas that...where those accidents and thefts occur, whether they are accidents that are precipitated or involve people in those areas or not doesn't make any difference. When you want to direct traffic, you don't simply put up a stoplight at the corner of a major intersection and say, that's the high risk area and exclude everyone else. Chicago has...does not have a geographic spread that is proper, there is no validity to the way that the rates are charged. People who have good driving records and who live in specific quadrants nevertheless have to pay high insurance rates despite what those records have been. My insurance rate is outrageous. It costs as much to drive an automobile as it does to pay for it. There's no way...there's no way that there...should not have to be some kind of an adjustment for those rates if there is to be compulsory auto insurance. I don't oppose the idea of compulsory auto insurance, I think it's a good idea, but it also ought to be an idea which spreads the risk over the maximum number of people. I support the...the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Collins may close. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in support of this amendment. There is no question that in Chicago we are supporting the insurance industry by paying extremely high insurance for automobile coverage, where we are really being

discriminated against by the industry, and there's no question that this is a good amendment. All it says is that they can't charge more than twenty percent of the Statewide average of insurance premiums in the entire State of Illinois. That seems reasonable to me. It's not a form of control by...by the government of the State because it's really more of a form of telling the insurance companies that they've got to stop this type of discrimination. And I rise in support of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Illinois Information Service would like permission to videotape the proceedings from the front and rear balconies and the press box. Is leave granted? Leave is granted. Senator Collins may close debate.

SENATOR COLLINS:

Thank you, Mr. President. Senator Schuneman's remark that this amendment requires prior approval, that is not true. This is a file and use provision. It allows the insurance companies to set their rates...to put their rates into effect. It simply allows the Department of Insurance to look at those rates and to determine whether or not they are excessive or discriminatory. This amendment also promotes open competition. This type of provision many states have adopted, competition still exists, and I'm sure that it will continue to exist in this State. There is no reason under the sun that the State of Illinois is the only State in the country which does not have some type of monitoring or control over the cost of automobile insurance...it is time that we act responsibly, and there's no question that people need to have insurance...coverage on their cars because many people are carrying the responsibility through...uninsured motorists which is another cost to your already overcost charged insurance rates. That is to me, unfair. This amendment attempts to spread the burden for those high risk areas

throughout the State. And I would ask for your most favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the question of...Senator...Collins moves the adoption of Amendment No. 3 to Senate Bill 1280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. I filed a request for a fiscal note.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, when did you file this request?

SENATOR PHILIP:

When it was brought back to second.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Today?

SENATOR PHILIP:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the Chair would have to rule pursuant to Chapter 63, paragraph 43.31 that the Chair has consistently ruled that fiscal...requests for fiscal notes must be filed before 2nd reading...prior to 2nd reading. The bill was already read a second time and, it was just brought back for the purpose of amendment. So, your motion is out of order. Any further business...any further amendments? Senator Philip.

SENATOR PHILIP:

Yeah, I would just remind the Chair, respectfully, that when it is moved back for the second time and changed substantially, that in my judgement, it is in order to...to

request a fiscal note, and, you know, when there's a change like this, I think the Secretary of State is entitled to know it, I think the members are entitled to know what effect it has, and before we vote on this, we ought to have that opportunity.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DAVIDSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to the Senate twenty-three students from fourteen foreign countries who are attending at Lawrence Adult...School here in Springfield where English is taught as a second language class, and their teachers Mrs. Medley and Mrs. Logue. Would you please rise so we can acknowledge you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would the students please rise and be acknowledged. Senate Bill 1285, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the operations budget for the Judicial Inquiry Board as amended.

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1285 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, none Voting Present. Senate Bill 1285 having received the constitutional majority is declared passed. Senate Bill 1290, Senator Lenke. Read...Senator Lenke.

SENATOR LENKE:

There's an amendment up there I want to bring it back to second.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke seeks leave to bring Senate Bill 1290 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Bill...Senate Bill 2nd Reading, Senate Bill 1290. Senator Lenke.

SENATOR LENKE:

What...what this amendment does is...is it amends Senate Bill 1290 to phase in the hundred and fifty thousand dollar exemption for surviving spouses. On July 1st, 1983, the exemption will go up to eighty thousand; July 1st, '84, it will go up to a hundred thousand; July 1st, 1985, it will go up a hundred and twenty thousand; July 1st of 1986, it will go up to a hundred and forty thousand; July 1st of '87, it will be up to a hundred and fifty thousand which is...we're phasing it over a five year plan. This way the loss of revenue will not be substantial, and it will be only about three million dollars in each year. There will be a pick-up of more than that because of estates having increased in value. I think it is a good amendment, and I think it allows us to work at phasing out inheritance tax in the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Senator Lemke, can I join you as a co-sponsor? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1290. Those in favor indicate by saying Aye. Those opposed. The Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1292, Senator Simms. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill has had a great deal of debate yesterday on the amendment, but let me refresh the Body's memory as to the input of this legislation. It amends the Child Care Act of 1969 to exempt church operated educational programs from licensures. The churches that must meet the requirements for a tax exempt religious institution must qualify under Section 501C3 of the Federal Internal Revenue Code. To qualify for the legislation, the church program first must meet the requirement for tax exemption as outlined by the Federal Government. Two, not be receiving governmental funds of any type from any state, Federal or local unit of government.

Three, it must be a part of a...parochial school system for the program must meet the appropriate state or local health and safety fire standards. This legislation, I believe, is very much needed in the State of Illinois to guarantee religious freedom, an expression of religious education in the State of Illinois. At the present time...at the present time, there are schools that can qualify through the State Board of Education. This legislation was before us last Session of the Legislature, the Senate voted for it on a vote of 47 to 2. It was...the Governor subsequently vetoed this legislation, the Senate overrode that veto, the House failed by a few votes. Consequently, the legislation resulted in negotiations between the Department of Children and Family Service, the Office of the Governor, the various church organizations, and this legislation was a combination of an agreement that was reached between the director of the department, the Governor's Office, and the concerned parties. I would urge that the Senate favorably act in the passage of Senate Bill 1292.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Yesterday, Senator Marovitz, attempted to offer an amendment to this bill that failed which would have made this bill a little more...made it a little better, it's a bad idea, I think in the first place, but at least, I think, some of us could have supported the bill had that amendment been adopted yesterday. That amendment simply puts some safeguards and protections to insure that the health and safety and well-being of these children were being taken care of. And there was no reason that this Body should not have adopted that amendment. The proponents of this bill have been contingently...consistently alleging in that, this is an attempt, those of us who oppose

it, to interfere with the religious teaching of these institutions. That is not true. The issue before us has nothing to do with the religious faith or ideology. It is a simple...fact of whether or not the State of Illinois will guarantee that these children housed in these facilities are protected from fire and health and safety, and that is not very much to ask. Simply because a building is owned and operated by a church group does not mean that that building meets basic minimum safety codes. And I think that it is irresponsible on the part of this Body to pass legislation under disguise of non-government interference into a religious faith is a cop-out, and it's most certainly something that we should not be considering. Kids are being burned up in buildings and the kids are being undernourished in these types of programs all over the State, and it's our responsibility to make sure it does not happen. And those of us who have been in opposition to this bill, have been consistently...indicating to the sponsor and the proponents that our basic and only concern was, in fact, that they have minimum safeguards, and it did not happen. So I ask that you examine yourself and vote No on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR HALL:

Senator Simms, how many groups are you talking about that's advocating for this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Senator Hall, there's probably around ninety schools

Statewide that would participate in this exemption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

And are you...did I understand you correctly that you're trying to say...that you did make a statement that this would be a separation of...of State and church...is that...is that your sole reason for putting this bill in?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

What I said was, this is an issue of...of separation of church and State, because in order to qualify for this legislation they could accept no governmental funding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

I want to thank you, Senator, but I rise in opposition of this, because, after all, whether they get government funding or not, they're still lives, and they're still our...our people in the State of Illinois. And I don't think that we have a right to exempt any group on the theory that they're not getting any Federal funding. After all that we're supposed to be here doing a job with the interest of the people of the State of Illinois. I think it is a bad move. I'm sorry you didn't accept the amendment that Senator Marovitz tried to place on yesterday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I just want to clarify, I think the train's leaving and most everybody is going to be aboard, but I would like to clarify, this bill has absolutely nothing to do,

whatsoever, with religious freedom. It has nothing to do, whatsoever, with separation of church and State. There's nothing in this bill that...there's nothing in the present regulations in any way that require or...or oversee what a school, a religious school, can or cannot teach. That has absolutely nothing to do with the legislation, and the only reason it's being brought up is to stroke your heartstrings and make you vote for this bill, and that's the only reason it's brought up. We have talked with the State Fire Marshal, and he has said that he will not be able to inspect these schools, he'd never be able to find them until after the fact, which unfortunately is too late for the kids in the school. There's no way he'd be able to inspect these kids if this bill...if this bill passes. It is the State's responsibility, it has always been the State's responsibility to insure the health, welfare and safety of the school children of the State of Illinois and all the school children of the State of Illinois, not just some of the school children of the State of Illinois. We do inspect and have always inspected other religious schools throughout the...State. We are going to continue to inspect other religious schools because this bill doesn't cover all schools. Even though those schools don't get government funding, we are still going to inspect them after this bill for fire, safety and health regulations. But Senator Simms is exempting a certain kind of school. And once again I want to repeat from the Bloomington Pantagraph, the sponsor's own newspaper, not that he owns it, but I believe he has an interest in what they...what they say in their editorial, "Should day-care centers operated by Christian schools meet the same health and safety standards required of other day-care centers? Answer, no one we know would argue otherwise." Somehow their center...their Senator is arguing otherwise. I don't understand that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and senators. The issue on this bill is a very simple one, it has been amply stated by my two preceding legislative friends. I have the greatest respect for its sponsor. I have the greatest respect for those religious institutions, but the facts of life are that government is for the mutual protection of the citizens in the State of Illinois. And this bill, in fact, asks us to walk away from our responsibility to children, that's how simple this is. It says, in effect, that we will permit certain people or certain organizations to set up operative day-care centers that do not have to...conform to reasonable standards, and when that is done it means then what...we have exposed some children to all kinds of tragedies. No one has to go back through the litany of what has happened in uninspected places in the past, we know. I don't have to mention by name the kinds of fires that there have been, I don't have to mention by name the kind of absence of standards that has caused children to be damaged and crippled throughout life and children have died. It's a very serious matter, and not to be taken lightly. This bill ought to go down to a resounding defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. I think that those who are opposed to the bill are certainly justified in trying to claim safety for the children. But in no way do we who support this bill ignore or neglect that responsibility either. We're not saying anything that has to be done for this school is not already being done for the public schools,

it's just giving equal treatment. When the church is built, and when they have fire inspectors...and Senator Marovitz, you might have gone to the State Fire Marshal, but it seems to me, I recall that the local fire departments are the ones in each areas and the communities are the ones that, in fact, do the inspection for these day-care centers. And when churches are built they are required to meet all the local requirements, all the fire...fire and health standards in the local health boards, whether they be the county, whether they be the local community or within the State. So, there will be health and fire standards that will be met, and this...the treatment of these individuals, and these students, and these children will be no different than those already being done for public schools. When, in fact, there is a school...when, in fact, there is a private school, it seems to me that the Director Coler, who has worked out an arrangement of this, and who we all have a great deal of respect for, would not in anyway neglect the safety or the health of the individuals that are involved, especially the children who can't help themselves.. Seems to me that the Governor and...and who has also supported this particular bill, and that the department who has agreed that the provisions within this bill are adequate, it would seem to me that this is...is a proper solution and a compromise to a problem that has been with us for almost a year and a half. I would certainly urge us to support this bill, which does give adequate protection and treats them equally as it does with public schools.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, not one Senator of all of us here wants to hurt any child, but it's interesting to know that the present law does not...does not affect children who are past preschool age. In other

words, under the present law, church schools that do not operate preschool components are not required to be licensed under the present law. And children whether they're three years of age or ten years of age, it seems to me that their lives are just as important no matter what age. This bill has all the safety standards in there. It has local control of the fire departments...that local inspections, and if any...any parent feels that that child is going to a school that is not adequately safe, certainly all they have to do is make a complaint. If the local authorities won't listen, they can make it to us, we are the omnibus men of the people. And I support this bill, 'cause I do believe there should be a church separation ...rather a separation of church from State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I rise in support of this bill, and one of the reasons for rising in support of it is that, I think that we down here in Springfield want to take over all the local jobs of inspecting and everything else, and we just want to have one huge State Government, and we don't trust local government. Who would be more closer to the children, the local fire chief, or the volunteer fire department, or the State Fire Marshal? I think locally, the local people would be closer to the situation and would know about it. Coming from Chicago, I think the Chicago Fire Department would adequately inspect these facilities, coming from those suburbs...and especially if you look into the areas where they have volunteer fire department, they are made up of volunteers from every church and every place else, they get together and they work for the safety of the community, and they will be the first ones to get after anybody that violates these laws. I think the only people in opposition to this bill are those

people that run day-care centers and receive a fee and make a profit. We're talking about not-for-profit day-care centers here, people that will...that take children and...and when they can't pay the price for that weekly care, they waive it and they take it as a charity. That's not true with the association of paid day-care centers, because if you can't pay...if you can't pay your fee at the day-care center, your kid don't go to day-care. So, you're out of luck. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI seeks permission to take still photographs. Is leave granted? Leave it granted. Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this bill. We passed a similar bill out of the last Session, the Governor saw fit to veto it. Even though the Senate overruled his veto, the House sustained his veto. This bill received two day hearings in the Committee on Public Health, Welfare and Corrections. The previous members on the committee covered all the bases. There are numerous organizations against this bill that deal in this area, like the Jewish Federation in greater Chicago, Day-Care Action Council of Illinois, Consortium Governmental Concern in Illinois, Women's Agenda, League of Women Voters,...Catholic Charities and other...many, many other groups. It's a bad bill and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I too rise in opposition of Senate...Senate Bill 1292. I opposed Senate Bill 524 last Session, and I would just point out to the membership, we're not talking about religious freedom or what is taught or not taught in a reli-

gious school, we are amending the Child Care Act. And what we are suggesting is that if, in fact, you...as a nonprofit institution, or as a private institution of some sort, wish to get into the business of day-care even though it may mean that you may not charge a fee that the State has some interest in those young children, at least to the extent of their personal safety. And what we are essentially saying, and I point out that the only difference between this bill and 524 is that a new element has been added, and that is Subparagraph 3 where it says, "Receives no governmental aid."

And I think as a matter of public policy we are making a mistake, because I think the State has an equal duty to attempt to protect the health and safety of the citizenry, particularly to the little citizenry, even when they're shepherded by organizations that receive no governmental aid. This in my judgement is...is not a true compromise, it is bad public policy. If you don't take any of the State's money, we don't really care about your health and safety. I think it is a mistake, and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Senator Bloom. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President, fellow members. I realize the debate has gone on probably too long on this issue, but there is an important ingredient that has remained silent, and I am surprised at some of the senators from the other side of the aisle who have not referred to it. I...in listening to the debate, I thought there was a boggyman here about storefront churches and the possibility of anybody going into business. President Rock stopped with Subparagraph 3 on...on the 501C3. If you would look at the bill, Ladies and Gentlemen, Subparagraph 4, I believe, is the active line, on page 2, line 13, that says that it has to be operated as a component of a religious nonprofit elementary school, which ties it

into the whole school system. I happen to be a Christian, but that makes no difference to me, there are Jewish schools, and Arab schools, and whatever, that come under this thing, but they already have to have on board an elementary school system before this even kicks in, so I presume we're talking, perhaps, about the Baptist and...and whoever has an elementary school. All of the Catholic Schools would be..would qualify for this. To me it's a broadening...a broadening amendment and probably one of the best things that's come down the pike in a long time. I'm almost sorry that it's been tagged Christian, not that I'm sorry I'm a Christian, but there are many private elementary school systems church oriented in this State above, beyond and including the Christian. And I would certainly think that you could take time out at this time to vote Aye, and discard all of the previous rhetoric because it's good. It's so good that the Governor even is for it, and that's got to make it excellent. I request an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Marovitz, for the second time.

SENATOR MAROVITZ:

I'm...Mr. President, I'm sorry to rise a second time, but I just have to clarify something. If anybody's going to vote for this because they think that the Catholic schools or Catholic Charities is for this, forget it. They're not. So, let's not be deceived to think that Catholic Charities or the Catholic school system has come in in support of this legislation, they are not. And many of those schools and...and those groups that you've talked about are opposed to this legislation, and...because they know it's not good for kids, it's not good for children, it's...specialized legislation, and as a matter of fact, the...the Reverend who came in and said this was a good idea has said...in fact, I'll give you

his name in a minute, said that there's only...Reverend Wineger, he's the one that's behind this whole legislation from the Christian schools, and there's...thirty-five schools that would qualify under this. So we're not talking about all these religious schools, and we're not talking about just day-care centers who profit, we're talking about a very small group of people who say, our kids...our kids don't need anybody to watch over them, but you can take care of all these other religious schools. Our obligation in the State of Illinois is to care for the safe...safety and welfare of all the kids of Illinois regardless of their...religious affiliation. That's our responsibility, let's not abrogate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berning.

SENATOR BERNING:

Just one brief comment, it seems to me that since this does involve a very small group of students and schools, that perhaps we ought not to attempt to impose our dictatorial attitude upon some parents. And let me also remind you that under the Federal finding, the Amish schools have been able to function without the beneficent hand of the State Governments, maybe we ought to support this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms to close.

SENATOR SIMMS:

Well, thank you, Mr. President. I'd like to put a few things in perspective. First, for Senator Marovitz, I do not live in Bloomington, I live a hundred miles north of Bloomington in Rockford. I don't own the Bloomington...Pantagraph, and frankly, I'm not that impressed with their editorial opinion anyway. Secondly, the representative of the Catholic Council of Bishops in Illinois, Mr. Hartigan, is not opposed to this legislation. The Catholic Conference is not opposed to this legislation. The only

groups that have opposed it has been the Consortium and the Jewish Federation of Illinois. But addressing the merits of the bill, there's a lot of inferences being illustrated that the children of Illinois that would qualify for this will be in jeopardy. That's an unfair statement to say, in the same relationship that anybody stays in a Chicago hotel is in jeopardy of burning up because of the City Fire Codes in Chicago, and that's an unfair thing to say. It's an unfair thing to say, as well, that the children would be any less treated. Let me say this in closing, this only extends to these schools the...right of religious freedom. The people that run a church school care about children, and children could be no safer and no better cared for than in the House of the Lord. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1292 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 18, none Voting Present. Senate Bill 1292 having received the constitutional majority is declared passed. Senate Bill 1296, Senator Marovitz. Senate Bill 1299, Senator Totten. Senate Bill 1319, Senator Netsch. Senate Bill 1321, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1321.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1321 emanated from Mr. McNulty, Tom McNulty, who is in charge of the Property

Tax Division in the States Attorney's Office in Cook County. And it was intended to resolve what he thought was a growing misreading of the scavenger sale procedures. Basically, what the bill does and it's most important item is to make it clear that the personal liability for delinquent property taxes survives whatever might happen as a result of the scavenger sale process. In other words, that the personal liability is not extinguished by a judgement under that Act and that that can be pursued as a separate matter. The realtors were concerned only about making...not interfering with the scavenger sale process, which has become a very important part of trying to clear the property tax rolls. We have made several changes, which were reflected in the amendment that I put on the bill yesterday, that fully takes care of all of the concerns that the realtors raised about our affect on the scavenger sale process so that it remains pure and intact, but at the same time, it is clear that the personal liability survives, which most of us thought was true anyway, but there was a growing concern about whether the law would be read that way. I believe that in this form there is no objection to the bill, and I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator McMillan.

SENATOR McMILLAN:

I rise in support of the bill. It was amended yesterday, basically, to take care of some technical differences. I think it's been checked through with everybody. It's a strengthening of the law, and I would support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berning.

SENATOR BERNING:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR BERNING:

A scavenger sale, Senator, as I recall, was to establish title to real estate which has been delinquent for a period of years. Now, how is the previous owner and his liability for the unpaid taxes equated to the clear title which a scavenger purchaser is supposedly going to get? I...I don't quite follow that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

If the property goes onto the rolls to be sold at a scavenger sale, and we have not interfered with that process, then eventually...if it is sold, eventually, the title will be cleared in that process. And we have not in anyway changed the law in that respect, Senator Berning. The one thing that there had been a growing concern about was whether the law was going to be interpreted, and most of us would acknowledge misinterpreted, to provide that the personal liability which has nothing to do with the property nor with clear title to the property, would somehow be held to...to be extinguished at the time that the scavenger sale procedures went ahead, that is what we are primarily concerned with here. So that it will not, in anyway, affect the ability to provide clear title if that is the end result of the scavenger sale. It has nothing to do with the property itself.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Berning.

SENATOR BERNING:

Then what you're saying, Senator, is that at a scavenger sale, the purchaser will get clear title for whatever he bids, but the residue is set up as an ongoing obligation of the former owner? And then, what procedure is there for enforcing collections, since the property is no longer a lever?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

If I may go back just a second, the...the scavenger sale does not itself produce a deed of clear title, by the way. It produces...you know, you're...basically, you're purchasing the taxes and you get a title that's subject to redemption still, so that...that is true in the basic scavenger sale procedure which we are not changing in anyway. It has always been assumed that the personal liability for delinquent taxes continued quite apart from the property itself, but as I indicated, there is a...there are attempts to suggest that the law does not so provide, and it is that which we are attempting to clarify. When I was discussing this, for example, with the realtors the other day, they said that one reason why they have no objection to that is that they have always assumed that that was the case, but there is a growing ambiguity about it. Now, if a judgement for the personal liability, for the taxes, were pursued, and it would be pursued really only in the case of those who have been abusing the...the entire process, I would assume that other assets would be the means of satisfying that judgement, it would not be the property, of course, because the property is off...assuming it has been sold pursuant to the scavenger sale, it is off in a different category by then.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Well, Senator, I have to say that I laud the effort to retain a liability for a delinquent taxpayer. Having been in the county treasurer's office myself, I have seen what I felt was a blatant abuse of our system. A scavenger sale for all intents and purposes wipes out the obligation of a property holder. But now then, Senator, assuming that this passes and

that this becomes law, let me pose you a question on your constitutional ability and ask you, what now, pray tell, of all of those who have not been required to assume this liability which we are now going to impose on delinquent property holders, is this not going to be contrary to the equal protection of the law section of the United States Constitution?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Absolutely not. There is nothing in the United States Constitution or in the State Constitution, for that matter, which says that delinquent property taxpayers, who have been usually bilking the system for a long period of time, have a right to get out from under that obligation. No, Senator Berning, I seriously and absolutely do not think there is any constitutional problem at all.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

At the expense of belaboring it, you missed the point. We are now going to saddle people with this obligation, and I think rightfully so on a given date, but prior to that date, thousands of people are being eliminated from that responsibility, and I think thereby hangs a good case from the day that this takes effect with those who are going to be held liable, when they cite thousands who have not been held liable and the new obligor is now not benefiting from equal protection of the law.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

No, I don't think we are changing the law. What we are doing is clarifying that that liability has always been

there. I think the...the biggest problem in past years, Senator Berning, was not that the personal liability didn't exist, it was that it was not pursued. There were too many states attorneys in too many counties in the State who simply did not go after the delinquent taxpayers if they could not get it through the property itself. But I don't think we are actually changing the law, we are simply confirming that that obligation does, in fact, exist.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

If I understand your bill, you're saying that if people don't pay their taxes for five years, then it's discretionary upon, I imagine it's the county clerk who handles the...puts out the notices...discretionary upon the county clerk, or whoever is in charge, as to whether or not to publish a notice. That's what my analysis says, and that's why I'm asking you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

The analysis is not correct. That has been changed both in the committee amendment and reconfirmed even more strongly in the amendment which I put on the bill yesterday. We...and that was the point that the realtors were concerned about. We have made it clear that all the property which is five years delinquent, and which would normally be subject to the scavenger sale procedure must, in fact, be put on the list for processing under the scavenger sale.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, if I understand you correctly, the bill as you have now amended it, it simply says that the delinquent taxes will...will still have to be paid by the owner...they are not eliminated from paying them, but that they still have to have publication notice. Am I correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

That...that is correct. We have not weakened indeed, if anything, we have strengthened the mandate to proceed with the scavenger sale process when the five years delinquency comes into being.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, and since the bill has been amended...Mr. President and Ladies and Gentlemen of the Senate, I certainly support this bill because I was afraid without that amendment you put yesterday, it would have been unconstitutional.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Netsch may close.

SENATOR NETSCH:

I would solicit your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 1321 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1321 having received the required constitutional majority is declared passed. Senate Bill 1324, Senator Grothberg. Read

the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...1324.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. To the fellow Senators, this is the bill that we debated yesterday, we put the amendment on. It's a technical clean-up amendment to bring various statutory interest rate ceilings into conformance with the recent ceiling enacted by Senate Bill 59, which we did a couple of months ago. The new ceiling is the greater of nine percent or one hundred and twenty-five percent of the twenty GO Bond index average of the municipal bond yields as published in the Bond Buyer. We debated it at length in...by reference, it now includes port districts, special...assessment districts, many other units of government that were not done in the first place, thereby striking the old seventy percent of prime language and incorporating the new availability of this act for all interested bond sales. I would ask for your favorable roll call. If there are questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

No. Just briefly, I concur in Senator Grotberg's remarks.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Walsh.

SENATOR WALSH:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Walsh.

SENATOR WALSH:

Our analysis indicates that this bill would provide for a variable rate on the indebtedness, is that...is that in the bill as amended?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Yes, the original bill is completely stricken, and it no longer exists. And the amendment we put on yesterday is the bill incorporating the Senate Bill 59 language by reference to all other units of governments, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh.

SENATOR WALSH:

...I understand then that there is...the provision in the original bill that would have provided for variable rates or fluctuating rates is no longer part of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

It's variable in that it...at the point of sale of the bonds, the figure used is the most recent edition of the Bond Buyer,...that changes every week. When you go to market it's...you're home free if...if you...you use this index, you're not home free, it costs a lot of money.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh.

SENATOR WALSH:

Okay, I...I think I understand it, once the bond is issued the rate cannot fluctuate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg. Senator...Mahar.

SENATOR MAHAR:

Thank you, Mr. Speaker, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Mahar.

SENATOR MAHAR:

Yes, Senator Grotberg, we know that Senate Bill 59 was at the request of non-home rule local government, because there was a discrepancy between what home rule could do and non-home. Now your extending this to all local governmental bodies, is there a real need for it? Have you had a request where people really want it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTERBERG:

Yes...as soon as Senate Bill 59 passed...by, we were aware that we had left out numerous units of...non-home rule units of local government. Those are what are folded in here, and they have sought the same privilege that the other ones have been seeking and the same marketplace with the same guidelines, so we don't have two sets of rules.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Well, okay, that's fine, I'll support it. I just hadn't heard anything from...from my people, and usually they're quite vocal in...in these...these desires.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg may close.

SENATOR GROTERBERG:

In closing, I would only respond to Senator Mahar. You didn't hear from the other ones either until we passed the bill a year ago that left them out, so we'll save a lot of letters if we'll pass this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 1324 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 0, 1 Voting Present. Senate Bill 1324 having received the required constitutional majority is declared passed. 1329, Senator Johns. 1344, Senator Lemke. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1344.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the income tax to allow elderly senior citizens to deduct the income received by them when they convert a resident into a rental unit of two or fewer units...two additional units. What this is called...is called the apartment switch bill. It's a bill that was proposed by the national senior citizen people in this country. It's in Congress being put into effect by Congressman Claude Pepper. This bill in no way will cut into existing revenues. It will in no way cut into anticipated revenues, because if there's no conversion, there's no anticipated revenue. It will also help the remodeling and construction industry create jobs, and it will also take care of a very serious problem and that's housing for senior citizens. This bill will lead other senior citizens to convert their...their existing residences and rent them, mostly to their friends who are senior citizens. I think it is a good concept, and I think we should have an adoption of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, I rise in opposition to this bill. Clearly, the way it is drafted and the way it has...has been explained and the way that it would work, would provide a...a special break on taxes for those individuals over sixty-five who have converted part of their property for...an apartment and would...would, therefore, have some additional income. Most people in this Body are extremely sensitive to the fact that retired people, people over sixty-five on incomes which do not rise with the...with the cost of living certainly have problems making ends meet, but this legislative Body has put together a large number of...of different programs which seek to meet these needs, all the way from the special circuit breakers to the home-stead exemption and...and other things. This is an additional measure which provides an additional complication to the tax...the income tax system in this State which we have, which we have attempted to keep as simple and as close to a piggyback on the Federal system as we can. And this is the kind of a...of a bill which moves us in the wrong direction away from...from that principle. I think it is an idea that, though as Senator Lenke says, it doesn't take any...any income away that the State now has, but it would mean that, in the future, we would be causing a revenue loss to the State, and it could be coming very, very soon. It is well intended in terms of trying to do something else for people that certainly...who are over sixty-five, who have earned their way and who...who may, in fact, be suffering income problems. But it also provides that same break for a lot of people that...that don't have any particular income problems. And it may provide a substantial break for a lot of people, and simply is...is not a wise, new approach for us to take in trying to do something by amending the income tax law. And I would opposed it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think the fiscal impact would be minimal considering the fact that we have many elder citizens on fixed income who have it tough anyway. I speak in favor of the bill, because the little break that we're going to give them isn't really going to hurt the treasury that much at all.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

I rise in opposition to this bill, Mr. President and fellow members, not because the concept doesn't have a lot of attraction, but I was absolutely convinced this last Sunday when I got home to find that almost three-quarters of the persons age sixty-five or more own their own homes and have small mortgages, if any. People sixty-five or older had a combined income of a hundred and sixty-three billion dollars in '78, the last year of figures are available. That is more per person than people age thirty-five to forty-four or eighteen to twenty-five. Now, I will go on, and on, and on, but the picture is not nearly as gloomy as presented that...because this bill would cover all age of people who care to do this and there are no exceptions, no means tests or anything. And it is along that line that I would rise in opposition to it...by and large, the senior citizen income is understated as a mass, but there are specific exemptions that we must provide for and they're taken care of through the circuit breaker, through the many other exemptions that we have. I ask for a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

If this conversion takes place, does the person or the elderly citizen have to reside in that home, also?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke.

SENATOR LENKE:

That's true, you have one...they have to reside there and they can only expand to two additional units in that particular building.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey. Okay. Further discussion? Further discussion? Senator Lenke may close.

SENATOR LENKE:

I think this is a good piece of legislation, and contrary to Senator McMillan that this is going to cut into anticipated revenues, there is no revenues if they don't convert. If they do convert, there's additional revenues. So therefore, it's...it's not an anticipated revenue in that realm. And indirectly what we're doing here is we're helping senior citizens because it's...in Florida it's a known fact that other senior citizens take other senior citizens in the building, and this is the growing problem we have. It's true that many seniors have their own residences, but as they go...grow a little older, they find it harder and harder to take care of those residences and seek to sell the unit and look for housing within the same community they live. This would allow them to do that, and I think it is a good bill. I think it's...takes a step forward in what we're trying to do to help people. And it's true that other people have large incomes that would...would not affect people...there's no income category, but I think that in many communities,

whether they wealthy or not, there's other people that become not wealthy, through death, because their husbands die or their wives die, and they need a place to stay within the community they are. And I think the...it...it's...it's a helping bill, and I don't think it will affect incomes of the wealthy or anybody else. I think it's good across the board, and I think we should vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 1344 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, none Voting Present. Senate Bill 1344 having received the required constitutional majority is declared passed. 1352, Senator Rock. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1352.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1352 is the FY '83 appropriation to the Board of Higher Education for their ordinary and contingent expenses in the amount of thirty million five hundred and eighty thousand dollars. As amended, it went up to thirty million six hundred and two thousand dollars, twenty thousand or twenty-two thousand dollar above the Governor's recommended level. I urge favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Question is, shall...Senate Bill 1352 pass. Those in favor vote Aye. Those opposed vote Nay. The voting

is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 Voting Present. Senate Bill 1352 having received the required constitutional majority is declared passed. Senate Bill 1353, Senator Weaver. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1353.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1353 appropriates three hundred and ninety-four million six hundred and thirty-six thousand dollars to the University of Illinois for Fiscal Year 1983. If there's any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there debate? Question is, shall Senate Bill 1353 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 Voting Present. Senate Bill 1353 having received the required constitutional majority is declared passed. Senate Bill 1354, Senator Buzbee. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1354.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is the FY '83 request for the operation and maintenance of Southern Illinois University. It's at the level now of one hundred fifty-eight million two hundred thirty-seven thousand one hundred dollars which is an increase of approximately 2.4 million above the Governor's recommended allocation, and approximately ten million under the Board of Higher Education's original recommendation. I'll be glad to answer any questions, if...if necessary.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The question, is shall Senate Bill 1354 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 Voting Present. Senate Bill 1354 having received the required constitutional majority is declared passed. Senate Bill 1355, Senator Davidson. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (SENATOR BRUCE)

Senate Bill 1355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President...Mr. President this is the annual appropriation for the Board of Regents. It's a hundred and forty-nine million four hundred and eighty-nine hundred and ten as amended. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The question is, shall Senate Bill 1355 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55,

the Nays are none, 1 Voting Present. Senate Bill 1355 having received the required constitutional majority is declared passed. Senate Bill 1356, Senator Carroll. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1356.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This the operating account for the Board of Governors, a hundred and forty-five million three hundred twenty-one thousand. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is...debate? The question is, shall Senate Bill 1356 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 Voting Present. Senate Bill 1356 having received the required constitutional majority is declared passed. Senate Bill 1359, Senator DeAngelis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

REEL #3

SENATOR DeANGELIS:

Mr....there's been a request to have the bill moved back to 2nd for purposes of an amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator DeAngelis asks leave of the Senate to return Senate Bill 1315 on the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill's on the Order of 2nd Reading...amendments, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse is recognized.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. Amendment No. 3 would add an additional eight million to the Scholarship Commission Fund for the purpose of expanding the pool of scholarships. In the declining economy there are going...there's going to be more pressure for scholarships on the schools this year. The number of students who are available for that pool have increased, and we're asking this additional fund for the colleges. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of Amendment No. 3. Senator Sommer is recognized on the motion to adopt.

SENATOR SOMMER:

Thank you, Mr. President. This is eight million dollars in unbudgeted money, contrary to the...the...the Carroll-Buzbee plan, it's...it's a new thing that's come upon us today, and I would recommend that we not vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Further discussion? On the motion to adopt, all those in favor say Aye. Opposed Nay. There's been a request for a roll call. Motion is to adopt Amendment No. 3. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 26, 1 Voting Present. The motion to adopt is lost. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Is there leave to return to 1357 and Senator Carroll handle that legislation? Leave is granted. 1357. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1357.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the OCE for the community colleges at a hundred and sixty-one million seven hundred and ninety-one thousand five hundred dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1357 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1357 having received the required constitutional majority is declared passed. Senator DeAngelis on 1359. Read the bill,

Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1359 as amended appropriates a hundred and thirty-four million seven hundred and ninety-seven thousand eight hundred dollars to the Scholarship Commission. As introduced, it was a hundred and forty-three million, as amended, it's a hundred and thirty-four million.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1359 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none Voting Present. Senate Bill 1359 having received the required constitutional majority is declared passed. Senate Bill 1360, Senator DeAngelis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1360.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. 1360 raises the maximum award from nineteen fifty to twenty fifty. It was amended from twenty-two fifty down to twenty fifty.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is...discussion? The question is, shall Senate Bill 1360 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, none Voting Present. Senate Bill 1360 having received the required constitutional majority is declared passed. Senate Bill 1361, Senator Weaver. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1361.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the employers contribution, total of fifty million five thousand and five hundred dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1361 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1361 having received the required constitutional majority is declared passed. Senate Bill 1363, Senator Carroll. 1364, Senator Weaver. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1364.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This appropriates five hundred and eighty-eight thousand five hundred and eighty-nine dollars to the Merit Board. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1364 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1364 having received the required constitutional majority is declared passed. Senate Bill 1366, Senator Lemke. Senate Bill 1367, Senator Lemke. Read the bill, Mr. Secretary, please. 1367.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1367.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LENKE:

What this bill does is gets rid of an administrative mess. What we do is pay tax revenues that we raise in the State to local school districts and they, in fact, send them back to the State of Illinois on a two percent utility tax on gas, electric and phones. I think it's an administrative burden. It's true that the Department of Revenue says that there will be about a four million dollar loss, but this is a paper loss, because we're paying local school districts money from the State, and they indirectly are sending it back to the State. What this bill will do, it...it will eliminate the administrative cost and will actually end up being a savings to the State of Illinois. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator McMillan.

SENATOR McMILLAN:

Well, this is another one of those difficult issues to deal with. If...if we, in fact, provide an exemption from every tax for every group that in some way we consider to be doing something noble or...be especially worthy, we end up with one of two things or both, either a system where we spend a large amount of revenue dealing with the various exemptions and the various refunds, or we end up with a...a tax revenue system that is more riddle than the one that we've got. The toughest job we've got to face down here this year is determining which groups are going to get less money than they really need. It's a problem that we face, it's a problem that none of us really enjoys dealing with, but we make it all the more difficult every time we come back with another piece of legislation which provides a special tax break. In times when State revenues are plentiful, we might be able to afford to look at every group and provide a tax break, but this is simply a not...this is simply not a year when we can do that. This is an additional reduction in revenues, however small it might be, and I plead with you not to take any more out of the...of the revenues of the State of Illinois. We simply can't afford it at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Lenke may close.

SENATOR LENKE:

This is not a additional loss of revenue. What we're doing here is simply removing administrative costs and running effective government. Because if the State of Illinois is sending tax dollars to local school districts and then they, in effect, send part of that tax dollar they receive back to the State as a tax, this is not for any particular group. We're talking about public school districts,

school districts that we support with State dollars and they take the State dollars and send them back. All this does is gets rid of this administrative mess that we got in...in charging taxes to...to people that we're paying tax revenues to. And I think it's a good bill, and I think it eliminates...it will cut down the cost of operating State Government. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1367 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 16, none Voting Present. Senate Bil. 1367 having received the required constitutional majority is declared passed. Senate Bill 1368, Senator Friedland. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1368.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1368 puts two parcels of property in the Village of...Inverness into...MSD. One Floor amendment added property in the Village of Hoffman Estates. All the properties have been scrutinized and approved by MSD and respective villages, and I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1368 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1368 having received the required constitutional majority is declared passed. Senate Bill 1374, Senator DeAngelis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Senate Bill 1374 is the appropriation bill for the Auditor General's Office. It is an appropriation of nine million three hundred and eighty-seven thousand three hundred dollars down from the original request of nine million seven hundred and sixty-nine thousand eight hundred dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1374 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none Voting Present. Senate Bill 1374 having received the required constitutional majority is declared passed. Senate Bill 1377, Senator Savickas. Senate Bill 1379, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1379.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1379 changes the method for payment of medical expenses for prisoners in county facilities. Right now, the...what it basically does, it makes the prisoner...gives him primary responsibility for liability on his medical treatment. It sets up certain conditions precedent by which the county will then become liable for those obligations. I ask for a...favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

This...this bill appears meritorious on the surface, but here's where the real problem comes in, somebody's got to pay for this medical care, and if we change where the bill is sent, no one's going to pay. These are people who are incarcerated, and if you send the bill directly to them, the chances of getting a prisoner in a county institution to write you a check for your medical care is rather slim, possibly none. If we do this, what you will simply say is, prisoners in these types of facilities will not get some of the private sector medical care they need, and remember, this is not the medical care for the guy with a cold, this is a guy who has a problem that does require medical care while he's in prison. So, I think it's important that we remember, while the bill is meritorious on the surface, the problem is, by doing it this way, if a prisoner does have a serious medical problem that requires some additional work, he will not get that service because there's no ability to bill for that service.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. I rise in

opposition to Senate Bill 1379. As the previous speakers have said, it has merit on its face, but it is a Catch 22 that just can't be handled, and I would like to offer some of the reasons. For instance, within our prison system we have rap sheets that are about eight weeks behind following the prisoners, some of the prisoners we don't know who they are or where they are until well after they are incarcerated, and this bill has the...the cost of medical care going to the prisoner and there is probably more paper work. If you've ever seen the paper work that the correction system is behind in now, this would triple it because very little collection would be done but mandating a tremendous amount of effort for the reimbursement by the usually and often indigent prisoner. He gets the same treatment as the man who has money. It is already within the law for those who have funds to be...charged for medical services when all other matters fail. As the father and grandfather of the reimbursement up to...the twenty-five hundred dollar deductible bill that was passed a couple of years ago, which the Governor has never fully funded, I have an uncommon interest in this matter with you, Senator Joyce, but this is not the way. The department is violently opposed to the concept of the paper work behind it and the unproductiveness that it would generate after full analysis. I'm not going into the full analysis, it is just a no-no at this point and time, and I regret having to take this position because the Gentleman has offered a concept not unlike, let's charge them rent also and make sure that they pay the cost of their board and keep, and that has been tried, failed, and...let's get together next time around and see if we can work something out, Senator, but this one we have to oppose.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SB 1383  
3rd Reading

SENATOR JEREMIAH JOYCE:

Well, the opposition has stated the position of the providers. What we are saying simply is this, if a person...if...if an inmate has health insurance, if an inmate qualifies for public assistance, if an inmate has individual financial resources sufficient to meet the...his liabilities imposed because of treatment, we are saying, go to those sources, don't go to the county. That's all we're saying here. Paper work, paper work is a problem every time we pass a bill out of here. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1379 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 18, none Voting Present. Senate Bill 1379 having received the required constitutional majority is declared passed. Senate Bill 1383, Senator Collins. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1380.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR BRUCE)

83.

ACTING SECRETARY: (MR. FERNANDES)

3rd reading of the bill. Senate Bill 1383.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and members of the Senate. First, I'd like to thank Senator Keats and...and the Republican staff for all of the work that they did in helping to put this bill into what I consider to be a very good bill at this time. What Senate Bill 1383 attempts to do is to in a

small way, but a significant way, address the problem of high unemployment in the State of Illinois. Specifically, addressing the problem precipitated by the tremendous loss of jobs by plants closing and businesses moving out of the State of Illinois. In accomplishing that goal, it established provisions to encourage and promote...employee owned enterprises where they can assume the financial responsibilities for keeping such plant or business in operation. It requires the State through primary responsibility of the Industrial Development Authority to assist in the overall administration of the Act, and it creates a advisory counsel in the Department of Commerce and Community Affairs that will share responsibility with the Illinois Industrial Authority for providing the necessary technical assistance to...and securing loans, and that would help the newly created enterprise to put the plant into operation. This is a necessity as we struggle this month, and since we've been here, and probably even in the years to come to balance the State budget and to minimize taxes...cut taxes and at the same time provide essential human services. It is imperative that we take a look and attempt to address the high unemployment rate in this State, because unless we can curve unemployment, it will be impossible for us to continue to meet the needs of our people. The money isn't here, and the more we can keep people productive and working and contributing to the tax roles, the...the lesser our burden will be in trying to find revenue dollars to respond to critical needs of our people. And at this time, I would like to yield to Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? Senator Keats.

SENATOR KEATS:

You know if Senator Collins and Senator Keats are on the same bill, this has got to be a great bill. Just so you

understand, basically what the bill does, it allows employees to buy their own firm, they put up...they put up equity, the borrowing is then done through tax exempt revenue bonds, so there's absolutely no loss to the State whatsoever, and it sets up an advisory council of highly skilled individuals, it's all explained in the bill, so they understand whether the business...might really be capable of continuing. I mean, some businesses going under aren't going to make it...regardless of who owns it. This would give them the technical advisory ability. Again, I stress no cost to the State and there is no State liability. It does offer the workers the protections of the technical expertise, it gives the Lieutenant Governor a job in that he chairs this council, so our Lieutenant Governor might finally have some function for...and some reason for existing, and it does put a maximum level of the employees...are not allowed to finance in excess of fifty percent of the original purchase price. It's a classic private sector initiative to give workers a chance to become their own bosses and to find out just what a wonderful position that is, and with no liability for the State. We would solicit your support at a time when unemployment is high enough we should be offering any private sector initiatives we can come up with.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senators Hall, Dawson and Bloom have also...and Senator Rock sought recognition. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When this bill started out, and I'm looking at the Calendar, it was Senator Earlean Collins-Hall. Now, I look at it, I see Keats, and I want to know how Keats jumped in here ahead of me? I mean, I'm looking at this thing, it says Collins-Keats and Hall. Now, I just wonder what's happening here. I've gotten several calls with me on a bill with

Keats, but nevertheless, it's a good bill...a good bill, and I just...Earlean, I'm strong for your bill and I'm on it, but when I look and see Keats...but I'm supportive of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this idea of employees taking over their businesses has been practiced on a small scale in my legislative district now, and I feel that it's been very beneficial and it's kept some of the smaller businesses open. I don't truthfully believe that this will pertain to any of the giant industries who are going to close, but it will be for the small ones who hire your hundred employees or less, and this is what's really crippling our State. Being in my district in the last two weeks, one of our plants have laid off twenty-four hundred people at one crack almost, and it's going on and on, I feel that. I ask for the support of the whole Senate in this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you...thank you, Mr. President. Senator Collins, I commend you. I think you have the only true enterprise zone bill left on the Calendar. And I...I certainly hope it works. I...I'd support this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

To add what I hope will be the last accolade aside from an affirmative vote, I would commend both Senators Keats and Collins. If the membership will take a look at Section 7, I think, frankly, that section says it all aside from the mechanics, because the loans provided by this Act are

intended to serve as a last recourse to enable employee ownership associations to undertake or complete projects for which substantial funding commitments have already been obtained but which require an additional source of funding to assure their completion. I think the idea is a very good one, and one that we can all happily and justifiably support with our affirmative vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Further debate? Senator Collins may close.

SENATOR COLLINS:

I would just ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Thomas go...Senator Thomas.

SENATOR THOMAS:

I was just going to say, this will probably be the only time, Mr. President, this year that you will see Senator Collins and Senator Keats agree on anything, and I think we all should vote Yes on it.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1383 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1383 having received the required constitutional majority is declared passed. Senate Bill 1386, Senator Rock. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1386.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As amended Senate Bill 1386 appropriates for FY'83 twenty-four million eight hundred and three thousand one hundred dollars to the Office of the Comptroller. It is a million dollars less than his last year's expenditure. It deserves our support. I solicit a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall...Senate Bill 1386 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1386 having received the required constitutional majority is declared passed. Senate Bill 1391, Senator Mahar. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 1391 as amended appropriates 2.4 million dollars for the State Emergency Service and Disaster Agency for FY '82 supplemental. Yesterday we added sixty-three thousand four hundred to the Commissioner of Banks and Trusts, making a total of two million four hundred and sixty-three thousand four hundred dollars. I ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1391 pass. Those in favor vote Aye. Those opposed vote Nay.

The voting is open. Have all...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 Voting Present. Senate Bill 1391 having received the required constitutional majority is declared passed. May I have the attention of the Body for a moment. If you'll take your Calendars out, there's several appropriation bills which will not be called and only about another seven that will. So the sponsors will be ready on...on the next page, Page 7 of your Calendar only Senate Bills 1399, Senator Weaver will...that bill is ready to go, and the last one on the page, Senate Bill 1410, Senator Bloom. On Page 8 of your Calendar, Senate Bill 1412 is ready, Senate Bills 1421, 23 and 24 are ready. All the remaining appropriation bills have amendments which are in the process of being prepared or discussed the Chair is reasonably advised. So, we will skip down to Senate Bill 1399, Senator Weaver. Is Senator Weaver on the Floor? Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1399.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 1399 provides for an appropriation to the Commissioner of Banks and Trust Companies in the amount of four million seven hundred and fifty-one thousand six hundred dollars. If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1399 pass. Those in favor vote Aye.

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none Voting Present. Senate Bill 1399 having received the required constitutional majority is declared passed. Senate Bill 1410, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. 1410 appropriates two hundred and fifty-six thousand six hundred dollars for the ordinary and contingent expenses of the Illinois Health Finance Authority for the FY up through October of 1982. Answer any questions, otherwise appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 1410 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, none Voting Present. Senate Bill 1410 having received the required constitutional majority is declared passed. Senate Bill 1412, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1412.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

This appropriates the money for the Judges Retirement System.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall Senate Bill 1412 pass. Those in...Senator Berning.

SENATOR BERNING:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Berning.

SENATOR BERNING:

Do you have any idea what the level of funding is for the Judicial System, and how it is being impaired with the pension underpayment this year?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Roughly, Senator Berning. The amendment reduces the FY '83 State contribution to the Judges Retirement System to 62.5 percent of the FY '83 estimated pay out which is 10.8. That was embodied in Senator Carroll's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate Bill 1412 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. Senate Bill 1412 having received the required constitutional majority is declared passed. Senate Bill 1421, Senator Mahar. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 1421 appropriates seven hundred and seven thousand three hundred for the General Revenue Funds for the OCE of the Pollution Control Board. I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1421 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none Voting Present. Senate Bill 1421 having received the required constitutional majority is declared passed. Senate Bill 1423, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1423.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Senate Bill 1423 appropriates about 4.6 million from the State Pension Fund to the Teachers Retirement System to reduce the system's unfunded accrued liability, Senator Berning. The bill further appropriates about six million dollars to the Teachers Retirement System for supplementary payments to teachers and minimum retirement allowances. I'll answer any questions, otherwise, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Berning.

SENATOR BERNING:

Well, just to correct a misstatement. This is not going to reduce, in any sense of the word, the unfunded liability. The...Teachers Pension System is probably in the area of forty-five to forty-eight percent funded before we now appropriate sixty-two and a half percent of what is required to meet pay out. That means that thirty-seven and a half percent of the dollars required to meet pay out, that's the actual cost to cover the checks that go out, certainly means then that we are adding to the unfunded liability, we are not reducing it. I just wanted to clarify that.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate Bill 1423 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none Voting Present. Senate Bill 1423 having received the required constitutional majority is declared passed. 1424, Senator Maitland. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 1424.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senate Bill 1424 appropriates six hundred and fifty thousand dollars of General Revenue funds to the Public Schoolteacher Pension System of Chicago for supplementary payments to retired teachers during the 1983 Fiscal Year.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The question is, shall Senate Bill 1424 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none Voting Present. Senate Bill 1424 having received the required constitutional majority is declared passed. The Chair is informed that we can proceed with Senate Bill 1428, Senator Davidson's bill. Senator Davidson, do you wish to...read the bill, Mr. Secretary, please. 1428.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, after the amendments that were adopted yesterday, the total amount is a hundred and ninety-six thousand seven hundred dollars for the coming fiscal year, fifty percent of it's from General Revenue, fifty percent of it's from the Federal Elementary and Secondary Fund. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1428 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 6, 2 Voting Present. Senate Bill 1428 having received the required constitutional majority is declared passed. Senate Bill 1430, Senator Gitz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1430.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. Senate Bill 1430 in its amended form would exempt all spouses over the...the age of sixty-five from the inheritance tax. It would also expand the exemption for spouses under the age of sixty-five, it would raise that exemption from the present sixty thousand dollars to eighty thousand dollars. It would also have an effective date of July 1st, 1983, and it would also extend the period of time when that estate becomes due and payable. The other day in debate, I think it was a consensus of this Body that it was our desire to exempt spouses as soon as possible from the inheritance tax. I would remind you of one of the reasons behind this present legislation before us is that roughly ninety percent of the spouses who inherit property, inherit it late in life and are over the age of sixty-five. Also in checking with the Attorney General's Office, those estates have a tendency to turn over in a short period of time. This amounts to, in effect, a system of double taxation. I believe with the delayed effective date, this legislation being put in proper form is worthy of our consideration. It does not raise any of the other categories, it should give those individuals who believed it was unwise to tax other categories of inheritance tax to make up for it another option. And best of all, we can make this kind of commitment to a public policy without any affect on the present fiscal year's budget before us.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 1430 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, the Ayes are 24, the Nays  
are 22, 2 Voting Present. Senate Bill 1430 having failed to  
receive the required constitutional majority...Senator Gitz.

SENATOR GITZ:

Postponed Consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The sponsor asks that further consideration of Senate  
Bill 1430 be postponed. It will be placed on the Order of  
Postponed Consideration. Senate Bill 1438, Senator Berman.  
Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1438.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1438 is introduced  
to create an inequity that exists in the provisions of the  
Office of Comptroller as relates to the director of personnel  
under the Office of Comptroller. Outside of the Governor's  
Director of Personnel, there is no other constitutional offi-  
cer whose director of personnel is...has a salary set forth  
by Statute. The purpose of this bill is to delete that sen-  
tence and to allow the...the setting of that person's salary  
in the usual and normal procedure by the Comptroller with the  
concurrence of the Appropriations Committee of the Legis-  
lature. I solicit your favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. This bill was heard in the Senate Executive Commit-

AB 1487  
3rd Reading

tee and passed by a vote of 8 to 6, there was considerable debate on it. One of the concerns expressed was allowing the Comptroller to fix an arbitrary salary for a position which must be confirmed by the Senate, and that is...that is what this bill does. I think that is different than what we do on other personnel directors. The concern was raised in the committee, I wanted to bring it to the attention of the Body before you vote on this measure.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

This bill does nothing different for the Comptroller than we presently do for the Secretary of State and other constitutional officers, again, other than the Governor. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1438 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 23, the sponsor asks that further consideration of Senate Bill 1438 be postponed. It will be placed on the Order of Postponed Consideration. 1449, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 14...

PRESIDING OFFICER: (SENATOR BRUCE)

The sponsor asks that it be taken out of the record. 1479, Senator Carroll...1487, Senator Maitland. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1487.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1487 creates the Farmland Preservation Act, and this...this Act very directly parallels the Governor's Executive Order No. 4 of a number of years ago on...on farmland preservations, and it was thought by a number of groups that...that this language should be placed in the Statutes. It does establish an interagency committee on farmland preservation made up of a number of...of State agencies. The...the director of agriculture will serve as...as chairman of that group. It requires each agency on the committee to prepare policy statements on farmland preservation and submit that to the Governor and the General Assembly. It...it does require the...that an AIS, an agriculture impact study if, in fact, the...if, in fact, the director feels that the impact on...on the taking of farmland out of production upon the economy, and it requires then that...that they be submitted and discussion on...on...on that study. Obviously, the intent here is to put the...the State and its agencies in line with the Governor's feeling on farmland preservation, and I would ask its favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1487 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1487 having received the required constitutional majority is declared passed. Senate Bill 1496, Senator DeAngelis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1496.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Senate Bill 1496 is the open competition for worker's comp, and as amended authorizes independent pricing among insurance companies dealing in worker's compensation insurance. Independent competitive pricing will stimulate the worker's compensation market into presenting good coverage at affordable rates. This bill removes the cumbersome rate making process and allows insurance companies to decide their own rates in a market based on competitive pricing. A letter explaining this bill was sent to all of you last week with several other exhibits. This bill has been a long time in the making, and at first there was considerable opposition, but by the process of compromise and explanation, most of the...of the opposition that appeared at the onset has now disappeared. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? I...I have Senators Rupp, Schuneman, Lemke, D'Arco and Netsch...and Senator Geo-Karis. Is that it? Alright. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President, I do have a question, if I might. I would like to start off though with saying that the opposition has not dwindled as much as the good Senator has indicated. I ask for a No vote on this bill. There is an inference in this thing that it's unamerican to control rates, and that they're calling for this open competition, but this bill just makes this, I think, part unamerican. It's just like going to decontrol our...our feet but keep our

hands tied together. Are there any plans...and this is one of the questions, and I have a number, are there any plans, Mr. Senator, that this piece of legislation might be used in the other House to bring about some consideration for the decontrol of benefits?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

I know of no plans, Senator Rupp. This bill does, in fact, relate to the Insurance Code, it does not relate to the Worker's Comp Code.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Thank you. Actually, as I say, it's...it's a little bit hard to feel that I'm unamerican when just part of the thing is...is going to be controlled or decontrolled. But the director, in regard to this particular bill and this situation, has made some public statements that the insurance companies are making just piles of money on workman's comp. If that be true, then there shouldn't be any question about the companies wanting to write this business and to...the fact that there is a question about competition, there is competition in this business, there isn't any question. I think the director might have turned to some of the people in the insurance business to find out that particular situation. The director keeps turning to the fact that one of the things that should be considered in rates is the investment income. It would just seem that in...in a company that has a good investment program, one that has...does have capable people running it, they do make money on their investments, they are going to be penalized and perhaps...excuse me...perhaps some of that income should be passed back to the insureds. The question I never got an answer to was, if the income invest-

ment drops off and it turns out to be a loss, is our good director going to permit those losses to be charged to the insured? The director infers there is a...a lack of competition in the workmen's comp, that's not true. There are experience credits and there are schedule credits. And as I say, it might be a little novel or something, but I would like to suggest to our director that he talk to someone in the insurance business, workmen's comp is different. First thing that makes it different is that we by Statute require employers to carry this insurance or set up a qualified self-insurance program. And second, we by Statute also establish the benefits, then low and behold, we get down here in the third part, and we think there's something wrong about controlling the rates. I think all three are together, I think that the best vote on this particular bill would be a No vote, and I ask that consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I opposed this bill when it was first introduced for a couple of reasons. First of all was, because the bill was surrounded so...with so much height the director of insurance seemed to be doing a lot of political posturing, rather than really trying to solve a problem. The other reason that I opposed it is that I felt that, in fact, it might bring about some reduction in competition, and I was not in favor of that. The sponsor, however, has responded to a lot of my complaints and objections, and I'm going to vote in favor of this bill. But before we do so, I'd like to make a couple of points that I think are valid and...and are significant. First of all, this bill in no way reforms worker's compensation, has nothing to do with that at all. It changes no benefits, and so we are still going to have in Illinois an

expensive worker's compensation system. It does not touch the way worker's compensation benefits are paid out, how that Industrial Commission is administered, and so, we've still got a lot of problems in worker's comp in Illinois. The other misconception that I want to clear up is that this bill will, from now on, provide complete competitive rating of worker's comp. It has a provision in it which, frankly, I don't like but apparently is necessary to get the bill passed, and that is a provision that will allow either this director or some future director to determine that competition, in fact, does not exist and allow him to impose a system of prefiling of rates. Now I happen to think if we're going to have a free and open competitive system then we ought to keep government to heck out of the rating system, and that that provision shouldn't be in there. Put by and large, it's a fair bill, it's a responsible bill and I think it will be a worthwhile bill. Just don't vote for it with the idea that you're going to reform worker's compensation with this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

I...I must commend Senator DeAngelis and Senator D'Arco on this bill, I know they've been working on this. There's a lot of pros and cons about workmen's comp and what's causing the premiums to go up, but I think that in order to solve a problem that we have in the State, we can't look to labor to sacrifice, to help business and then have business not help because the insurance companies have a rate making power in New York. I think what we do here is put competition into workmen's comp. Those companies that have safety records, or are encouraged to have safety records, will go with the companies that lower the...lower premiums, I mean, it's just automatic, and they will start working on things. I think

one of the problems, as I've always said, is workmen's comp problem is not just labor and management, it's a threefold thing, an insurance industry has to be in...involved. And I think this is a good bill. It starts off recognizing there is a problem with rate overcharging. And, Senator Rupp, when you say that profits are not being made in workmen's comp, I beg to differ with you. If you looked at Representative Hanahan's report on the profits that have been made in workmen's comp since...since '75, it...it's amazing. They've been making profits left and right, and we've just been hiding the fact that the insurance industry are the real culprit in raising insurance rates. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. As a co-sponsor of the bill, naturally, I rise in support of it. This bill is saying to the insurance industry that every other line of insurance, property and casualty insurance, is in an open, competitive system in the State of Illinois, and the only line that is not in an open, competitive system is workmen compensation insurance. And what this bill is saying is that the insurance companies should compete amongst themselves for the workmen comp business in the State of Illinois, and that approach, hopefully, will be beneficial for the employers who have to pay the premiums to the company. That is essentially, I think, what we're trying to do here. And I commend the Director of Insurance, Phil O'Conner for his tenacity in trying to put forth a bill like this. And because of him and Senator DeAngelis and others, I...hopefully, this bill will become law.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch. Senator Geo-Karis.

SENATOR GEO-KARIS:

I'll have two questions of the sponsor. Am I correct in assuming under this bill the investment income of the insurance companies is going to be taken into consideration?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Geo-Karis, it will not be taken into consideration for rate making purposes by the Department of Insurance. But since it is a primary source of income for the insurance industry, it will be taken into consideration by them when they establish their own rates, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

END OF REEL

REEL #4

SENATOR GEO-KARIS:

Prior to this bill, was that consideration in the...in the law?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

No, only underwriting a profit could be considered under the Statutes as they currently exist.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As a co-sponsor of this bill, I, too, support its passage because too long we have heard that the workmen's comp bills were not fair, and they haven't been fair to both labor and business in the long-run. However, if this will be...have...help make insurance companies more competitive in workmen's comp, I think we should see to it that it passes, because I've had many complaints from small manufactures of how their bills go sky-high when they don't have any losses for years. And I certainly support the passage of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. I would like to join with Senator Schuneman in making sure that there can be no misinformation pertaining to this bill that in fact is any reform of the workmen's comp. In no way do we find any bills that have come through from labor and management this year that affect the reform. And we find that the bills that were

presented in the House are dead, and those that were presented in the Senate are buried and dead in as far as the Senate Labor Committee is concerned. There's still two hundred thousand jobs that have left this State, and we were crying before about the...for insurance companies to please accept workmen's comp in this State at any...at any price, and we were allowing them for years to do it. This is the second bill that's come along that's affecting the insurance companies. We've heard everyone complaining that the insurance companies are the culprits of the whole Workmen's Comp Act, and that's just not true. Now I'm glad to see there's some reform coming through...through on this issue, but certainly, it's not going to help the business climate in this State nor is it going to help any employers who are going to change their mind about expanding in the State of Illinois or new businesses moving in the State of Illinois. All you've got to do is look at the record, there has not been one new major business that has come into this State since...since the passage of the bills in 1974 of any significance. We've seen our major companies and our largest employers and the small employers leaving in droves. There's no reform in workman's comp, and we look to this, hopefully, as not as a means of response to that. It might be that we needed some reform in the insurance procedure and now that the rates are up high we need some competition, but this in no way...in no way affects the workmen's comp law. And I hope that...that the records will indicate that anyone voting for this issue, in no way has voted to affect or support change in workmen's compensation laws which are badly needed in this State, and until that is changed...until there's been some effect, we will not see any progress or change in the business climate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, I wasn't going to say anything but there were some partisan comments made, and I just want to take one second to back off, not so much so we understand it because I think most of us know the bill's going to pass, but really I'm saying it so the press understands it, so when they write up the article people have a feel for what's actually in the bill. I do want to stress that some of the political comments made really are kind of unrelated to the bill. So you understand what this does, this is the only line of insurance where we set the rates and at the same time set the benefits. So, what we're doing is saying, the rates may vary on this end, but the benefits which are controlled by the Industrial Commission and Statute, those are controlled, we still run them, so in that sense we are continuing to regulate one end, but we're now deregulating the pricing end. I'm not saying that's a bad idea, it's probably a good idea, but I just want to remind you that we're not really deregulating workman's comp, we are not really going to the competitive rating quite the way we would like to say because we still have complete, total, absolute and a hundred percent control of the benefits in the Industrial Commission. But still, deregulating the rates is not a bad idea. In competition, you know, at times one of the things that we did have were dividends that came back from companies that...from companies that had a good record. This would stop dividends coming back to those companies that haven't had a good record. I want to stress also in terms of the investment income mentioned, that's important, but remember, right now a trained orangutan could make money if you had a couple of million dollars sitting around in cash and the insurance companies have more than that. In this money market, if you can't make money, you're so hopelessly dumb you don't belong in business. But there is a point to consider, you know, the little guy actually gets hurt by this bill, the little guy actually does, because

right now the small employer whose, let's say, premium is a thousand dollars a year, has been subsidized across the board 'cause he's a good safety record and his rates do not reflect what would happen if he had an accident. Under this system, his rates would have to reflect what would happen if his company had an accident, so the small guys' rates will go up. The biggest plus is for the big guys, the guys who cause the most trouble, the assigned risk pool which is now self-sustaining will, say, for those with the worst safety record, they're going to get hung as they justifiably should, where they have been helped in the previous system. And then the final comment, there's a misunderstanding saying everything involved here was labor, management, and the insurance companies. I think someone forgot the Industrial Commission. So when we talk about is this major workmen's comp reform, the answer is No. Is it a positive step, the answer is Yes. If we assume major changes in workmen's comp through this bill, you probably believe in the tooth fairy also. But it's certainly something we ought to at least look at as probably doing no harm for anyone other than the very small employers, and probably would be a net benefit for the entire system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, just briefly,...I would like to add my name to those who really commend Phil O'Connor, the Director of Insurance. I think he's probably the most responsive and responsible Director of Insurance that we've had since I've been here in eight years and has been really working on this problem, and I know Senator DeAngelis will verify that, perhaps in his closing remarks. He...deserves a lot of credit for this. No one says this is panacea, this going to solve the workmen's comp problems...so let's get off of that issue. But it is a...it definitely is step in the right direction,

and I think it is something that everybody ought to support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

I, too, feel like that...Director O'Connor is probably one of the brightest stars in the Thompson Administration. For...for once a guy listens to the General Assembly and he's not afraid to put forth his beliefs, and I've known that he's been working on this very principle for several years. Senator Lemke, maybe you can tell me if I'm right or wrong, but for years we've ignored the record of...and the experience of the State in keeping records on the various figures that are put into workmen's comp. If anybody is rich beyond imagination, it's the insurance companies. Oh, come on, he says, but listen, the largest holders of funds in the United States is the insurance companies. They are the wealthiest of all people, when they lose a customer, they actually make money. Now, think about it. I applaud this bill, I think it's long overdue and I'm going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the second time, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I...have a couple notes here and I'm sorry to be on my feet a second time, but I think I should be as far as this bill, I should be on three, four or five times. I'm real pleased to have...Senator Keats explain an insurance bill to the press. I would like to reserve my right when the next banking bill comes up, you know, to explain that to the press. Senator D'Arco has mentioned about rates and benefits under policies being uncontrolled, that's true, and in that case, we do have open competition. In this, we have part control and part open, and that's what I worry about. I don't see how we can do it halfway. As far as our director is concerned, he's a very good friend of

mine, we have worked together, but in this particular instance, he has made some public statements about the big fat insurance companies. I challenge that statement, Senator D'Arco challenges his statement in Chicago, and I have a right to challenge people when they say they're big and fat. But...the companies came back after that meeting and said they made a 2.6 profit. I have yet...I have yet to receive the information from the director, our fine director, as to what he based...on what figures he based his statement. And I have not, as yet, and I am still going to try to get those from him. I still feel that this...I'm not saying doesn't have merit, everything has merit, but I do believe that there are two states that are trying this particular situation right now in this system. I think it might be better for us to look and watch it. One thing that was mentioned was the fact that the small businessmen, you know, we always are concerned, we mention out concern about them, they are the ones and it's true, most of the risks that are in the assigned risk or the residual risk market right now are small ones. And I want to make sure one thing, and Senator DeAngelis, are they going to pay their fair share of their losses? Does this bill provide that particular thing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Accoring to Amendment No. 3 that the residual market will pretty much stand on its own feet, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

What do you mean by "pretty much?"

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I will read you the amendment, Senator Rupp. "Such rates shall reflect residual market expense to the extent it is actuarially possible."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President, you've been very nice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, it's nice for a little recognition. Is there further discussion? If not, Senator DeAngelis may close debate.

SENATOR DeANGELIS:

Well, we've been all over on this one, but I do want to point out one basic element of this particular plan. There are three components...four components to insurance, three that are costs, one that's revenue. The cost components are losses and administrative expense. The income components are investment income and rates. Now, basic math will tell you that in any equation you can't have three variables in a fixed amount and still have a good plan. And what we're saying, essentially, is...what we're saying, essentially, is that the market will determine what those rates will be because the three other factors are variable. I urge your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1496 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, and 1 Voting Present. Senate Bill 1496 having received the constitutional majority is declared passed. Senate Bill 1501. Senate Bill 1502. Senate Bill 1503, Senator Bruce. Can we have leave to come back to it? Senator Bruce stepped off the Floor for a minute. Leave is granted. Senate Bill 1514, Senator Rock...Carroll rather. Senator Carroll.

Senate Bill 1516, Senator Carroll. 1521, Senator Nimrod.  
1526, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1526.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, we took this bill out of the record the other day, and once again, I think you've been talked to about this piece of legislation. It does nothing more that correct what happened in Senate Bill 137 that we passed, which was signed too early by the Governor to allow the financial community to notify their customers about their night depositories, and all this bill does is give them the time to do it. Doesn't do any more, doesn't do any less. Request a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Hall?

SENATOR HALL:

...Senator, I'm sorry, I...I didn't get to see your amendment. You put an amendment on the bill, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, we did not put an amendment on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I was under the impression that we were going to correct that. If my understanding correctly, is that now what you...you want to do is to give the banks the right in

case something is deposited in their night depository...if I put something in there and if...and if it's not recorded, you want the banks to have the opportunity to record that before they'd be responsible, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Hall, that is exactly what the law is today. That is the law, we are not trying to change that, what we're trying to do is get the word out to the consumer that that's what the law is. The law has always been that way. This is a notification bill that we get the notice out to the consumer that that's what their bank's liability is, and that's all this bill does. It's not changing the substantive law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I been...I been confused all the time. My understanding was that what you were trying to do was...I heard you make the remark the other day, why should the banks be held responsible for any deposit made in their night depository until they have recorded that in their books. And are you telling me that the banks right now are not responsible if something is deposited in a night depository even though they have not recorded it in their books?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is what the present law is, and this bill will get that notification out to their depositors. When you go in and sit down...if you want to go over to one of the banks in Springfield right now and you want to use their night depository...open an account and use their night depository, they're going to tell you that's what the law is. In addi-

tion to that, they want to get it out in writing to you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I just...I'm confused for somewhere that...in other words, we went through all that wrangle the other day and evidently there was some misconception. You're saying now that you need time for them to get the notice, and that's all you're trying to do. Well, aren't they...one question more, banks are...are covered by insurance, they all have insurance, and if they're even between this time, if they having...if they...they would not be the loser anyway 'cause the insurance company would be the loser, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I, frankly, cannot discuss intelligently what kind of coverage, the insurance coverage, that a bank has on this particular coverage, I really don't know. I presume they carry some kind of insurance, but I couldn't...couldn't tell you what it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Thomas.

SENATOR THOMAS:

Thank you, Mr. President. I'll direct my remarks to Senator Hall, because I had the same...same concerns, Senator Hall, that you did. I was under the impression that a liability existed and that now we were talking about eliminating that liability by simply sending out a notice. In fact, the banks have not been liable for the night deposits, and this could be viewed actually, as Senator Sangmeister said, as a consumer measure because now the consumer will be notified, and so there is no...no confusion anymore on the part of night depositors, and I would support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have a very small amount of bank stock and I want to declare my conflict of interest, but it isn't that much stock that I can't vote for the bill. I think under this bill, at least people will be...was notified about it. And I support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President, a question of the sponsor. Senator, you indicate that your bill only deals with notification. I remember when this bill was on 2nd reading we questioned the liability of the bank and particularly as it would affect a burglary of the night depository, and you indicated that you were going to make a change...an amendment in the bill. Did your amendment affect the liability of the bank as it pertains to the...the night depository or did your amendment only affect and exempt the notification in some way?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator Schuneman, if you recall, you're a little confused, it was not on 2nd reading, it was on 3rd reading when we were discussing that, and at that time, I took it out of the record to try to clarify what we were doing because there was some confusion. I did not agree that we were going to file an amendment which gets into the substance of the bill which concerns the liability. We're staying strictly with the notice provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, the answer to the question then is that a bank...any liability the bank might have for buglary of a night depository is not addressed by this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct. It was never the intention of this bill to address that particular problem. If you wish to address that, then I would suggest we file legislation to do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I...I have to say with some jest, Senator Sangmeister has taken a thorough beating on it...through some very well intentioned questions that honestly don't have anything to do with the bill. I mean, the intention...the questions are not bad or in error, and if that stuff was in the bill, you ought to be opposed to the bill, the only trouble is they aren't. This bill is a clarification of a bill we passed last year that had an immediate effective date which people didn't realize, they assumed there was the normal effective date on the bill. By having an immediate effective date, a whole chunk of banks in the State did not comply, for whatever reason, most being 'cause they didn't know there's an immediate effective date, didn't know it was the law, didn't comply and this will allow...oh, oh, Jimmy Rupp is about to hit me...this would allow them to comply with the law. No one is attempting to get out of anything. It's a clarification to allow banks to comply with Senate Bill 137 that we passed last year that had an immediate effective date, and some people did not comply 'cause they did not spot the immediate effective date. So,

it's not even a controversial bill....I would appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I appreciate Senator Keats' explanation of this innocuous bill, but what bothers me is what it will look like when it comes back from the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? If not, Senator Sangmeister may close debate.

SENATOR SANGMEISTER:

Well, number one, I...I sure hope Senator Rupp is going to vote for this even though Senator Keats spoke for it. The second thing is, Senator Weaver, I can assure you that I have no designs to...to make this a vehicle bill of any kind, and if it comes back maturely changed from what it's going to be doing, I'll Table the bill. I'll put that into the record right now. It's not going to be a vehicle bill as far as I'm concerned.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1526 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 2 Voting Present. Senate Bill 1526 having received the constitutional majority is declared passed. Senator Bruce is back on the Floor, and we had leave to go back to the Order of Senate Bill 1503. Senator Bruce on Senate Bill 1503. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1503.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill relates to our legislative scholarships. It does not change at all the way Senate scholarships are given or when a replacement scholarship is required. It only relates to the changes that will be required on January 13th of next year when the House is reduced by one-third. Under the present Statute, if a vacancy occurs and a scholarship given by prior legislative House member, it is to be filled by a member of the same party, that is the way the Statute reads. Obviously, we are going to have districts now in which there's only one seated member, it may or may not be of the same party. So the Statute now just says the exact language that's in the Senate...provision and that is, if a vacancy occurs it will be filled by the person who represents the district, and if the Senate...the House member no longer represents that district, his replacement will fill the vacancy. A second portion of this is...relates to Senator Buzbee's amendment, which allows for us to reimplement the Veterans' scholarships. I know of no opposition to the bill and would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

A...a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KEATS:

This issue was raised to me, and I ask it strictly for clarification, does a House member with a district half the size of a Senate seat end up the same number of scholarships as a Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

...although I would not want to be held liable for my answer, my quick analysis is that he will have as many as the prior House members had, except there will be one-third fewer House members giving scholarships. So, it...it doesn't relate to this bill but each...each House member gets two scholarships, does not change that, but since there's one-third fewer House members they will, in...in effect, be giving out one-third fewer scholarships as a total group. Doesn't change at all the number each individual gets.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1503 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, none Voting Present. Senate Bill 1503 having received the constitutional majority is declared passed. Senator Lenke, for what purpose do you arise?

SENATOR LENKE:

On a privilege. I'd like to introduce the Governor's Hometown Awards Committee that won an award yesterday from Palos Hill: Edward Jones, Harriet Patras, Doris Marks and Mary Jo May, Alma Koerner and Marlene Feldhaus. They won an award putting together sixty-seven of their local groups with very little help from the State and using their own revenue. And they won the Hometown Award...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 1534, Senator Jetch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1534.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill, which is jointly sponsored by Senators Etheredge, Maitland and myself, is the look alike drug bill. It is basically the, or initially the work product of a long study, intensive study by the Dangerous Drugs Commission, and it now incorporates also a number of recommendations from the Illinois Attorney General as well as some other outside groups. It has all of our problems and differences have been reconciled, and the bill, indeed, is now both a Dangerous Drug Commission's bill and the Attorney General's bill as well. I...couple of points I want to make fairly brief,... the...probably the most important is, and this we want, as a matter of fact, on the record that the...the dangers of look alike drugs are really very considerable, and we found that there basically was no penalty for those who were peddling these kinds of substances. So that the bill, first of all, fills that need, that is, the need for criminal penalties for those who are manufacturing, distributing, selling, possessing look alike substances. The second thing that I think is important to point out is that there are dangers in the look alike substances that are equal to, almost greater than, in some instances, the dangers of controlled substances themselves, and there are a couple of reasons for this. One is that...and these incidentally are expressed in the preamble of the bill, one, the particular appeal to marketing of these look alike substances is among young people, that is almost entirely the market. Secondly, the look alike drugs can often lead to unanticipated reactions subsequently, if the person who has been using the look alike substance may actually get possession of a controlled

substance. In other words, they think they can accept a stronger dose of heroin or cocaine than actually they can, and when they get their first real one, if unfortunately they do, then it can be extremely serious, if not fatal. Third, it is almost solely a profit motive business, and we have had...we have strengthened the penalties deliberately to take the profit motive out, and in reflection of the fact that it does have serious consequences to those who are the intended victims, if you will, of the look alike substances. The...in the process, we have also equalized the penalties for...for counterfeit substances which were out of line with those for controlled substances. I think the bill does, indeed, reflect a considerable coming together of those who were concerned about this major problem, and I think all of us would strongly urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this piece of legislation. As Senator Netsch has pointed out there is a considerable need for a law on the books which will enable us to...to deal with the unscrupulous people that have been...that have preyed on the...on young people. There have been recorded instances where profits as high as fifty or sixty thousand dollars a week have been made by people who are engaged in this activity. There is a need to put these people out of business, and I think that this...this legislation would enable us to do that. I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Yeah, I...Mr. President, thank you. I only ask one question, there's a House bill that's coming over that's similar

in provisions, and I'm just wondering if this is...bill is in agreement with that bill or...that has been worked out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, the bill...the House bill has now exactly the same provisions. It is a matter of accommodation among all of us who have worked on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was the sponsor of the other look alike bill in the Senate and was happy to join Senator Etheredge and Senator Netsch with this compromise bill. I would like to mention just a couple of things. Those of you who have children in college should be aware of the fact that every...every week, practically, under their dormitory doors, or on their cars, or someplace, they're receiving information from all kinds of groups offering to sell them the look alike drugs. And of course one of the points they try to make is, you get the same kick for much less money. Senator Netsch very clearly articulated the problem with the look alikes and...when one comes in contact with the true controlled substance, we have eight or nine, possibly ten confirmed deaths in this State now. Additionally, there is no quality control whatsoever in the manufacture of look alike drugs. When those drugs are manufactured, they're manufactured in someone's basement. If it's caffeine, and that's many times the substance that's used, no two pills contain the same amount of substance. Again, no quality control, and these are the things that our youngsters are submitted to and subjected to, and I urge your support for Senate Bill 1534.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close.

SENATOR NETSCH:

All of us who have worked hard to put this bill together, urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1534 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1534 having received the constitutional majority is declared passed. Is there leave to go back to the...House Bill 1514, Senator Carroll? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 1514. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1514.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the OCE bill for the operations of the third branch of government at eighty-three million seven hundred and forty-five thousand, about...a little over a million dollars under the way it was introduced, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Lenke.

SENATOR LENKE:

Senator Carroll, has the Supreme Court ever submitted to the Auditor General's thing to audit those funds that they got, you know, that they say aren't...aren't public funds

that they collect from all the lawyers and you have no choice, you know, we pay our twenty or thirty dollars a year and we would like to know where the money is going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I don't think so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

I think this is the time. You know, this is...the Supreme Court refuses to cooperate, it's the only people...the only branch of government that refuses to cooperate with the Auditor General. And I think that we as a Body should do something about it, either on this bill or on someplace else, because those are public funds. They collect them from public even though those individuals are lawyers and those are public funds. And I don't think any branch of government should be exempt from any audit by the Auditor General.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Just briefly, Mr. President, in explaining my No vote. The...the problem with the Judiciary in Illinois, at the moment, seems to be that they are...want to take over legislative functions, not merely in the substantive realm, but now in the appropriations realm as well. Apparently the Judiciary in Illinois thinks it can appropriate the funds of the State of Illinois, and if it's the only way I have, as a legislator, of showing my protest is by a No vote on Judicial appropriation bills, well, then, I think that's the proper way to exercise my disapproval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 1537  
3rd reading

Is there further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, just to comment to Senator Lenke when he said on this bill or someplace else. Do me a favor, do it someplace else. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1514 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 16, 1 Voting Present. Senate Bill 1514 having received the constitutional majority is declared passed. Senate Bill 1537, Senator Jeremiah Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1537.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1537 provides that the equalization function shall be subjected to administrative review. Previously it was not, it was not viewed as...as being subjective to administrative review. This bill passed out of committee unanimously. I know of no opposition. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, I rise in support of this bill. It does provide what many people have

SB 1538  
3rd reading

requested for a long time and that is some administrative review of...of decisions made throughout the...by the Department of Revenue through the assessment process. And it also was amended by the sponsor to make sure that while this process is going on, we don't unduly slow up the regular collection process which could cause some real problems for local units of governments. I think it has been worked out so that it can provide the protection needed for the taxpayer and still not...not impede the...the taxation process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 1537 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have...take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1537 having received the constitutional majority is declared passed. Senate Bill 1538. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1538.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1538 provides that...for notification thirty days after hearing when the...of multipliers. I know of no opposition to this. It passed out of committee unanimously. I ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1538 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

SB 1539  
SB 1540  
3rd reading

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. Senate Bill 1538 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1539. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1539.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1539 provides that the Department of Revenue shall not include in its sales ratio studies vacant lot sales and initial sales of residential properties that have been converted to condominium properties. I know of no opposition to the bill. It passed out of committee 8-0. I ask for your favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1539 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 Voting Present. Senate Bill 1539 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1540. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1540.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1540 provides that in compiling sales ratio studies used to determine the equalization factor, the multiplier, the following changes will be made: any amounts included for personal property and sales finance charges shall be excluded from the reported sales price of any real property, and the sales prices shall be adjusted to cash value when financing is used that is different than the prevailing cost of cash, the prevailing cost of cash to be established at the cost of eighty percent of conventional mortgages to qualified buyers of qualified properties. Again, this bill passed out of committee unanimously. I know of no opposition. I ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator McMillan.

SENATOR McMILLAN:

...Mr. President and members of the Senate, I also rise in support of this bill, and this is a relatively significant piece of...of legislation. All of us are aware that in the whole area of financing, particularly residential property, but all kinds of other property as well, we've gotten into all kinds of...of creative financing, and what that has done is complicate even further than it already is, the process of assessment for property and in every jurisdiction in this State and all over the country. What that means is, throughout the entire assessment process it's more and more difficult to determine exactly what the value of property is and exactly whether any particular assessment is...is accurate. A lot of study went into this on behalf of...of the Taxpayers' Federation and realtors, and what we have attempted to do is find some target which all sales of property should

SB 1564  
3rd reading

be converted to in order that we have some reasonable measure and in order that we can achieve some measure of fairness. It...it's quite an important move, but I think it will be a substantial improvement in the process. And...would seek a favorable roll call on that basis.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 1540 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. Senate Bill 1540 having received the required constitutional majority is declared passed. 1558, Senator Chew. 1564, Senator Simms. On the Order of Senate Bills 3rd Reading, Senate Bill 1564. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1564 creates the Abused Child Shield Law of 1982 to require the court upon the request of the state's attorney to order the videotaping of a sexually or physically abused child's testimony instead of a personal appearance. The...genesis of this legislation, very frankly, attempts to alleviate some of the trauma experienced by child victims during the prosecution of the attacker. Testimony by the defendant child would be given by the...be given in the judge's chamber with the defendant retaining the right of cross-examine. The bill...the bill provides for the exclu-

sion of the defendant from the taping upon the request of the state's attorney, however, the defendant retains the right to review the videotape with his attorney and to cross...examine the child. In addition, points to consider is that in authorizing the court to grant a defense motion for reexamination of the child has provided the individual with adequate protection of their rights. An amendment was adopted after a great deal of work by Senator Bowers. The amendment to the bill limits the availability of the Act to the criminal prosecutions...involving sexually abused, sexually assaulted, sexually exploitation of child abuse where the child victim is under the age of fifteen. Two, it makes the use of videotaping of the testimony of the child discretionary with the court as opposed to mandatory. So it gives the trial judge the flexibility to make that decision. Three, it provides that in determining whether or not to allow the child's testimony to be videotaped, the court is to consider the elements of the offense charged and the emotional or psychological trauma the child will experience if required to testify in open court or be brought into the personal presence of the defendant. And an additional safeguard has been provided, it provides that where the defendant has elected to represent himself, the provisions of the Act shall be available only under such restrictions as the court may impose. I feel this legislation goes a long way toward protecting the sexually abused child, the child that has already suffered a great deal by the offense that has been perpetuated against them and the child should have this type of protection. I think this legislation is a step in the...the right direction, and I think perhaps it's one of the most significant bills of the current Session of the General Assembly to protect children. And I would urge a favorable vote on Senate Bill 1564.

PRESIDENT:

SB 1566  
3rd Reading

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1564 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. Senate Bill 1564 having received the required constitutional majority is declared passed. 1566, Senator Etheredge. On the Order of Senate Bill 3rd Reading at the bottom of page 10 is Senate Bill 1566. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1566.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I believe that the Calendar accurately describes the...the content of this bill. It says that the Aurora and Joliet Civic Center Authorities under the terms of this Act could lease real estate owned or controlled by the authority on the effective date of this Act without competitive bidding. I would be very happy to respond to any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1566 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1566 having received the required constitutional majority is declared passed. Senator Gitz on 1571. On the Order of Senate Bills 3rd Reading, the top of page 11 is

Senate Bill 1571. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1571.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. In its amended form, this bill has been further amended to take care of Senator Schuneman's problem and to remove objection of the municipal league on the hold-harmless provisions. In its present form, this legislation will add to the Pollution Control Board's authorities the ability to have an exemption for communities of up to thirty-five miles of waterline. I would call attention to page 2 of the...of the amendment, clause 4, and this is in the present law, "Has no history of persistent or recurring contamination as indicated by sampling results of the violations of finished water quality." What we are attempting to do is to give flexibility to judge communities on the basis of their need or the lack of that need for chlorination of water. This is something that has been sought on numerous occasions. Last Session we, by Public Act 82-393, provided that exemption to very small villages, and not a single case of contamination has come forward. Other communities were not covered by that, they're seeking the same equity that exist under the present law. I think that this makes sense in view of the fact that other major states like Pennsylvania and Ohio have seen fit not to have these mandatory requirements. We are not seeking to jeopardize anybody's water supply, merely to provide an exemption where there is absolutely no need for it.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Nimrod.

SENATOR NIMROD:

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will yield.

SENATOR NIMROD:

This increase is from a hundred gallons per capita to two hundred gallons per capita, and it increases the number of miles on the piping system. Every time we find a community that's going to want to be exempt, we're just going to come in and increase these particular limits. Now, I don't know what this was based on and...and...and where this will stop, but what assurance do we have that public health standards of that local water or where they're from the local wells are, in fact, being met? I can understand it for a small community, but what is the term small, and where do we stop, and how far is this going to go?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President. Well, number one, there are regular sampling procedures that take place under the existing law, that would not change. So each of these communities are required to submit regular samples. What constitutes a small community? That's defined in the bill, it's up to thirty-five miles. If they're over that, then they do not fall under this possible exemption. Where does it stop? I think that is answered by the Assembly. It seems to me that because of the success we've had of the very small exemption, it is reasonable for other communities that have experienced similar problems. And in discussion with Director Carlson, he has exhibited a lack of interest in really wanting to prosecute those cases, is looking to the Legislature for a solution that this gives us away to define that, Senator Nimrod, and yet keep the regular sampling procedures so that

we are not providing any jeopardization.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nimrod.

SENATOR NIMROD:

Yeah, and the only final question I have is that...on the determination of the number of miles for the distribution system. Is that the total amount of distribution system or is that the connecting linkage between the main lines? That makes certainly a big difference as far as the individual concern. The water limits, of course, are very high, but I'm concerned about...if this excludes the main lines then would be a...make it a much larger system.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Gitz may close.

SENATOR GITZ:

Well, in answer to Senator Nimrod's question, has no more than thirty-five miles of distribution piping, so it's a distribution piping. I would emphasize that this is a merely bill, it is extending a exemption that exists now. There's reasonable evidence that there are health hazards both ways. Nobody's arguing there are certain water supplies that should be chlorinated or other water supplies that are, in fact, it creates a Pandora's box of troubles. In its present form, this seems to constitute a reasonable solution that everybody that we've talked to seems readily able to live with, and I would urge your favorable adoption of this amendatory language.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Question is, shall Senate Bill 1571 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 12, 2 Voting Present. Senate Bill 1571 having received the constitutional majority is declared passed. Senate Bill

1588, Senator Schaffer. Senate Bill 1601, Senator Chew.

Read the bill, Mr. Secretary. Senator Chew.

SENATOR CHEW:

I would like leave from the Senate to call that bill back to put it on 2nd for the purpose of three amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there leave? Leave is granted. The bill is now on...the Order of 2nd Reading. Senator Chew.

SENATOR CHEW:

Senate Amendment No. 1 is a technical amendment. It has no affect on the change of the bill in its original stage and I would ask its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just...just a moment, Senator. The Secretary advises me that six amendments have been adopted.

SENATOR CHEW:

That would be No. 7, the technical amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Amendment No. 7. Proceed.

SENATOR CHEW:

It's all technical, or just to clean-up the bill as it is...it's an agreed...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Question is, shall Amendment No. 7 to Senate Bill 1601 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 8 provides for a referendum provision after

three years on disconnection. And I move the passage of the amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Question is, shall Amendment No. 8 to Senate Bill 1601 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Are there further amendments?

SECRETARY:

...Floor Amendment No. 9 by Senators Totten and Keats.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Totten. Senator Keats. Senator Keats, would you describe the amendment? Amendment No. 9.

SENATOR KEATS:

This is an agreed amendment. It simply adds four words, it says, "vehicles" and adds "vehicles and transportation provided by taxicab".

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Rhoads.

SENATOR RHOADS:

Sponsor of the amendment. Senator Keats, who are the parties to the agreement?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

The sponsor of the bill, the Northwestern Municipal Conference, the mayors and, well,...Senator Chew the sponsor, kind of all the people involved with the bill at this moment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads.

SENATOR RHOADS:

Well, as you know, there was a problem in the House. How about the Mayor of Chicago, in agreement or not?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

Well, I...I think Senator Chew could answer that better than I could.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

SENATOR CHEW:

It has no affect on the City of Chicago at all. It has no preempt provision in it whatsoever. This is the Senate not the City of Chicago.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Jeremiah Joyce. Senator Jeremiah Joyce. All right. Those in favor of the adoption or...is there further discussion? Those in favor of the adoption of Amendment No. 9 indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the floor? Senator Walsh.

SENATOR WALSH:

...I have no amendment, but I do have a motion, Mr. President, before this bill is advanced to the Order of 3rd Reading.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Would you...would you state your motion, Senator?

SENATOR WALSH:

Well, Senator, I didn't realize this bill was going to come back to the Order of 2nd Reading, so I didn't advise you of my intention to make this motion. I was going to make the point on 3rd reading, but we did adopt Committee Amendment No. 6 which provided for a restoration of the salaries for the members of the Board of the Chicago Transit Authority in the event this...this bill passes and becomes law. It's my understanding that this bill in its original form did not

provide for salaries for the...for the subagencies. So, since this amendment was adopted by a voice vote, having voted on the prevailing side, Mr. President, I would move that the vote by which Senate Amendment No. 6 was adopted be reconsidered.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Heard the motion. Senator Chew.

SENATOR CHEW:

An explanation to Senator Walsh, probably he will withdraw his motion. The bill, in fact, does provide for salaries for suburbia. Apparently it's been misinterpreted, but it is in that bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Walsh.

SENATOR WALSH:

Well, okay. It was my understanding that there are no salaries for anybody in the original bill, and...and can you just explain to me then why it was necessary, if that was the case, or if we did provide for salaries in the original bill, why it was necessary to provide for Amendment No. 6?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

END OF REEL

REEL #5

SENATOR CHEW:

The CTA Board members are paid fifteen thousand dollars a year, and I believe they were left out and that is the cause of that amendment. This is all agreed upon by the council of mayors in suburbia.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator Walsh.

SENATOR WALSH:

Well, can...can you tell me then, Senator, what the salaries are for the members of the other agencies? That is the...it would be what, the suburban bus companies and the...and the...what is it, the commuter railroads?

PRESIDING OFFICER: (SENATOR DONNEWALD)

(Machine cut-off)...Chew.

SENATOR CHEW:

It's twenty-five hundred dollars, Senator. That's across the board.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Walsh.

SENATOR WALSH:

...okay, I...I understand it now, Mr. President. Then they...they were all going to be at the twenty-five hundred dollar level, that is the members of the commuter railroad agency, the suburban bus lines agency and the CTA, so they're all going to be treated in the same manner, and then this amendment that...to which I am referring, on which I made the motion, would have elevated the members of the CTA back to fifteen thousand which would treat them in a...in a manner different from the members of the other two agencies. Is that correct?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

SENATOR CHEW:

It's not a matter of treating them differently, Sir. They are paid the fifteen thousand now, and the additional is a new creation. So, consequently, we were not trying to put them on par. The original bill took out the fifteen thousand dollar salary for CTA members and had it, I believe, at twenty-five hundred, but in so much as they were being currently paid twenty-five thousand, Amendment No. 6, I believe, did, in fact, put it back in, and it's agreed upon by the council of mayors.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Walsh.

SENATOR WALSH:

Okay, Mr. President, then...then we do understand it. There...they...under the bill as introduced, they were all to be treated equally, notwithstanding the fact that the members of the CTA board are now being paid at the rate of fifteen thousand per year. Senator Chew's Amendment No. 6 would be to bring the CTA back up to fifteen thousand which is where they are now, if I'm not mistaken, and, Mr. President, I would persist in my motion and ask you to put the question.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just a moment. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Well he...he, that's in the form of a question, and I want to answer it because I do have the amendment before us. The amendment decreased the annual salary for the CTA board members from fifteen thousand to twenty-five hundred as I previously stated. It eliminates the pension and benefits that the new board members be entitled, excludes present and former board members who have vested pension rights, stipulates that the board members shall not be reimbursed for

expenses incurred in the performance of their duties. The new creation is the twenty-five hundred. The other amendment puts back to fifteen thousand that current CTA members are paid. That's the answer to the question.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, there is a motion by Senator Walsh to reconsider the vote by which Amendment No. 6 was adopted in yesterday's activities. Senator Walsh.

SENATOR WALSH:

Well, if I can just briefly close, Mr. President. This, I think, is...is an essential issue of fairness. If this thing is going to work, the three agencies should be treated alike, and there's no reason in the world why the members of the Chicago Transit Authority should be paid at a higher level than the members of the Commuter Railroad Authority or the Suburban Transit Authority. They should all be at the same level, whatever it may be. Twenty-five hundred dollars appears to be reasonable, if that's what it is for the others, that's what it should be for the members of the CTA, and I urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is, shall the vote by which Amendment No. 6 was adopted be reconsidered. Those in favor indicate by saying Aye. There is a roll call requested. A roll call will be had. All those in favor of reconsidering Amendment No. 6 will vote Aye. Those opposed will vote No. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, 1 Voting Present. The matter will now be reconsidered. The question now is, shall Amendment No. 6 to Senate Bill 1601 be adopted. Those in favor of Amendment No. 6 vote Aye. Those opposed Nay. Alright, we're open for discussion. Senator Walsh.

SENATOR WALSH:

Alright, we'll just vote it up or down, I urge a negative vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Chew.

SENATOR CHEW:

Yes, I would ask the nonconcur of this amendment. What is his problem with the amendment? What does he want? He certainly has not at all contacted me on any portion of this bill. One, this is a bill that has been worked on by the council of mayors in Northern Illinois for a long, long, long time. It has not been a secret. It has been before the leadership on his side, it has been before the leadership on this side. We have cooperated with everybody on both sides who had amendments or who did not have amendments. Amendments have been distributed, it has been no secret. This is a bill that was fashioned by the council of mayors. Their input, various meetings, their travel to and from Springfield counseling with those of us that are involved, and I would like to know, what is it about the amendment that the Senator disapproves of?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Well, to whom, Senator? Senator Walsh, do you wish to respond? Senator Walsh.

SENATOR WALSH:

I'd be happy to...Senator, as I indicated at the outset, if I had known this was going to come back to 2nd reading, I would have indicated to you my opposition. I didn't know it was going to come back. If I had been on my toes, I would have opposed it when you first offered the amendment. I think I indicated when I made my motion to reconsider the basis for my objection. I think it's just basic fairness that everybody should be treated alike, so I urge a negative vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

SENATOR CHEW:

We have in Chicago a Chicago Transit Authority. The members of that board are paid fifteen thousand dollars per year. The original bill had decreased their salaries, so across the board it would be two thousand five hundred dollars per annum. The amendment put back the original fifteen thousand dollars. Now, I have no objection if everybody within the system is paid the fifteen thousand dollars, but I do object to having an amendment passed here on this Floor and then at this late date to attempt to decrease the salaries of the Chicago Transit Authority members. That's not the purpose of it at all. The original bill left the CTA completely out of it, and then we included the CTA so everybody would be under "an umbrella group." I think President Rock might have some comments on this, but I just don't think it's fair at this late date to come in on this.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

I didn't, but I will. I wonder if the good Senator who's the movant would indicate to us that if, in fact, the amendment is defeated, he will then see fit to vote favorably on Senate Bill 1601.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Walsh.

SENATOR WALSH:

Well, I'm no longer the movant. The...the amendment is, I guess, going to be voted up or down. It's being offered by Senator Chew. I haven't made up my mind yet, Senator. This appears to be one...one obvious shortcoming in the legislation, there may be others after we examine it more thoroughly.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Well, then I wonder if...it might be in order also to call back 1681 and talk about some of the amendments that perhaps we were...some of us were not as awake as we might well have been at the moment and reconsider some of those?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Rhoads.

SENATOR RHOADS:

Just question of the sponsor of the amendment, which is Senator Chew. Senator, with this amendment on, will Mayor Byrne be supporting this bill on 3rd reading?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

SENATOR CHEW:

Senator Rhoads, the distinguished Gentleman from Willow Springs...Western Springs, I...I don't really know what the Mayor's position is of Chicago. I have not been in contact with her, and let me emphasize, it depends on the votes of the Floor of the Senate. That determines the bill here, and as far as I know, the Mayor of the City of Chicago or any other mayor that's involved in the fashioning of the legislation do not hold a seat in the Senate. So your answer is, her number is 744-3300.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Well, I...I think, you know, this...1601 was called back at the request of Senators Keats, Totten and Geo-Karis, and to go through this drill, it seems to me, when...when we thought there was an agreement struck that each competing interest, and there are, in fact, for those of you who don't know, and I'm sure everybody does, there are some competing

interests between 1601 and 1681, and it was readily agreed, I thought, that each would be in the position of having the bill in the form that their interest group wished it to be in. Whether you like the form or not, that will...that tale will be told, I suggest, on 3rd reading. But to start at this moment reconsidering the vote by which amendments were adopted or failed, it seems to me, we...we are entitled then to do the same thing with 1681, and if we're going to persist in this, I am going to insist on it.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Rhoads.

SENATOR RHOADS:

Well, then speaking to the amendment, Mr. President, I rise in opposition to the adoption of Amendment No. 6 for the same fairness doctrine that was articulated by Senator Walsh, and I think it's a simple enough question to ask what the position of the Mayor of Chicago is on the bill. After all, there were Republicans in the House who were induced to support similar legislation with the understanding that the mayor would support the bill, and apparently the mayor didn't support the bill and did materialize in terms of votes on the...on the scoreboard. So, I would urge opposition to Amendment No. 6.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I just want to...I just want to...I just want to ask...well, I could ask you privately, I suppose...where did all of these representations from the Mayor of the City of Chicago come from or go to or...this thing keeps bantering about here. I would always like to...keep on my toes when the mayor is on the scene or...or taking a position, you know, Senator, where'd this all come from? Does anybody in the room have an answer? Senator Savickas.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Savickas, do you wish to respond? The Chair might note we're moving pretty slowly. Senator Savickas. Try Senator Bruce's microphone, Senator.

SENATOR SAVICKAS:

And I imagine if Senator Rhoads is interested where the Mayor of Chicago stands, he should call her and ask her. Or if he's interested, she'll be down in Taylorville tonight, and he could take a ride down and visit with her. I'm sure she'd appreciate such a welcoming group.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...is there further discussion? Senator Chew may close.

SENATOR CHEW:

Mr. President, I would reemphasize what Senator Rock has said. Senator Philip has a bill that we agreed to get out of the Committee on Transportation just as we agreed to get the bill that's in question out and to put both bills in shape on the Senate Floor on 2nd reading. It was the side to my right that requested that I withdraw the bill from 3rd to 2nd in order to accommodate their amendments. I think it's unfair to allow one bill to stand as it is and to take pot-shots at another. What we're trying to do is to fashion something for Northeast Illinois. I think it's fair that we do that. There's several organizations in the State that have put many, many hours, much brain power, much money, transportation, and et cetera, and et cetera, attempting to get some legislation out of here that everybody involved can live with. This is no fun bill, I don't give a damn where the Mayor stands in Chicago or Council Bluff. This is not Mayor Byrne's bill, that's not the question. This is not Governor Thompson's bill. This is a bill that was fashioned by the council of mayors in Northeast Illinois. "Pate" Philip has a bill, I may have some objections to that, but certainly I'm

not going to rise on the Senate Floor and try to sabotage his bill because all of us that were involved agreed, and I can't see the leader on the Republican side setting idly by and not speaking on this issue, it isn't fair. Now, if you people want both of the bills killed, I can help do it. And I think Senator Philip is quite aware that we have talked, we have agreed, these amendments were legally adopted, and these amendments should remain on this bill, and I insist that they do remain and I would, respectfully, request on the motion that's made that we vote to maintain Amendment No. 6 on this Senate bill. It's no more than fair, and I'm going to treat Senator Philip's bill likewise. And I'll accept any statement that he has to make at this time rather than to take pot-shots at it. This is nothing to have fun about. And again, let me emphasize, I have not talked to the Governor, and I have not talked to the Mayor of the City of Chicago. I want that clearly understood. Don't sabotage my bill. And I might add, I have two co-sponsors that are Republicans so, apparently, you haven't gotten together with anybody over there, that's directly at Senator Walsh.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, Senator Chew was closing, Senator Philip, did you have comment? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Chew, you and I have certainly worked on many, many things together, and I think we did have an agreement to try to get both of these out. After that, it seems we might have had a kind of a parting of the way. Now, very honestly, I knew there were going to be some amendments on your bill, Senator Geo-Karis talked to me, I talked to Senator Keats about it, I was not aware of Senator Walsh's amendment whatsoever until he tried to put it on. So, if you think I'm a part of any kind of a plot or scheme to torpedo

AB 1671  
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your bill, you...you have jumped again to the wrong conclusion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, briefly.

SENATOR CHEW:

I would not at this time nor later accuse the distinguished leader of attempting to sabotage my bill. I will admit that I didn't know there were a parting of the ways since we got them out of committee. He did not inform me that his parting would be, in effect, as of the date it came out of the bill. On the next time around, Sir, if you would kindly inform the Chairman of Transportation, and he'll know what way to go since we're going to go apart. Would you kindly give me that courtesy?

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 6 to Senate Bill 1601. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 15, 1 Voting Present. Amendment No. 6 to Senate Bill 1601 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Chew, did you wish to call that today? Alright. 1613, Senator Newhouse. 1614, Senator Bloom. Senate Bill 1643, Senator Davidson. Senate Bill 1645, Senator Gitz. 1654, Senator Schaffer. 1671, Senator Simms. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1671.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Mr. President, may I have leave to bring 1671 back to the Order of 2nd Reading for the purposes of allowing amendment to be offered?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. And, Senator Simms, the Chair is not trying to pick on you in any way, but if...if a sponsor wishes to recall a bill, it will help us not to read it a 3rd time and go through...might as well just go back to 2nd, and if we have these recalls. Is there leave to return Senate Bill 1671 to the Order of 2nd Reading for the purpose of amendment? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senators Sangmeister and Blooa.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. We have been wrestling throughout this Session trying to solve what many have described as a fiscal crisis. Everybody has said we're in a financial bind. I think it's time that we pull ourselves up our own bootstraps. You know, as many of our constituents would say, it's high time that the General Assembly ought to be run like any other business. Well, if a business is faltering, and certainly the State of Illinois is faltering in...in its revenues at the present time, we ought to do something to rectify our own situation. Therefore, I offer this amendment for your consideration. This amendment, if adopted, will save the State of Illinois the sum of forty million dollars, which I have been led to believe is the amount of money that we need to put things in

order in this State. This amendment states that for the first ten days of the next fiscal year the Governor of the State of Illinois, nor the Secretary of State, nor any of the constitutional officers will receive any pay for the first ten days. It also says for the first ten days of the next fiscal year that no member of the Illinois Senate or any member of the Illinois House of Representatives will receive any pay for the first ten days. It further states that all employees of the State of Illinois will receive no pay for five days starting in the fiscal year of July 1st, 1983. Now, if we are serious about putting the State of Illinois back together and having enough money to finance things, this is the way to do it. I have scaled this thing on a scale which I think is...is fair. The constitutional officers and the General Assembly will have twice the days taken from their pay as every other employee so we keep things in perspective. I think this is a good amendment. It makes the State of Illinois financially sound, and I think it's an amendment that ought to be adopted. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion of the motion to adopt? Senator...Senator SIMMS.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of the Senate. I was approached with this concept by Senator Sangmeister and Senator Bloom, and after long consideration, I believe that this is perhaps the best amendment that could be offered to a bill that would help solve the financial difficulties of the State. Yesterday a series of amendments were placed on bills affecting the State employees, cutting their salary. There have been talks about massive layoffs in the State because of the State financial crisis, and there's no question about it, we do have a serious financial crisis.

But in order to establish that we do have this financial crisis and realize that everyone is going to, in essence, have to endure and have to give a little bit, I think it's only a fair proposition that everyone should share in that giving, and part of that is the elected officials of the State of Illinois, from the Governor, the constitutional officers to the members of the General Assembly should correspondingly give of themselves and take a reduction in the ten days without pay and five days for the others in order to keep our State stable and give the financial stability to the State of Illinois that we need. The schools are in financial trouble, and we have many other problems. It's an unfair thing to place the entire burden of financial loss upon one...category of people in State Government, and that's the employees. And frankly, whatever is good for the goose is good for the gander, and if we're going to set the principle, we have to live by that principle. So, very frankly, Senator Sangmeister, I'm happy that my bill is available to present to the General Assembly and for the Senate to really put their faith and credit and their heart where they're basically have been voting the past few days, and I'm going to vote Yes for this amendment, and I'd like to be shown as a co-sponsor of the Sangmeister-Bloom amendment as well.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The Chair recognizes the following Senators for debate: Senators Berman, Grothberg, Geo-Karis, Weaver and Bowers. Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

May...Senator Berman, if you'd wait just a moment. Senator Savickas and Senator Hall, if you would take your conference off the Floor. If we can clear the Floor of those not necessarily required to be here, we can conduct our business

in a more orderly fashion. Can we have some order please.

Senator Berman.

SENATOR BERMAN:

A question of the sponsor. Senator Sangmeister, you phrase this in ten days and five days, are we...are we talking about a three percent pay cut and a one and a half percent pay cut, is that...would you...would you explain because the Legislature, for example, doesn't get paid by days, other types of employees may. How does the amendment read?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, Senator...Senator Sangmeister, before you answer that, Channel 20 requests permission to film the proceedings. Is leave granted? Leave is granted. Senator Sangmeister is recognized.

SENATOR SANGMEISTER:

To answer Senator Berman, the last sentence of the amendment says, "In the case of officers and employees who receive a salary calculated on monthly, semi-monthly or annual basis, such salaries shall be reduced accordingly."

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Then, as I understand it, if there...the Legislature...we get a check once a month, the first check we receive will be one-third less than...than we would otherwise get. I like the amendment, I think it's a step in the right direction. I'm pleased to support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. A question of the sponsor, please. Senator Sangmeister, other than for constitutional reasons, why aren't the courts in this wonderful amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

The courts are in this wonderful amendment. They are...officers of this State and employees, and they're going to get five days.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg. (Machine cut-off)...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we have legislated here pay freezes and what have you. I think we have to show the example, and I am very happy to support your amendment. You can take ten days off, you can take twenty days off, I don't mind because I'll tell you, we've got to show the example, we're legislating for everyone else's pay cuts, let's take care of our own. I'm for your amendment, and add me as a co-sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Sangmeister, is it constitutional to reduce, say, judges' salaries?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Weaver, I thought about that, and there may be a question about that, but I would answer it this way, in the first place, we are not reducing anybody's salary, we're just saying for five or ten days they're not going to get it, that's number one. Number two, you show me a judge in the

State of Illinois after July 1st that's going to file to get his five days back.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Weaver.

SENATOR WEAVER:

Then I presume it will be voluntary on the Judiciary to donate back five days pay for supreme, all the way down to the circuit and appellate judges and all?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

It's in the eyes of the beholder. I don't think it's voluntary. This law says...or this amendment says five days shall be taken away.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver. Senator Bowers.

SENATOR BOWERS:

Well, I...this...the distinguished Chairman of Senate Judiciary II needs a question or two it seems to me because in looking at Article XIV under judicial salaries it said, "Judges shall receive salaries provided by law which shall not be diminished during their term of office." Now, if this doesn't diminish their salary, I don't know what else you could do that would. And what appears to me is going to happen is that the employees in the State of Illinois are going to take a pay cut, constitutional officers are going to be exempted because if you'll read the other provisions with respect to General Assembly, for instance, it says that their salaries shall not be changed during their term of office. So, I'm a little...yeah, I like your idea, I think it's great, but the problem that's going to develop is that those people who are, in effect, going to suffer the...the results of this amendment are going to be the people who are employees of the State, and the rest of us are going to get

off scot-free. In addition to that, as...as a person who is not running again, would you mind delaying the effective date perhaps for twelve months, and then I'd be much more satisfied with the whole thing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Thomas.

SENATOR THOMAS:

Thank you, Mr. President. I think that the attempt on Senator Sangmeister's part is...is to make the whole idea of a cut of State employees a bit more palatable because we in the General Assembly will also be taking our fair share. The fact remains for those of us who represent districts where there are considerable amount of State employees, they are not happy with Senator Carroll's concept and that simply is just talking about increase in pay, a lesser increase. I don't know that...in not having had a chance to talk to anyone back in my district about this, although this has a certain sex appeal now that the Governor and Senators and State Reps are...are going to proportionately take their lumps as well, I think we should go right back to the source and that is the problem of whether the State employees are willing to accept this. I'm...I'm just not sure that they would be.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister. Well, let's see, we had Senator Rhoads. Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. A question of the sponsor. Senator Sangmeister, a couple of us tuned in late on the debate here, and it...it does sound like an intriguing amendment, but having missed your opening remarks, were you purporting that this puts us and the constitutional officers on a basis...on an equitable basis with other State employees in light of the amendments offered by Senator Carroll yesterday? Is that what you were trying to

represent this as?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

What I am indicating is that if, in fact, this is adopted, it would become law, there would be a forty million dollar savings which then allows in this legislative process for either the Governor or the Appropriations Committee or however they want to use this money to appropriate as they see fit. If it means giving the...the employees their...their raise that they're asking for and they want to use it for that purpose, fine. If you want to use it for education, wherever you want to use it, there's going to be forty million dollars available.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

So you don't have another amendment lurking around that would give us a four percent raise or anything...anything of that nature. I...I...I think I see what you're trying to do. Have somewhat mixed emotions about it, but it might be a good idea.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Obviously, I rise in support of this amendment. I think that it equitably distributes the burden across the board, and I think that when we talk about belt tightening, we should certainly tighten our own belts. And I think that we can in good conscience adopt this amendment, and it is not...it is not what you'd call truly novel. In Idaho, they have taken this approach, the Governor in Idaho proposed that. So, I...I see no problems here, and I trust Senator Sangmeister's address to any constitutional

issue, but we're not diminishing salary at any rate, salary levels stay the same. We're just saying if we tighten...if the belt must be tightened, we all tighten it. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. I have a suggestion for Senator Sangmeister. In the event that this should run into some constitutional difficulty, I don't think you would be precluded from delaying payment which would then move it into the next fiscal year and then not appropriate for it or do something else with it. But what you're trying to do is conserve forty million dollars worth of cash, and either a delay or non-payment would, in fact, do the same thing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

...question of the sponsor. I...unfortunate, I was off the Floor when you started your opening remarks on this amendment, but I'd like to know one question, because I feel like Senator Bowers, I think, that no matter what you do under this that our salaries cannot be altered or changed. Now, does it mean after this particular...if this particular amendment law pass that from then on we would have the authority to change and alter our salaries during the term of office?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGHEISTER:

From the very beginning I've admitted there may be a constitutional problem with this, but I would say to you, as far as the members of the General Assembly are concerned and the constitutional officers, except for those like Senator Bowers

who is not running for re-election, if you don't...if this becomes law and you don't like losing your first ten days pay, then I suggest before the election you file a lawsuit in the local circuit court saying you want your ten days back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes. Well, quite frankly, I know that this is intended to be a very noble gesture, Senator Sangmeister, but I wouldn't have any real problems with filing a lawsuit because I...I see no justification in the first place for cutting the State employee's salaries. Now, I know that we have to do some belt tightening down here, but I can think of several other ways of which to accomplish that, and at the same time, give State employees a raise or maybe not the raise that they requested but give them at least some type of compensation without cutting the legislators' pay. Now for those of you who are, you know, lawyers and double-dippers and whatever else who has a lot of other income, I personally cannot afford a cut, because what is happening back home in my district, I have a full-time service office which fifty to seventy percent of the salary that I receive from this State goes to help to support hungry people in my district. And if I want to give away some money, I want to have the choice of where that money is to go. I think this is no more than a noble gesture, and therefore, I don't have any qualms of standing here before the press and before God and saying, "No, I cannot afford a cut in my salary." We are not asking...the legislators here are not asking for raises, others are asking for raises. The fact that we're not receiving raises, the fact that my staff at home is not receiving raises, and if some of you care to check, including the press, I'm paying my staff's salary out of the salary that I draw from the State of Illinois right now, and I have been

paying her salary, and I will continue to pay her salary to provide full-time service and to answer questions to people who are unemployed and panicing back in my district and know no other place to turn but to come to my office for some kind of support. I think this is no more than a noble gesture and we should defeat it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, this just reaffirms what I've heard when I first come here, that nothing is safe while the Legislature is in Session. I...I just can't in my...I don't call you Bad Bill Sangmeister for nothing. It's just...it's unbelievable at this hour now you'd come up with something like this. I just don't know, it's a shame that we have to go with these kind of trivial things at this time. I just ask you one question, who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning. Oh, Senator Sangmeister.

SENATOR SANGHEISTER:

Well, in answer, Senator Hall, I...I think you ought to check with the constituents you represent. They'll tell you whether they want this or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cut-off)...Berning.

SENATOR BERNING:

(Machine cut-off)...Sangmeister, I have to compliment you on your adroitness in placing all of us right on the spot and also to congratulate you on perhaps the most effective re-election gimmick that anybody has come up with. You...you are certainly to be commended. But I want to ask you one question then, Senator. In light of the proposal to take a voluntary contribution from the State employees and legislators and judges, are you going to vote for the judicial pay

raise?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I fully intend to vote for the judicial pay raise. I feel that the judges in this State have been underpaid for a long time, they need their pay raise, and I plan to support that pay raise, yes Sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Well, that just compounds the indignity of this approach. We have now granted a rather small pay raise to the State employees across the board, now you're going to give the judges a substantial pay raise and then take this small deduction from them, but we are going to have to take it in total. Everybody else is going to be cushioned with their compensation increases. That's the inequity of it, Senator, but again, I compliment you on a very, very adroit re-election campaign issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. First of all, let me preface my remarks that I happen to be a full-time Senator and do not have any other occupation. Now, Senator Sangmeister, what do you do besides being in the Senate? What's your profession?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Practice law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

Thank you. You practice law. On those additional ten days that you're going to have the legislator off, are you going to be in your law office making more money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Those ten days, I generally look forward to a vacation after leaving here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

You generally look forward for a vacation, that's because you have a law practice, and that's because you get twenty-eight thousand dollars in the Senate. I haven't taken a vacation in thirty-seven years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

You know, when I had my secret meeting, Mr. President, with President Rock last night, he said to me, now, Charlie, we're going to work right straight through on bills that affect the State of Illinois and for the good of the people, which I agree. Now I see we've got some amendments here to get certain people maybe re-elected on how much they want to contribute to the State. Let me state here, absolutely clearly, that I voted against the amendment that was offered by Senator Carroll on cutting the increase for State employees, I'm against that. And secondly, about double-dipping, they tell me when a woman is serving in the Senate and she has a working husband, that's, in fact, double-dipping because she has another income, or if she doesn't, she should, and if she doesn't have another income then there must be a dead cat on the line. Senator

Sangmeister, I think your gesture is...is...is absolute, but I just checked the record and I discovered that on the pay raises for the legislature, you always voted No, and I further checked over at the Comptroller's Office and there has not been a record made where you have attempted to give these raises back to the State of Illinois as a good belt tightening gesture. Now let me suggest an amendment to your amendment, Sir. That I...I have an amendment being prepared if you will just hold this, that would permit you and those others that are so loyal to this State and the financial status of the State, that you can, in fact, return all of your salary back to the State, and that is constitutional, Senator Sangmeister, are you ready for that? I know you didn't hear the question because you were busy over there with your counterpart who, by the way, will no longer vote with you because he won't be here next year. He had a congressional fever but that was taken care of too. My good friend Brother Rhoads is over there interfering with the man I'm trying to ask a question for. That's a discourtesy, Senator, but you're real right with me. Senator, would you agree to give all your salary back to the State of Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGHEISTER:

Let me put it this way, if all the constitutional officers and all the members of the General Assembly want to return all their salary, then I'll return mine right along with it. That's...that's the answer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Now, I'm not going to vote with you, Senator. I think it's stupid to even propose the idea, not...not you being stupid, I don't mean that, but the idea is stupid. We're not

fooling anybody, not even the taxpayers. They know if we want to tighten belts down here, so much fat in every budget that goes through this Senate and the House that we could take that amount from anyplace and the State wouldn't stop running. And just to say I'm going to propose this and look for your local paper to have a lot of pretty ink on that so you can throw it in the faces of your opponents and say, "Look what I'm offering." You're not, in fact, offering it because if it were sincere, the last raise we got would have been back over at the Comptroller's Office, and I find that the records of your paydays are the same as mine, you take it all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Mr. President, I move to Table Amendment No. 3 to Senate Bill 1671.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we do have one other speaker. Would you hold that motion for a second? Senator Bruce.

SENATOR BRUCE:

I guess we're all going to have a lot of fun with this particular amendment, but I'm reminded of the story of the rabbits and the hunters which states as, while the hunters shoot in jest, the rabbits die in earnest. This looks very good. When you first take a glance at it you think, gee, why don't we ride to the polls on the backs of the State employees. Now, yesterday we took a very good slice at seventy-five thousand people, told them they were going to take a four percent cut, we're going to reduce their pensions to sixty-two percent, we're going to take away their sick days, holidays and personal leave days, and they were to sacrifice their work for the benefit of the State of Illinois. And so, I suppose, and sort of to salve our conscience, today

we came up with this amendment. This amendment affects two hundred and thirty-five people versus a hundred and sixteen thousand State employees that are going to give up five days. Now, those people are going to give up a little more than six hundred thousand day...man days for us, while we're going to come up with two thousand three hundred and fifty work days. I don't know how you guys negotiate, but I would think if you could trade ten days from two hundred and thirty-five people versus five days from a hundred and sixteen thousand people, it's not a bad deal, but I think we ought to very seriously consider who's going to be paying for all of these goodies that we seem to be talking about today. Each legislator here is going to get a chance to kick into the State's pot seven hundred and fifty dollars and ninety cents, but every State employee yesterday took a four percent cut of their annual salary, annual salary, which I assume to many State employees is in excess of seven hundred and fifty. They've already been to the blood bank yesterday, and now we're asking them to go back for another five days. Well, it seems to me that if we want to be equitable about this we ought to compute man days and we ought to demand of us the same number of man days that are going to be demanded of the State employees. So you take a hundred and sixteen thousand, you multiply that times five, and when we get up to about five hundred and so thousand days, we can take the two hundred and thirty-five legislators and divide ours into that and you'll find out that we're just about going to be without work...or without pay next year. So, while this looks very good, why don't we just drop out the State employees, I don't think the judges are covered, take out all the State employees and...say that all of us are going to...donate one month, or two months, or three months, or whatever figure you think that is going to be necessary to get re-elected next year. This is a re-election, amendment and if all of us are going to donate

seven hundred and fifty dollars and ninety cents, I'll write out the check right now, give it to the State of Illinois, give it to the Secretary, he can run down and file it with the Index Division, we'll get this amendment out of the way, but let's not stick it to a hundred and sixteen thousand State employees who yesterday took cut in excess of about forty million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Rhoads.

SENATOR RHOADS:

Mr. President, I rise...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the second time.

SENATOR RHOADS:

...second time, yes...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm sorry Senator Joyce is here, he had a motion. He made the motion before you sought recognition. Senator Bruce had already sought recognition. His motion is to Table Amendment No. 3. It's not debatable. On the motion, Senator Sangmeister.

SENATOR SANGMEISTER:

Parliamentary inquiry. We were on already the amendment prior to the time he made his motion and debate was going on on that amendment. I don't think a motion to Table is in order once debate has started on the particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Table...a motion to Table...

SENATOR SANGMEISTER:

If he had made his motion before that, fine, but not when we're in debate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...a motion to Table is in order at anytime.  
On...Senator Berman.

SENATOR BERMAN:

On a point of parliamentary inquiry. Usually the practice is, even when there's a motion to Table that we allow the sponsor to close, and I think that's the only courtesy that would be available to him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's only on a motion to move the previous question, Senator. Motion is to Table Amendment No. 3. All those in favor indicate by saying Aye. Those opposed. The...the...roll call has been requested. All those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Senator, would you vote me Aye. Have all voted who wish? Have all voted who wish? Take the record. The votes are, 29 Ayes, 29 Nays. The motion fails. Back to the main question, Senator Sangmeister may close. Senator Rhoads, for what purpose do you arise?

SENATOR RHOADS:

I do rise for a second time, Mr. President, but I just now got a copy of the amendment, Senator, which is what I was...I rudely interrupted your debate with Senator Chew, on and the copies were not distributed on our desks because of the...and...and still are not. Because of the representations made just now by Senator Bruce in debate, I want to make sure that we are talking about the same thing. On the amendment, line 15, "All other employees and officers of the State of Illinois shall receive no compensation other than health and retirement benefits for the first five working days of the Fiscal Year 1983." Who all do...does that apply to? How many people are we talking about? We're not just talking about two hundred and thirty-five people here, are we?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Simply drafted, the amendment speaks for the constitutional officers and the members of the General Assembly it's ten days, for all other State employees it's five days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, first place, let's get things in perspective, Senator Bruce. There's nothing that says what happened yesterday is...is concrete. In fact, if we produce forty million dollars more now, why not change that and give it back to the employees if that's where you want to use the forty million for. If you want to use it to support your schools, then use it there, use it anywhere you want to, there's no double slap on the...of the State employees. I think we have to run this State somewhat like a business, and I want to tell you, if this was a private business, what would the employer do? The employer would make a sacrifice which is all that we're asking to be done here by the members of the General Assembly and the constitutional officers, and we're asking that the employee do something also. What is happening in the private sector today? That's exactly what's happening in the private sector. Labor is sitting down with management and saying, "By God, I want a job, I want to keep that job, I'm willing to do something." Why can't we do that in the public sector? Once upon a time, there was a great American, who I'd like to paraphrase, who said, ask not what the State can do for you but what you can do for the State. I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Amendment No. 3 be adopted. All those in favor...and anticipating a request for a roll call vote, all those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Senator, would you vote me No? Have all voted who wish? Have all voted who wish? Take

the record. On that question...on the adoption of Amendment No. 3 to Senate Bill 1671, the Ayes are 30, the Nays are 25, and 1 Voting Present. The amendment is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...or Senate Bill 1678, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 1678.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the Legislative Information System and the Legislative Reference Bureau. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 1678 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 1 Voting...none Voting Present. Senate Bill 1678 having received the constitutional majority is declared passed. Senate Bill 1681, Senator Philip. Read the bill, Mr. Secretary. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen. I wonder if the Minority Leader, since in view of the fact 1601 was amended at the request of your side and they were to run

in tandem, and we are holding bills that are amended 'til tomorrow to give everybody at least a chance to see the amendment, if...if we might hold this off 'til tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock...I mean, Senator Philip.

SENATOR PHILIP:

President Rock, have you got amendments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I certainly have motions to reconsider the votes by which amendments were adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, Senator Rock, unfortunately, we've been...working long and hard for this bill, and I hate to postpone it. You know, we have members that have commitments, I'm not sure everybody on this side of the aisle is going to be here tomorrow. And it just creates, quite frankly, mechanically a problem for us. I think there happens to be thirty votes to pass this today. I'm not sure we're going to have thirty votes tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, as you and I both know, it requires more than a simple constitutional majority. It requires thirty-six affirmative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...Senator Rock, on what basis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, Sir. On the basis that...wait 'til I get the Section number so that we can be ineluctably clear, 6A.04 specifically affords this NEATS Board the opportunity to override home rule districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yeah, it's...it's already in the Act, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I would point out to you, Sir, however, that in your hundred and forty-three page Amendment No. 1 which was added earlier in the week, you are specifically repealing the existing law, and we are embarking on a whole new uncharted course.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, it's...it's the advice of my counsel that it is amendment to the existing Act, not an entire new Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, that only corroborates what I think was my original request, that perhaps we might hold this 'til tomorrow so that you and I can both be sure, or surer, than we are. I am, frankly, very sure. It is a repealer of the old and a whole new Act that we are embarking on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

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END OF REEL

Reel No. 6

SENATOR PHILIP:

I suppose I'll once again be a nice guy and hold it,  
Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you. Senator Rock.

SENATOR ROCK:

Thank you. Then I, too, will be nice and move...and  
withdraw my motion to reconsider.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State...state your point.

SENATOR GITZ:

I'd like to introduce to the Body the Mayor of Oregon,  
Mayor Jim Barnes and the Finance Commissioner, Bob Aarand, to  
our...to my right in the gallery. If they would please stand  
and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. With leave of  
the Body, we'll go back to the Order of Senate Bills 2nd  
Reading on page 2 and stop at...start at the top of the page.  
Senate Bill 1202, Senator Chew. Senate Bill 1231...Senate  
Bill 1231, Senator Sangmeister. Senate Bill 1243, Senator  
Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1243.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm not sure that that's a committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke, for what purpose do you arise?

SENATOR LENKE:

For the record, to substitute the bill...House Bill 2462 to have the sponsorship read D'Arco-Lenke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we're in the middle now on an amendment. Would you hold that 'till we finish with this? (Machine cut-off)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, I believe, was this...Mr. Secretary, committee amendment? Floor amendment?

ACTING SECRETARY: (MR. FERNANDES)

Committee...

SENATOR CARROLL:

Committee amendment. Okay.

ACTING SECRETARY: (MR. FERNANDES)

...Appropriation I.

SENATOR CARROLL:

This is a...an appropriation request for ten million to CDB, Division of Water Resources for acquisition of flood water retention facilities in the lower Des Plaines River...tributaries as identified by IDOT. And I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No...Senator Rock.

SENATOR ROCK:

My understanding is that Senator Philip has now struck an agreement with the interested parties, and there is a Floor amendment which will, in fact, become the whole bill. So I think if there is a committee amendment, it is unnecessary at this point, and Senator Carroll might be better advised to move to Table it and we'll get on with the...the real bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves to Table Committee Amendment No. 1 to Senate Bill 1243. All those in favor indicate by saying Aye. Those opposed. Amendment No. 1 is Tabled. Senate...Senator Philip. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Philip and Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 reduces the appropriation from some ten million to 2.8 million dollars. It's an agreement worked out with the Elmhurst Chicago Stone Quarry, the City of Elmhurst and all of the municipalities along the Sauk Creek area. So I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Philip moves the adoption of Amendment No. 2 to Senate Bill 1243. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate...Senate Bill 1350, Senator Taylor. Senate Bill 1417, Senator Schaffer. Senate Bill 1422, Senator Schaffer. Senate Bill 1490, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1490.

(Secretary reads title of bill)

2nd reading of the...the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move to adopt the amendment from the Education Committee. It puts this bill in the School Problems Commission's recommendation on the school formula of having the rate on Title 1 of .53 to .625, gives a waiting for seventh and eighth graders for elementary ed. It has the ADA done on three months rather than on six months and this is the work that came out of all the public hearings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Schaffer on the Floor? We have leave to go back to...Senate Bill 1417? Leave is granted.

On...on the Order of Senate Bills 1417, Senator Schaffer.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the pay plan amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is the PIPS Amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the allocation of the associate director's reserves into the various community grants, DD projects and alcoholism projects. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I'll now yield to the chairman of the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This transfers six hundred and fifty thousand dollars GRF from the Director's Initiative Line to the line item for mentally ill children in private licensed facilities, residential schools. The six hundred and fifty thousand dollars will fund services for nineteen children identified by the department who need residential services but are not budgeted for FY'83 and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 4 to Senate Bill 1417. Those

in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This adds three hundred and ninety-one thousand GRF for Personal Services and fringe at the DMHDD Institute for Juvenile Research. Restores funding to the FY'82 level so that the institute can continue its research in service programs at the current level and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 5 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6, the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The effect of this amendment is it makes various changes requested by the department, community mental health center construction, technical change, no dollar impact. Community Service Grants, Region 1A adds one hundred thousand dollars in Mental Health Fund monies for grants for Region 1A mental...illness programs reduced to the same amount from the Mental Health Fund for emergency psychiatric services to the various regions, no net dollar change in total appropriation. Adds five hundred thousand

dollars in Mental Health Fund monies for mentally ill children in licensed private facilities, reduces the same amount from the Mental Health Funds for emergency psychiatric services to the various regions, no net change in dollar appropriations. It increases the Personal Services lines at Waukegan Developmental Center by two hundred and fifty thousand dollars from general revenue funds decreases Personal Services lines at the Chicago-Read Mental Health Center by the same amount, no net dollar change. The adjustment is necessary due to the closing of Dixon Developmental Center and transferring some residents to Waukegan. It deletes the department's lump sum request of four million eight hundred thousand dollars as a grant to the Dangerous Drugs Commission. It raises the total grant request of five million eighty-eight thousand seven hundred dollars, the amount the Dangerous Drugs Commission has budgeted for FY'83. The five million eighty-eight thousand seven hundred is broken out by line item in operational lines and a lump sum for grants. General Office on the operation is a million three; Grants, three million three; Electronic Data Processing, twenty-nine thousand; Toxicology, four hundred fifty-one thousand. A total of 6.2 million is available for drug abuse programs for FY'83 in the ADM Federal Block Grant reserve. Reappropriations for FY'83, any unused portion of the one million five hundred thousand total general revenue capital improvement request in the department's FY'82 appropriation is amended by Senate Bill 1669. This money is for capital improvements needed at various institutions scheduled to receive Dixon transfers and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 6 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amend-

ments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 7 by the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is an addition of two million five hundred eighty-six thousand five hundred dollars for restoration for the Adler Mental Health Center for FY'83 and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 7 to 14...Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 8, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment reduces various lines which were increased as a result of a plan closure of Adler, a total of one million two hundred and eighty-nine thousand six hundred dollars is reduced from the request of the Meyer Mental Health Center where roughly one-half of the forty-six Adler residents were scheduled to transfer. The central office request for expenses related to facility closures of five hundred and forty-four thousand dollars is reduced one hundred and four thousand dollars. The Grant lines for Region 3B where the balance of Adler residents would be cared for is reduced one hundred and sixty thousand dollars for grants for the mentally ill and fifty-five thousand for grants for the developmentally disabled. And I

would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Committee Amendment No. 8 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 9 by the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment breaks out the department's lump sum request of eleven million dollars for the mental illness portion of the Federal Alcohol Drug Abuse and Mental Health Services Block Grant. It also raises the appropriation from eleven million to eleven million two hundred eight thousand three hundred forty-nine dollars. That 11508349, pardon me, 11208349 is broken out as follows: Community Health Center...by line item, eleven million two hundred eight thousand three hundred and forty-nine dollars; Elgin Patient Deflection Program, two million...okay, I...I stand corrected. The Community Mental Health Center by line item is nine million plus; the Elgin Mental Health Deflection Project is two million five, for a total of eleven million two hundred eight thousand three hundred forty-nine dollars. The...the Human Services Center in Peoria is raised to the FY'82 expenditure level of nine hundred forty-four thousand eight hundred eighty-six dollars. The remaining mental health centers remain reduced by various amounts. The department has a total of 17.8 million available to it for this Block Grant in FY'83 and should feel no strain with this slight increase in appropriation. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 9 to Senate Bill 1417. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 10 offered by Senator Johns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Mr. President, I believe that the amendment that I am offering is the one restoring the total funds for the operation of Bowen Center. Is that correct, Ed? Thank you. What I seek to do here is to have in place the amount of money needed to keep Bowen in operation which is five million four hundred and twenty-four thousand eight hundred dollars. The reason I want this here is because, as most of you know, there is a court case just as there was at Dixon and they...the filing has taken place and we are now awaiting word of the judges or the judge. What you should be apprised of is the fact that study after study...study after study, public hearing testimony noted a significant level of reimbursement for Bowen and its programs. It was alleged that Bowen's point count was the highest of any department of mental health...facility and Anna's the lowest. In the very near future, accordingly to the acting superintendent, all of Bowen's bids will be certified. The new bids at Anna have not been certified. It is not known if Anna's program and point count will become equal to Bowen's. Bowen's...reimbursement offices stated that in the Fiscal Year of 1983, Bowen antici-

pated being reimbursed approximately three million dollars of its five million dollar budget. And I could go on and on. This particular amendment would put in place the operating funds for Bowen Mental Health Center and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any discussion? Senator Grotberg. Senator Schaffer.

SENATOR SCHAFER:

Mr. President and members of the Senate, I regretfully arise in opposition to this and the amendment that follows that reduces Anna. I don't think any of us relish the thought of the hardships that are visited upon the parents and the clients and the staff of any of these institutions that follows that we are forced to cut back. The simple fact is that at one point we had over fifty thousand clients in the State institutions and today we have some nine thousand. We've reduced, I think, three institutions since our high-water mark of clients. The simple fact is we have surplus institutions, probably in all candor, more than the three the Governor has already identified and that we should get about the business of consolidating these facilities to provide the best possible care at the lowest, most reasonable cost to the taxpayer and to loosen some of these funds up for other uses, and certainly in this day and age with some of the things we've had to do in the last couple of days, I think all of us understand that. The simple fact is that the department and the administration have made a value judgment, those of us that have been involved have looked at that and regretfully come to the conclusion that they were right, that this is an institution which we can close, and that the plan for the clients is reasonable and compassionate and fair. That's easy for me to say, it's not my district, I understand that. But we have to make some tough decisions, we have to close a few of these facilities. Some of them, perhaps, we can find

other uses for. But the simple fact is, frankly, the bottom line, the care of the client. We cannot continue to run all of these dinosaurs and provide any kind of quality care, there just is not enough money. We have to oppose this amendment and the amendment that follows.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. In support of the position of Senator Schaffer and the appropriations process in general, there is a philosophical problem going on in the State of Illinois. I don't envy this Governor, I didn't envy his predecessor, both have been involved in the deescalation and the closing out of residential sites in the State of Illinois for the past ten years that I know of. Every time an organized administrative executive effort to make a sensible transfer in deinstitutionalization comes about, each of us jumps up and tries to save our own institution. In the meantime, the interest groups out in the State get the courts to come in and do the hatchet job. There seems to be no other way than to keep everything going forever. And again, in all due respect to Senator Johns and Bowen Center as we have these centers all over the State, for Heaven's sake, let's not appropriate these special funds to keep special things going. This is only May the 25th, something may happen before June 30th between here and the courts that says that we will be allowed to proceed in an orderly manner to change. But this nit-picking a million dollars, and a million dollars, and a million dollars for each district's special interest keep opening is not the way to go, it's certainly not the way to run a railroad and I...this is...regardless of party, we've just got to keep on an organized effort to stably let the Executive make these deinstitutionalization moves and the changes in an orderly fashion and up to

certification as he is now trying to do. So I recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I...regretfully rise in opposition to this amendment. I am...have been convinced for a number of years that the programs that have been going on at Bowen are good programs. They are good for the kids, they are good for the parents of the kids, and by the way, let's...let's don't just say that it's all kids at Bowen because it's not, there are several adults there who are residents. But it's been good for them over the years, it's a good program, it's a good institution, there's no question about that. There has been previous attempts to close Bowen, each one of them turned back in one way or another, but each time that one was turned back, I think that those of us who were interested in keeping Bowen open were aware that we were getting one step closer to its ultimate closing some-day. The fact of the matter is that Governor Thompson has made up his mind that it is necessary to close Bowen. Now whether that decision is right or wrong, I don't know. I do know that I fought him on it, that people in the department fought him on it, the Department of Mental Health, and there were a lot of interested citizens who fought him on it. He has made the decision that he's going to close the institution. I am convinced that he is absolutely completely sincere in that, or otherwise, he would not have raised the issue in this an election year. I think if we...first of all, if we were to adopt this amendment and the one which follows which deletes the funds for the transfer of the kids and adults to the Anna mental health facility...Mental Health and Developmental Disabilities Facility, that it will do two things. First of all, it will create an aura of rising

expectations for those children and those parents that is never going to come to fruition because the Governor is going to close that institution, period. There is only one thing that will stop the Governor from closing that institution and that is a court order. And it's my belief if he were to receive such a court order that he would appeal it immediately. And ultimately, the whole question will come down to the Illinois Supreme Court as to whether an Executive and a...Legislative Branch can make the programmatic and the dollar decisions or if some lower court is going to make those kinds of decisions. But I am convinced the only thing that will stop the closing of Bowen, at this point, is a court order. The second thing the adoption of this amendment and the following amendment would do, is that it would stop all of the program...programmatic sorts of policy planning and physical plant sorts of planning and construction that's going on at Anna now, it would stop that. So that whenever the date happens that Bowen is ultimately closed, we would be that much further behind in being able to take care of those children and those adults at Anna. This fight, at times, has been pictured as a political battle, as a partisan political battle, I don't know, perhaps it is. I have tried to stay out of it. In the first place, Bowen is not in my district, Anna is going to be in my new district, two good reasons why I should have stayed out of it. But it is teeth cutting time. The time has come when we all have to come down on one side or the other on this issue, so I'm cutting my teeth today. And I'm opposed to this amendment for all of the reasons I just stated, but it can be summed up in two very short sentences. One is, creating rising expectations for the parents that is never going to come to fruition, and secondly, the unnecessary delay of proper implementation of what needs to be done at Anna so that we can get on with the business of serving these children and their parents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Johns may close debate.

SENATOR JOHNS:

There's so much that needs to be said, has to be said, can be said on behalf of Bowen Center. First, it's odd that the director of the Anna Mental Health Center who gives you credit, Mr. Buzbee...Senator Buzbee, for his position there, has said that the only purpose is not necessarily to give better care to the children, it's simply to consolidate. And Senator Grotberg, you said, for Heaven's sake we must do this, I don't think God is smiling down on this transfer 'cause every report that comes forth from every health and investigating agency says this, thus at this time, even with the good faith efforts of Bowen and Anna to respond responsibly to a difficult situation, the closure and the transfer would appear to not offer the continuation of at least equal care and may adversely affect current health care. The law says that we must give equal and better care if we're to transfer these children. Now I call them children because many of them have been in that institution since they were little tots, their mentality has not grown, they are considered children in the eyes of the people who give them the tender loving care. Some of them have been moved ten to twelve times already and the trauma of another move is just right there facing them. You don't have to close Bowen, and if the courts say that you don't have to close it and there will not be better care, then why not have this money there to take care of those kids. Now, you say this will cause everything to stop, no it won't, it's got to go through the House. But what I'm saying is that we best be about the business of protecting the kids in an institution that is a sure thing and you should never give up a sure thing for a possibility. You say the Governor is sincere, well if he's

sincere why didn't he hold hearings, why didn't he call on the General Assembly to give it due and just consideration, why just make a sweep all of a sudden and move in on Bowen, the best institution in the State. Now, yesterday an injunction was filed in Sangamon County against whom, the Department of Mental Health, the Department of Children and Family Services and the injunction was to...to tell them to cease, and the reason was they had been violating the law and failing to follow the Administrative Procedures Act. Here is a...a State agency that we give all this great credit to, the Department of Mental Health and they haven't complied by the law. I'll tell you, Ladies and Gentlemen, this amendment is vital in that it puts in place the monies that would be allocated on the basis that if the courts say, you cannot meet the law which is equal or better care and you cannot transfer these children to a place that has a seventy point rating versus Bowen Center which has the highest in the State of one hundred and seventeen points by our own accreditation, by our own State agencies, by Federal Government. So you're making a serious mistake, we're going to lose those two hundred and twenty-five people working there. A hundred and seventy-seven, supposedly, have been offered jobs at Bowen. Now, get this, the large majority of them are women, so they're going to have to get in car pools, and like I said the other day, drive an hour and a half one way, an hour and a half back, cost them eight dollars a day in gasoline extra for a six-cylinder vehicle. They're going to give up twenty four more hours of their life per...per...per week just to take and transfer these kids. Now listen, something is wrong when this General Assembly washes its hands like others, hey, hush, John. We're washing our hands of the blood of these children, you can't do that, not...not have me call it to your attention. So I ask you to vote for this amendment, restore the funds to Bowen Children Center, and let's be

about the business of caring. Instead of thinking economics, just think of philosophy and logic. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns moves the adoption of Amendment No. 10 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment...a roll call has been requested. All those in favor of adopting Amendment No. 10 to Senate Bill 1417 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator, would you vote me Aye. Have all voted who wish? Have all voted who wish? Take...take...take the record. Senator Johns.

SENATOR JOHNS:

Mr. President, in view of the vote just cast, which is disheartening to say the least, I don't see any need to pursue the other amendment which would take the money out of the possible transfer of the children from one center to another. And so, I now ask that that motion be Tabled...withdrawn. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Leave is granted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 11 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was to bring the various community based mental health centers up to the Fiscal '82 level of funding rather than have a twenty-five percent cut. This is in Federal funds that are, in fact, available. I would move adoption of Amendment No. 11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Johns arise? Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 11 to Senate Bill 1417. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 11 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 12 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. This is the Dixon Developmental Center amendment. And I think that it is important for the Body to take a very close look at this amendment, because unlike previous amendments where suits are being filed, this has already been in the courts and you are familiar with the results of those restraining orders. And I think it is also important to understand that in...in a Session where we are attempting to save money, we should not cut off our nose to spite ourselves. The fact of the matter is that more than eleven million dollars has been spent in the Dixon Developmental Center for compliance with Federal funds, to capture Federal funds, that we are now embarking on a course of action that will require further expenditures at other facilities which are familiar to you from our distribution that are not now in compliance, therefore ineligible for funds. Most of you are familiar with the Sun Times articles which appeared in investigations. And I found it curious that the very organization, the Better Government Association, has been so critical of that facility would be the one that would ultimately say in our previous hearings in Dixon, that yes, all things considered and considering the history of the Department of Mental Health's transfer of policy, the best possible thing that could happen is for that facility to remain in service. This is not just

your run-of-the-mill developmental center asking for another lease on life. I would remind you that this is a facility that is previously had the lowest operating cost in the State. And that when the department has asked to justify its present figures for the coming fiscal year, we find that their arithmetic simply does not add up. It is the facility that normally has not had its residents subject to transfer, because you see, most facilities don't want that very severely retarded resident. They have been the specialists for the deaf, the deaf-blind, the very severely handicapped. They are the facility that has been in business long enough to be accredited, to be recognized in a very highly specialized training field. And it's for that reason when it has been taken into court that the court has asked the germane questions and found that the promise of equal or better facilities was an empty promise, at least at this time. The amendment before you would adjust the other line items in transfer, would add five million dollars beyond that, five million dollars I would suggest to you that would be more than made up by the capital improvements that will have to be made at other centers. From the point of view of the taxpayers, from the point of view of the mental health system as a whole, and from the point of view of what this really does in impact in the community, this is a decision that simply has been badly mistaken. Not just simply alleged by a couple of legislators, but badly mistaken by every major group that's looked at it, badly mistaken by the media who have looked at it, badly mistaken by the courts who have looked at it, and I would hope that we would look very, very carefully before we blind ourselves and bury our head in the sand saying somehow or another we're going to spend money, somehow or another we're actually going to do a service for those wards of the mental health system, somehow or another we are going to do a great service for the mental health system in

the State of Illinois when all the facts are to the contrary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Johns.

SENATOR JOHNS:

Sometime ago, about, oh, a week ago, I read an article by a reporter named Reeves, and I don't know...seemed like it was in the Tribune or the Sun Times. He talked about what's happening in America, about the noble experiment of deinstitutionalization. He talked about the thousands upon thousands of...of what he called walking wounded. We are pushing these people out of the institutions into private care only to find that they're leaving private care and going out on the streets. They are mentally ill, desperately in need of attention. I have never been sold on deinstitutionalization. I thought it was a...a gimmick by private enterprise to reap in...the dollars of Medicare and Medicaid and to make a profit off the misery of thousands upon thousands of people, perhaps I'm wrong. Perhaps there is a place for those people in private care. What...what I'm saying is, these institutions were never designed to operate at a profit. They were never designed to show that money came first in Illinois above the tender loving care that is desperately needed for these individuals, these individuals were born that way. We're going about this State building new prisons, one's in my area, another one is even considered for Bowen Center, and we're going to warehouse prisoners costing twenty, twenty-five, thirty thousand dollars a year, give them the best of care, air-conditioning, game rooms, gymnasium, weights to lift, and we're turning our backs on the mentally ill. And I think that Senator Gitz is right, we need to reverse this tide, it's reached its peak, and I appauld him for trying to do what he's trying to do and I support his amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this amendment. The Committee on Public Health visited at Dixon Developmental Center and we held hearings out there, and the community is for keeping that facility open, the community has no objections in having a dual facility to cover the Governor and what he wants to do at Dixon and build the correctional institution over there. There are sixty additional acres adjacent to Dixon where he can accomplish what he wants out there and save money by using the same power plant and the same sanitary district that Dixon Developmental Center has now. It's a good amendment and I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

Well, I hate to be the...the lead heavy today but guess it goes with the turf. I was on that...on one of the trips to Dixon, I was not on the second. My impression, quite frankly, was that the time had come to make the decision, the tough decision, to close Dixon and to convert that facility into a prison. The simple fact is that there are approximately a hundred buildings in this facility, forty some of them are sitting there empty. Some of them are in obvious disrepair. Most of them are pretty solidly built and could probably be converted into a prison. We could probably solve one of our major problems in this State which is the overcrowding in our prisons, as a byproduct of this decision...I...at least the press reports I get seem to indicate tremendous community support for that concept. The courts have, of course, delayed the closure of Dixon. Now, they have not said that Dixon cannot be closed, they have basically slowed the process down through some concerns, perhaps

legitimate, about exactly where the clients were going and about the State's ability to transfer them into equal or better surroundings. I think that we will go forward with a closure of Dixon, I would agree that the closure will not go off on the original timetable, and I suspect somewhere along this process, probably in two or three weeks, we'll have a much clearer picture of how many dollars we do need to put back or rearrange within the department's budget to keep Dixon open to comply with the court decisions. I would...suggest to you that some of the things we do here become self-fulfilling prophecies. If, in fact, we put the money in, then the lawyers would go back to the court and tell the court we put the money back in and then the court would say well then you can't close and then we could come back here and put more money in. It is kind of a circular process if we don't watch our step. Again, the basic thing I said on Bowen is true, we have many more facilities than we can reasonably justify or that we can operate with any degree of efficiency. Dixon is a classic case of tremendous space not being utilized. The population in Dixon is considerably older than say, Lincoln. One little caveat that most people are not aware of, the court is now allowing transfers out of Dixon when the parent or guardian requests it, subject to the courts...going through the court to let them know...make sure they aren't people...aren't being intimidated. There are likely to be a substantial number of people who will opt to move their children or...guardian...responsibles out of Dixon to facilitate finding the best possible location for them. I think it's time to say No, again. This is a sixteen million dollar add-on. We do not have the money. I don't know how many hundred State employees we'll have to lay off if we put this add-on just to fund it. This is a decision that has been a long time overdue. I'm frankly utterly amazed that the Governor has had the courage to do it in an election year. I

think we should have no less courage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR SCHUNEMAN:

Senator Gitz, you were in Dixon as I was on February 17th when Governor Thompson went to Dixon to announce the closing of Dixon Developmental Center. Now, during his appearance there that day, he made it very clear that he was closing Dixon with a great reluctance and I'm sure that was true. He also made it very clear that the Dixon Developmental Center is unique in Illinois in that it is the one institution, the one mental health institution in Illinois, that is a good prospect for conversion to a prison. And he told all of us that day that there were a couple of things that might interfere with the conversion. One was the court action, and we all understand that. The other was the kind of action that you seem to be attempting here today in that the Legislature, if we adopt an amendment of this kind and it goes to the Governor, the Governor promised to veto that...this amendment, did he not? And my question to you, Sir is, has the Governor given you any indication that he will not veto this amendment, or as far as you know will he still plan to veto it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Senator Schuneman, I'm not privileged, like perhaps the members on your side of the aisle, with ongoing discussions with the Governor. I do not know what he will do with this amendment. My suspicion is, that if it goes all the way

through the process with all the millions of dollars in the budget at stake, he's probably not going to veto it, he's going to sign it in the interest of time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then speaking to the amendment, Mr. President. The Governor said in no uncertain terms when he visited Dixon that he would veto this amendment and he also pointed out to us the danger in...in trying to enact appropriations of this kind as far as putting in jeopardy the possibility of converting this site to a prison. Now one of the previous speakers indicated that the community supports the continuation of Dixon Developmental Center. I think at one time during this entire process that was correct, it is no longer correct. The community has accepted the Governor's decision. The County Board of Lee County is unanimously on record as supporting the conversion to a prison. The city council and the mayor support the conversion of DDC to a prison. The chamber of commerce...support the conversion to a prison. There is one group, understandably, the State employees, who are opposed to the conversion. The Parents Association, although filing a lawsuit to make sure that their...their family members are properly cared for, privately have indicated to me that they have no opposition...to the conversion to a prison. Dixon is in my district. Under reapportionment, it will be in a new district in which Senator Gitz, I understand, is a candidate. But I am here to tell you that the community support in Dixon is for conversion to a prison. DDC represents the principle industry in the community of Dixon and they do not want to lose a State institution. The Governor has promised that DDC will close, and he has also promised that it is his intention to convert that facility to a prison. I reluctantly rise in opposition to the

Gentleman's amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. I too, as...as Minority Spokesman on Public Health, Welfare and Corrections, I did make the trips, both of them, one to visit the facility, the other for the hearings. And I only want to confirm what Senator Schuneman has said. In fact, at the last hearing, there was a letter there from the mayor of the city indicating that they were not going to be present at the hearings and that, in fact, they supported the move in that position. And also it's my understanding and in the testimony that was there that it's not only the city, but the county and the chamber of commerce do, in fact, support the move...closing of Dixon and, in fact, the City of Dixon is in...in a very precarious position because their future is at stake. It seems to me then, that at this point, and talking also at the testimony with the Parents' Association that, in fact, the president of the association, I asked him directly, in fact, if the care were provided for their patients that are there at Dixon and they were moved and they receive equal or better care, would they be supportive of that move and they said they would be. Seems that the program of the department has been hampered right now from the lawsuits of even coming up with any kind of plans, in fact, to make these moves. The effective date was in December...in...in July, it's now been moved to December and they have an opportunity to make those presentations. And I would like to correct one thing, however, the articles about the Sun Times and, in fact, about the Better Government Association, which, in fact, testified at the meetings, their reference to individuals who are moved have nothing to do with those individuals who are being transferred as a result of the closing. In fact, there are

presently almost two hundred people who are supposed to be moved at the normal deinstitutionalization has been stopped which has nothing to do with the move. It seems to me that if we are to support this kind of amendment, all we're going to do would be wasting more State money, hampering the operation and stopping an orderly procedure of being able to provide good care, effective care and to be able to move them effectively to another area. Seems to me the plans ought to be proceeding, that this is only a delaying tactic, that in fact, it's not in the best interest of the community and certainly it would be...even those employees who are concerned about this and are objecting to this, it's not in their best interest in the long-run. Seems to me we should not be supporting this move, providing these funds, and I would oppose this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, I would like to remind you that we have spent twenty minutes on this bill. I would like...Senator Rock...recognize Senator Rock at this time.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in support of Amendment No. 12. We've heard a great deal of rhetoric it seems to me in the last twenty minutes with respect to the apparent jockeying for position for...amongst the sixty communities or so for a prison site or some alternative site. And I am fully aware and...and am impressed with the anxiety of the village or the community in the surrounding area. The bottom line question, however, is what in the world is going to happen to these eight hundred kids? The case, I suggest to you, has not yet been made by that department that these clients will receive equal or better care elsewhere, that's the question that has to be addressed. Now you and I both know this is a Senate Bill, it's subject to House hearing and House action. I suggest to

you that the case has not been made. Senator Nash had two on-site visits and listened at great length. There was lengthy testimony in the Appropriations Committee. There is lengthy debate here, and nobody has yet proved to our satisfaction that those clients who are receiving essential services will be treated to better, equal or better care elsewhere. And until that case is made Amendment No. 12 ought to be approved and send it to the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Senator Gitz may close.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. There were three major arguments that were raised in the other side, one about community support and I want to take a moment of your time to point something out. Senator Schuneman, you talked about what the Lee County community wanted. Their first choice has always been, so they've told me, the developmental center, but they do not want to be left empty handed and I concur. And I thought it very interesting when I looked at Senate Bill 1400 for thirty million dollars, and I looked at the Governor's press statements, I did not see that thirty million dollars earmarked for a correctional facility in the Dixon community, that seems to be outstanding. We've also spent a great deal of time talking about space utilization, and yet I did not hear one single reply to the question that we could have had a joint facility, nobody objects to that. I've heard arguments of a self-fulfilling prophecy, yet it was not on the basis of a self-fulfilling prophecy that the courts had their original injunction. The fact of the matter is, we were promised equal or better care. Ladies and Gentlemen, it hasn't been delivered, that's why you had this article on March 1st. They say that they will not be transferred to noncertified facilities which will not be eligible for Federal funds, it actually happened. I

concur with the Senate President. It is not enjoyable to be defending a facility with the uncertainty of what's going to happen. But Senator Schuneman, I have a greater responsibility than simply what happens to one mayor. And that facility as to what it does to the entire mental health system, what it means to eight hundred residents who do not have the political clout to fend for themselves. And if this amendment fails, I'm sure that we will have other options to deliver on what you are talking about. But we ought to be very, very cognizant of what has happened over the last several months. We should not stand idly by and ignore the Sun Times articles and what has actually occurred already. We should not simply plunge headlong in a budget without knowing what it means to those who it presumes to serve. Yesterday I walked a line on the four percent employee solution, recognizing that there had to be money in this budget to take care of some of our necessary priorities. I adopted that solution in the face of a great deal of heat, precisely so. These kind of needs could be met. I think this is a worthy amendment, I think the reasonable thing to do, the best thing to do for the system, is to put Amendment No. 12 on as an addition to Senate Bill 1417.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is shall Amendment No. 12 to Senate Bill 1417 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 28, the Nays are 29. The motion is lost. For what purpose does Senator Gitz arise?

SENATOR GITZ:

Verify the negatives.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. There's been a request for a verification of those who voted in the negative. Mr. Secretary, will you

call those who voted in the negative. Will the members please be in their seats and answer when their name is called.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Becker, Berning, Bloom, Bowers, Buzbee, Davidson, DeAngelis, Etheredge, Friedland, Geo-Karis, Grothberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Schuneman, Simms, Sommer, Thomas, Totten, Walsh, Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz, do you question the presence of any member who voted in the negative?

SENATOR GITZ:

Senator Rupp.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp. Senator Rupp. Strike his name.

SENATOR GITZ:

Senator Thomas.

PRESIDING OFFICER: (SENATOR BRUCE)

I...I saw Senator Thomas on the floor, yes.

SENATOR GITZ:

Okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Thomas is here.

SENATOR GITZ:

Senator Kent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kent is in her seat.

SENATOR GITZ:

Is Senator Bloom on the floor?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is in his seat.

SENATOR GITZ:

Alright, Senator Simms.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simas is in his seat.

SENATOR GITZ:

Is Senator Weaver here?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver is in his seat.

SENATOR GITZ:

Is Senator Walsh there?

PRESIDING OFFICER: (SENATOR BRUCE)

Walsh is in...Senator Walsh is in his seat. Alright, on a verified roll call, there are 28 Ayes and 28 Noes. Senator...Senator Mahar is standing at the...on a verified roll there are 28 Ayes, 28 Nays. And the motion to adopt is lost.

End of Reel

Reel No. 6

SENATOR PHILIP:

I suppose I'll once again be a nice guy and hold it,  
Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you. Senator Rock.

SENATOR ROCK:

Thank you. Then I too will be nice and move...and with-  
draw my motion to reconsider.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State...state your point.

SENATOR GITZ:

I'd like to introduce to the Body the Mayor of Oregon,  
Mayor Jim Barnes and Finance Commissioner, Bob Aarand, to  
our...to my right in the gallery. If they would please stand  
and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. With leave of  
the Body we'll go back to the Order of Senate Bills 2nd  
Reading on page 2 and stop at...start at the top of the page.  
Senate Bill 1202, Senator Chew. Senate Bill 1231...Senate  
Bill 1231, Senator Sangmeister. Senate Bill 1243, Senator  
Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (SENATOR SAVICKAS)

Senate Bill 1243.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm not sure that that's a committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

For the record to substitute the bill...House Bill 2462 to have the sponsorship read D'Arco-Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we're in the middle now on an amendment. Would you hold that 'till we finish with this. (Machine cut-off)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, I believe, was this...Mr. Secretary, committee amendment? Floor amendment?

ACTING SECRETARY: (MR. FERNANDES)

Committee...

SENATOR CARROLL:

Committee Amendment. Okay.

ACTING SECRETARY: (MR. FERNANDES)

...Appropriation I.

SENATOR CARROLL:

This is a...an appropriation request for ten million to CDB, Division of Water Resources for acquisition of flood water retention facilities in the lower Des Plaines River...tributaries as identified by IDOT. And I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No...Senator Rock.

SENATOR ROCK:

My understanding is that Senator Philip has now struck an agreement with the interested parties and there is a Floor amendment which will, in fact, become the whole bill. So I think if there is a committee amendment, it is unnecessary at this point and Senator Carroll might be better advised to move to Table it and we'll get on with the...the real bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves to Table Committee Amendment No. 1 to Senate Bill 1243. All those in favor indicate by saying Aye. Those opposed. Amendment No. 1 is Tabled. Senate...Senator Philip. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Philip and Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 reduces the appropriation from some ten million to 2.8 million dollars. It's an agreement worked out with the Elmhurst Chicago Stone Quarry, the City of Elmhurst and all of the municipalities along the Salt Creek area. So I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Philip moves the adoption of Amendment No. 2 to Senate Bill 1243. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate...Senate Bill 1350, Senator Taylor. Senate Bill 1417, Senator Schaffer. Senate Bill 1422, Senator Schaffer. Senate Bill 1490, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1490.

(Secretary reads title of bill)

2nd reading of the...the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move to adopt the amendment from the Education Committee. It puts this bill in the School Problems Commission recommendation on the school formula of having a rate on Title 1 of .53 to .625, gives a weighting for seventh and eighth graders for Elementary Ed. It has the ADA done on three months rather than on six months and this is the work came out of all the public hearings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is shall Amendment No. 1 be adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Schaffer on the Floor? We have leave to go back to...Senate Bill 1417. Leave is granted.

On...on the Order of Senate Bills 1417, Senator Schaffer.  
Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the pay plan amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is the PIPS Amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the allocation of the associate director's reserves into the various community grants, DD projects and alcoholism projects. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I'll now yield to the chairman of the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This transfers six hundred and sixty thousand dollars GRF from the Directors's Initiative Line to the line item for mentally ill children in private licensed facilities, residential schools. The six hundred and fifty thousand dollars will fund services for nineteen children identified by the department who need residential services but are not budgeted by Fy'83 and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 4 to Senate Bill 1417. Those

in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This adds three hundred and ninety-one thousand GRF for Personal Services and fringe at the DMH DD Institute for Juvenile Research. Restores funding to the FY'82 level so that the institute can continue its research in service programs at the current level and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 5 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Are there any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6, the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The effect of this amendment is that it makes various changes requested by the department, Community Mental Health Center construction technical change, no dollar impact. Community Service Grants, Region 1A adds one hundred thousand dollars in Mental Health Fund monies for grants for Region 1A mental...illness programs reduced to the same amount from the Mental Health Fund for emergency psychiatric services to the various regions. No net dollar change in total appropriation. Adds five hundred

thousand dollars in mental health monies for mentally ill children in licensed private facilities, reduces the same amount from the Mental Health Funds for emergency psychiatric services to the various regions. No net change in dollar appropriations. It increases the Personal Services Lines at Waukegan Developmental Center by two hundred and fifty thousand dollars from General Revenue funds. Decreases Personal Services Lines at the Chicago Reed Mental Health Center by the same amount, no net dollar change. The adjustment is necessary due to the closing of Dixon Developmental Center and transferring some residents to Waukegan. It deletes the departments lump sum request of four million eight hundred thousand dollars as a grant to the Dangerous Drugs Commission. It raises the total grant request of five million eighty-eight thousand seven hundred dollars, the amount the Dangerous Drugs Commission has budgeted for FY'83. The five million eighty-eight thousand seven hundred is broken out by line item in operational lines of a lump sum for grants. General Office on the operation is a million three, Grants, three million three, Grants, three million three, Electronic Data Processing, twenty-nine thousand, Toxicology, four hundred fifty-one thousand. A total of 6.2 million is available for drug abuse programs for FY'83 in the ADM Federal Block Grant Reserve. Reappropriation for FY'83, any unused portion of the one million five hundred thousand total General Revenue Capital Improvement Request in the department's FY'82 appropriation is amended by Senate Bill 1669. This money is for capital improvements needed at various institutions scheduled to receive Dixon transfers and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 6 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes

have it. Amendment No. 6 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 7, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is an addition of two million five hundred eighty-six thousand five hundred dollars for restoration for the Adler Mental Health Center for FY'83 and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 7 to 14...Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 8, the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment reduces various lines which were increased as a result of a plan closure of Adler, a total of one million two hundred and eighty-nine thousand six hundred dollars is reduced from the request of the Meyer Mental Health Center where roughly one half of the forty-six Adler residents were scheduled to transfer. The central office request for expenses related to facility closures of five hundred and forty-four thousand dollars is reduced one hundred and four thousand dollars. The grant lines for Region 3B where the balance of Adler residents would be cared for is reduced one hundred and sixty thousand dollar for grants for the mentally ill and fifty-five thou-

sand for grants for the developmentally disabled. And I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Committee Amendment No. 8 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 9 by the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The amendment breaks out the departments lump sum request of eleven million dollars for the mental illness portion of the Federal Alcohol Drug Abuse and Mental Health Services Block Grant. It also raises the appropriation from eleven million to eleven million two hundred eight thousand three hundred forty-nine dollars. That 11508349, pardon me, 11208349 is broken out as follows, Community Health Center...by line item eleven million two hundred eight thousand three hundred and forty-nine dollars, Elgin Patient Deflection Program, two million...okay, I...I stand corrected, the Community Mental Health Center by line item is nine million plus, the Elgin Mental Health Deflection Project is two million five, for a total of eleven million two hundred eight thousand three hundred forty-nine dollars. The...the Human Services Center in Peoria is raised to the FY'82 expenditure level of nine hundred forty-four thousand eight hundred eighty-six dollars. The remaining mental health centers remain reduced by various amounts. The department has a total of 17.8 million available to it for this block grant in FY'83 and should feel no strain with this slight increase in appropriation. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Buzbee moves the adoption of Amendment No. 9 to Senate Bill 1417. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 10 offered by Senator Johns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Mr. President, I believe that the amendment that I am offering is the one restoring the total funds for the operation at Bowen Center. Is that correct, Ed? Thank you. What I seek to do here is to have in place the amount of money needed to keep Bowen in operation which is five million four hundred and twenty-four thousand eight hundred dollars. The reason I want this here is because as most of you know there is a court case just as there was at Dixon and they...the filing is taking place and we are now awaiting word of the judges or the judge. What you should be apprised of is the fact that study after study...study after study, public hearing testimony noted a significant level of reimbursement for Bowen and its programs. It was alleged that Bowen's point count was the highest of any department of health...facility and Anna the lowest. In the very near future, accordingly to the acting superintendent, all of Bowen's bids will be certified. The new bids at Anna have not been certified. It is not known if Anna's program and point count will become equal to Bowen's. Bowen's...reimbursement

offices stated that in the Fiscal Year of 1983 Bowen anticipated being reimbursed approximately three million dollars of its five million dollar budget. And I could go on and on. This particular amendment would put in place the operating funds for Bowen Mental Health Center and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There any discussion? Senator Grotberg. Senator Schaffer.

SENATOR SCHAPPER:

Mr. President and members of the Senate. I regretfully arise in opposition to this and the amendment that follows that reduces Anna. I don't think any of us relish the thought of the hardships that are visited upon the parents and the clients and the staff of any of these institutions we are forced to cut back. The simple fact is that at one point we had over fifty thousand clients in the State institutions and today we have some nine thousand. We've reduced, I think, three institutions since our high water mark of clients. The simple fact is we have surplus institutions, probably in all candor, more than the three the Governor has already identified and that we should get about the business of consolidating these facilities to provide the best possible care at the lowest most reasonable cost to the taxpayer and to loosen some of these funds up for other uses and certainly in this day and age with some of the things we've had to do in the last couple of days, I think all of us understand that. The simple fact is that the department and the administration have made a value judgment, those of us that have been involved have looked at that and regretfully come to the conclusion that they were right, that this is an institution which we can close. And that the plan for the clients is reasonable and compassionate and fair. That's easy for me to say, it's not my district, I understand that.

But we have to make some tough decisions, we have to close a few of these facilities. Some of them perhaps we can find other uses for. But the simple fact is, frankly, the bottom line, the care of the client. We cannot continue to run all of these dinosaurs and provide any kind of quality care, there just is not enough money. We have to oppose this amendment and the amendment that follows.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. In support of the position of Senator Schaffer and the appropriations process in general, there is a philosophical problem going on in the State of Illinois. I don't envy this Governor, I didn't envy his predecessor, both have been involved in the deescalation and the closing out of residential sites in the State of Illinois for the past ten years that I know of. Every time an organized administrative executive effort to make a sensible transfer and deinstitutionalization comes about each of us jumps up and tries to save our own institution. In the meantime the interest groups out in the State get the courts to come in and do the hatchet job. There seems to be no other way than keep everything going forever. And again, in all due respect to Senator Johns and Bowen Center as we have these centers all over the State. For heaven's sake let's not appropriate these special funds to get special things going. This is only May the 25th, something may happen before June 30th between here and the courts that says that we will be allowed to proceed in an orderly manner to change. But this nit-picking a million dollars and a million dollars and a million dollars for each district's special interest keep opening is not the way to go, it's certainly not the way to run a railroad and I...this is...regardless of party we've just got to keep on an organized effort to stably let the

executive make these deinstitutionalization moves and the changes in an orderly fashion and up to certification as he is now trying to do. So I recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I...regretfully rise in opposition to this amendment. I am...have been convinced for a number of years that the programs that have been going on at Bowen are good programs. They are good for the kids, they are good for the parents of the kids, and by the way, let's...let's don't just say that it's all kids at Bowen because it's not. There are several adults there who are residents. But it's been good for them over the years, it's a good program, it's a good institution, there's no question about that. There has been previous attempts to close Bowen, each one of them turned back in one way or another, but each time that one was turned back I think that those of us who were interested in keeping Bowen open were aware that we were getting one step closer to its ultimate closing some day. The fact of the matter is that Governor Thompson has made up his mind that it is necessary to close Bowen. Now whether that decision is right or wrong I don't know. I do know that I fought him on it, that people in the department fought him on it, the Department of Mental Health and there were a lot of interested citizens who fought him on it. He has made the decision that he's going to close the institution. I am convinced that he is absolutely completely sincere in that or otherwise he would not have raised the issue in this an election year. I think if we, first of all, if we were to adopt this amendment and the one which follows which deletes the funds for the transfer of the kids and adults to the Anna mental health facility, Mental Health and Developmental Disabilities Facility, that it will do two

things. First of all it will create an aura of rising the expectations for those children and those parents that is never going to come to fruition because the Governor is going to close that institution, period. There is only one thing that will stop the Governor from closing that institution and that is a court order. And it's my belief that if he were to receive such a court order that he would appeal it immediately. And ultimately the whole question will come down to the Illinois Supreme Court as to whether an Executive and a...Legislative Branch can make the programmatic and the dollar decisions are if some lower court is going to make those kinds of decisions. But I am convinced the only thing that will stop the closing of Bowen, at this point, is a court order. The second thing, the adoption of this amendment and the following amendment would do, is that it would stop all of the program...programmatic sorts of policy planing and fiscal plant sorts of planning and construction that's going on at Anna now, it would stop that. So that whenever the date happens that Bowen is ultimately closed we would be that much further behind in being able to take care of those children and those adults at Anna. This fight, at times, has been pictured as a political battle, as a partisan political battle, I don't know, perhaps it is. I have tried to stay out of it, in the first place Bowen is not in my district, Anna is going to be in my new district, two good reasons why I should have stayed out of it. But it is teeth cutting time. The time has come when we all have to come down on one side or the other on this issue, so I'm cutting my teeth today. And I'm opposed to this amendment for all of the reasons I just stated, but it can be summed up in two very short sentences. One is, creating rising expectations for the parents that is never going to come to fruition and secondly the unnecessary delay of proper implementation of what needs to be done at Anna so that we can get on with the

business of serving these children and their parents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Johns may close debate.

SENATOR JOHNS:

There's so much that needs to be said, has to be said, can be said on behalf of Bowen Center. First it's odd that the director of the Anna Mental Health Center who gives you credit, Mr. Buzbee, Senator Buzbee, for his position there, has said that the only purpose is not necessarily to give better care to the children, it's simply to consolidate. And Senator Grotberg you said, for heaven's sake we must do this, I don't think God is sailing down on this transfer 'cause every report that comes forth from every health and investigating agency says this. Thus at this time even with the good faith efforts of Bowen and Anna to respond responsibly to a difficult situation, the closure and the transfer would appear to not offer the continuation of at least equal care and may adversely affect current health care. The law says that we must give equal and better care if we're to transfer these children. Now I call them children because many of them have been in that institution since they were little tots, their mentality has not grown, they are considered children in the eyes of the people who give them the tender loving care. Some of them have been moved ten to twelve times already and the trauma of another move is just right there facing them. You don't have to close Bowen and if the courts say that you don't have to close it and there will not be better care, then why not have this money there to take care of those kids. Now, you say this will cause everything to stop, no it won't, it's going to go through the House. But what I'm saying is that we best go about the business of protecting the kids in an institution that is a sure thing and you should never give up a sure thing for a possibility.

You say the Governor is sincere, well if he's sincere why didn't he hold hearings, why didn't he call on the General Assembly to give it due and just consideration, why just make a sweep all of a sudden and move in on Bowen, the best institution in the State. Now, yesterday an injunction was filed in Sangamon County against whom the Department of Mental Health, the Department of Children and Family Services and the injunction was to tell them to cease and the reason was they had been violating the law and failing to follow the Administrative Procedures Act. Here is a...a State agency that we give all this great credit to, the Department of Mental Health and they haven't complied by the law. I'll tell you, Ladies and Gentlemen, this amendment is vital in that it puts in place the monies that would be allocated on the basis that if the courts say you cannot meet the law which is equal or better care and you cannot transfer these children to a place that has a seventy point rating versus Bowen Center which has the highest in the State of one hundred and seventeen points by our own accreditation, by our own State agencies or the Federal Government. So you're making a serious mistake, we're going to lose those two hundred and twenty-five people working there. A hundred and seventy-seven supposedly have been offered jobs at Bowen. Now, get this, the large majority of them are women so they're going to have to get in car pools and like I said the other day, drive an hour and a half one way and an hour and a half back. Cost them eight dollars a day in gasoline extra for a six cylinder vehicle. They're going to give up twenty four more hours of their life per...per...per week just to take and transfer these kids. Now listen something is wrong when this General Assembly washes its hands like others, hey, hush, John. We're washing our hands of the blood of these children, you can't do that, not...not have we call it to your attention. So I ask you to vote for this amendment,

restore the funds to Bowen Children Center and let's be about the business of caring instead of thinking economics, just think of philosophy and logic. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns moves the adoption of Amendment No. 10 to Senate Bill 1417. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment...a roll call has been requested. All those in favor of adopting Amendment No. 10 to Senate Bill 1417 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator, would you vote me Aye. Have all voted who wish? Have all voted who wish? Take...take...take the record. Senator Johns.

SENATOR JOHNS:

Mr. President, in view of the vote just casted, which is disheartening to say the least, I don't see the need to pursue the other amendment which would take the money out of the possible transfer of the children from one center to another. And so I now ask that that motion be Tabled...withdrawned. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the motion, leave is granted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 11 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was to bring the various community based mental health centers up to the Fiscal '82 level of funding rather than have a twenty-five percent cut. This is in Federal funds that are, in fact, available. I would move adoption of Amendment No. 11.

REEL #7

PRESIDING OFFICER: (SENATOR BRUCE)

Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 13 offered by Senator Berning.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. This is a very simple little amendment, adds one dollar. It is a dollar saving in reverse by limiting the expenditure for this particular item to one dollar.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 13. Discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, yes. Since we don't even have a copy of the amendment on this side, that I'm aware of anyhow, I'd like a little further explanation from the Senator as to what one dollar he is...what line item he's addressing with his one...one dollar limitation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Salary for Richard Blanton.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee. Senator Schaffer.

SENATOR SCHAFFER:

Well, Mr. President and members of the Senate, I...I understand, in fact, I guess I lived through, along with Senator Berning, some of the problems we had relating to the closure of a community...or a for profit facility in...in his

district, and I...I understand his feelings. I'm not at all sure that the Gentleman involved was the villain in the situation to the extent that Senator Berning believes, but I think it's a bad practice for us to be trying to line item individual employees' salaries out. I can recall we years ago played that game in the Department of Public Health, and I think we ended up looking reasonably stupid on the whole thing. There are ways to get the department's attention when we have legitimate grievances. This maybe is one of those ways, but having offered the amendment, maybe we've accomplished the goal. I would respectfully suggest that we should resist the amendment, it's...it's a bad practice and perhaps something the Legislature shouldn't be involved with.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Buzbee.

SENATOR BUZBEE:

For the second time, and I apologize. Mr. President, I would...Mr. President, I...I would...I would make a parliamentary inquiry of you. What would be the disposition of this Gentleman's salary if he should change his name to Paul Jones? Could he then draw a salary since the limitation specifically refers to one Richard Blanton?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, the Chair has no knowledge of what would happen if he were to change his name.

SENATOR BUZBEE:

Well, I'm just wondering for the record that...that if Mr. Blanton, re: Paul Jones, if...if the courts would consider the fact that we are limiting Richard Blanton, but we're not limiting Paul Jones or any other name that he might happen to assume.

PRESIDING OFFICER: (SENATOR BRUCE)

All the Chair can rule on is that the...the amendment is in proper order and would restrict, I assume, a Mr. Richard

Blanton to a salary of one dollar if such an individual exists. Further discussion? Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President and members of the Senate. I would rise in opposition to this amendment. I have in my district Ludeman, Howe and Tinley, and over the last ten years I've had the privilege and opportunity to work a great deal with Dr. Blanton, and I've found him to be very responsive in helping me with the problems of this area. And I can recall when I was in the House three or four years ago, there was an attempt to remove...reduce Dr. Blanton and Mr....Dysktra's salary to a dollar and that was defeated because I think it was inappropriate and not the proper way to get your message across. I would urge we defeat this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berning may close.

SENATOR BERNING:

Well, thank you, Mr. President and members of the Senate. Perhaps this is an inappropriate route to go, but it to me is the most effective way of getting a message across to a very arrogant, unconcerned and dictatorial individual who has been in his own way handling what ought to have been the interests of unfortunate people. And I could go on and on with the litany of case history where this Gentleman has been not only less than cooperative but totally irresponsible. I believe wholeheartedly that while this Gentleman is now on his way up since President Reagan has announced his appointment as...as a member of the President's Committee on Mental Retardation he'll have enough to do with that. He does not belong on our State payroll. I would like to see the amendment adopted, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 13. On that motion,

all in favor say Aye. Opposed Nay. In the opinion of the Chair, the negatives have it. The amendment is lost. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 14 offered by Senator Johns.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. Let me read to you, if I might just to refresh you, the Mental Health Code, Article I rights, Sections 2-100, Sections 2-102, Article VIII provides for the following: Section 2-100, "No recipient of services shall be deprived of any rights, any benefits or privileges guaranteed by law, the Constitution of the State of Illinois or the Constitution of the United States solely on account of the receipt of such services." Now this is important, Section 2-102A, "A recipient of services in mental health shall be provided with adequate and humane care and services in the least restrictive environment pursuant to the individual services plan." Those are the key words in the distribution by this administration of the walking wounded from one institution to another. The amendment I have before me deletes three million five hundred and fifty-two thousand four hundred dollars in General Revenue Funds from the Department of Mental Health and Developmental Disabilities Operations request for the central office and the Anna Mental Health Center which had been added to accommodate the Bowen Developmental Center closure. I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schaffer.

SENATOR SCHAPPER:

I...I'm...oh.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President, I rise in opposition to this amendment. This is the amendment, as I understand it, that Senator Johns withdrew awhile ago after he lost on the amendment to add the money for Bowen. This is the amendment that would subtract the money from Anna. Now, if we were to do this, we would then be in the position of not having anyplace to put those kids. I don't think Senator Johns intends that. The...the...the decision was made by this Body earlier to not add the money for Bowen, and so if we adopt this amendment, we're going to say to those children and to those young adults in that institution, "There's no place for you to go," because there will not be money for the staffing and the commodities, the clothing, the food, et cetera that they will need at Anna. So, I would suggest that this is really not in keeping with what Senator Johns intends. What he intends, of course, is to try to keep Bowen open. I...I think that this is a bad amendment, we would definitely be saying...if we were to adopt this amendment, we would be saying with the lack of our dollars that there will be no place to take care of these developmentally disabled individuals. I think it's a bad amendment and ought to be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Excuse me, we've fallen back and regrouped over here. This is, of course, the amendment that Senator Johns had withdrawn and is now offering. It takes the money out of Anna and the...well, I join with Senator Buzbee in opposing this amendment. It obviously would put us in a posture of having no place to...to put these clients, and I understand what he's trying to do, but in this case, I don't think you can justifiably take this action alone as being in the best interest of the clients at Bowen Center to say the least.

This would basically put them out in a snowbank somewhere. The...the department and the administration, whether we like them or not, has had to make some tough decisions, and they made those decisions, and I think the decisions were, you know, tough but basically right, and I think we ought to back them. I think we ought to resist this amendment and provide for the orderly transition and the gradual reduction of the number of facilities we have in this State. It isn't fun, it's painful, but we've got to do it, and I would hope everyone would resist this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Johns may close.

SENATOR JOHNS:

Yes, any step, any single step that I can take to prohibit, to delay, to cause the Governor to reflect twice upon the movement of those two hundred and twenty-five residents...no, the two hundred and twenty-five employees and a hundred and some odd residents, I'll tell you in just a minute how many residents, a hundred and fifty-nine developmentally disabled, some hard core disabled. Anything that I can do, I'll try it. I'll never back off. I'll support the courts, I'll support the unions, I'll support the employees, I'll support the kids, but I'll never back off. Now, a report on deinstitutionalization by David Braddock, PHD of the Illinois Institute for Developmental Disabilities noted court opinion that required certain preconditions or standards for an institution's program of operation. These include a humane environment, qualified staff in sufficient numbers to administer adequate programs and individualized rehabilitation plans for each retarded resident. If I can prohibit that staff from being there to do the job the courts demand, that's what I want to do. I'm not ashamed, I'm proud to be right here fighting for those kids, because those kids can't vote, they hardly know what's existing in the world and

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2nd reading

that's why they're being shoved around. So, therefore, I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of Amendment No. 14 to Senate Bill 1417. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 35, none Voting Present. Amendment No. 14 is lost. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1422, Senator Schaffer. Is Senator Schaffer on the Floor? 1422, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1422.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer...Senator Buzbee is recognized on Amendment No. 1.

SENATOR BUZBEE:

Thank you, Mr. President. This is the amendment, of course, that we've had the fight about all day yesterday, that is the amendment that I am opposed to. That is the amendment that provides for a four percent pay increase in January of '83 as opposed to the eight percent in July of '82. It's a net reduction of eight million three hundred thirty-one thousand seven hundred dollars from the Department of Public Aid, and I stand in opposition to this amendment, but at this time as chairman of the committee, I move its

adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion of the motion? On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 by the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is a reduction of five million one hundred twenty-five thousand three hundred ninety-eight dollars according to Senate guidelines including a two...two percent productivity improvement and a reduction in retirement to sixty-two and a half percent of pay out. It reduces the FY '83 budget for the Department of Public Aid by five million one hundred five thousand eight hundred ninety-eight dollars in GRF and nineteen thousand five hundred dollars in the Special Purposes Trust Fund. It also adds an effective date removing the Governor's most effective but hidden cost containment initiative, and I stand in opposition to most of this amendment, but as chairman of the committee, I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 by the Committee on Appropriations II.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This appropriates a million

five hundred thousand dollars from the Domestic Violence Shelter and Service Fund to the Department of Public Aid for financing domestic violence shelters and service programs. Last spring, House Bill 1619 now Public Act 82-645 was passed increasing marriage and dissolution of marriage fees. The proceeds from the increase are earmarked for the new domestic violence shelter and fund. The fiscal note attached to the bill estimated receipts from additional fees of 1.4 million annually. The Department of Public Aid included no appropriations from the new fund in their budget. They reduced the level of funding for domestic violence programs from the FY '82 Local Initiative Fund and GRF from 1.9 million in FY '82 to 1.7 million in FY '83. Senate Bill 1515 would supplement that program with 1.5 million from the new fund and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1490, Senator Davidson. School...School Code. Oh...we get another... (Machine cut-off)...1492, Senator Marovitz. Is there leave to go to the...return to Senate Bill 1400? Leave is granted. Senate Bill 1400. Mr. Secretary, read the bill please. Senator Sommer's bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1400.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 eliminates the non-site specific provision that would have been for a prison. There is a further amendment to cover that, and switches GRF to CDB for rehabilitation of an appellate court project. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. For all those of you who think you're in the prison sweepstakes and you've got sites, and I understand there are at least twenty-three sites now fighting allegedly for the new prison, this removes the money. So you create annuity. The Governor, perhaps, could say you might get a prison in the future but there'd be no money to fund it, and it would put the project back a year or so. So, those of you who think you're getting a prison, you won't be if this amendment prevails, and therefore, I would oppose this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Buzbee.  
SENATOR BUZBEE:

I...I have a question of Senator Sommer given his statement that he just made. Senator Sommer, it is my understanding that it's the Department of Corrections' and the Governor's plan to convert one facility which very well may

be Dixon, and then to build or convert a second facility. And it was my understanding that that's what the Department of Corrections was having those hearings for across the State in some twenty-two locations so that that second facility would be located in one of those twenty-two spots or...or another spot would be converted. Is that your understanding of...of the situation, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, then, I would suggest if that's so that your previous speech is nonoperative because what we are doing with this amendment is saying that this is going to be a site specific for Dixon, and then when the Governor identifies when the time comes for the building or the conversion of the second facility, then we will have a separate appropriation at that time. So, I would...I would address now a question to the sponsor...or rather to Senator Carroll. Is that, in fact, what you understand, Senator Carroll?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Why, thank you for asking. Yes, in fact, I think any member of this General Assembly, either side of the aisle, either side of the Rotunda has always required a site specific in a request for construction of...of a major capital project. And here was one where they took out any site specificity so that no one would know where, in fact, a major new prison or rehabilitative prison would be built. And traditionally, we have taken out the money until either the

Legislature or the Executive Branch with legislative approval has, in fact, become site specific. So, this particular amendment would remove the vague reference to a prison, new or rehabilitated, which indicates within it no place at all, it would eliminate that. Committee Amendment No. 2 would then identify a particular location. But I think traditionally we have always required that the site be specific at the time we vote on it, or we have refused to fund just a vague generality.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. The sponsor of the amendment refers to the fact that we've always required it. We, Senator Carroll, has always required it, it has not always been adopted, but it is the standard Chairman Carroll amendment to site specific and we are familiar with it on this side. But in dealing with the prison situation, Senator Carroll, I would beg to differ with you in this particular case because the hearings are on, the site has not been picked, and I can understand the argument, there's a long time 'til June and there's plenty of time to do all those things. But we must defeat this because among the negotiations that are going on are the twenty-two cities. They are narrowing the playing field, it is getting closer and closer, it will be not the hundred percent funding but it's the opening funding for that unnamed site, Senator Carroll. It...it is not the complete funding of that unnamed site, it is a prospective developmental funds for the site, am I correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

No, you're not correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

If I'm not correct, is it full funding for the unnamed site that you are deleting, or is it the developmental costs?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

It would be the largest developmental cost in the history of the world were it developmental costs, alright. Even larger than the new State office building in Chicago, like by about ten or twenty times. No, it is intended to be the full cost, especially if, in fact, it's a rehabilitation. That's one of the problems with it, and I think every member of the General Assembly would want to know where it's at before they were willing to vote on it. If you were just talking about site preparation or planning, or go out and find a site, we've never objected to that, we've always put in that kind of money. Then, when you want to go ahead and build the building we've said, identify it so everybody knows where it's at before they vote on it. You know, if I were one of those twenty-two who are competing, I sure wouldn't want to just leave it out there and let somebody else choose it later and get snookered. I would want to know where it was before I voted. And thirty million is enough according to the department to totally rehab, possibly build, depending on the cost of construction, that we don't even know yet.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Well, thank you for answering my question. I am much more better informed, and for all the more reason, we should defeat this amendment to keep alive the prospect of the completion of the prison, remodeling and reconstruction and new construction program. I would urge all of our members to

vote red on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator...Senator Carroll.

SENATOR CARROLL:

No, I just thought I would just again respond. This is a committee amendment. Hearing Senator Grothberg's comments, it sounds like to me that lacking a reason, they should still vote No, which is, I believe, the way he left it, but I think we should ask where the site is going to be before we appropriate the funds. We have a suggestion in the next amendment to be site specific, and I would think we should adopt this amendment and then go on to the next one. And I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

...Amendment No. 2 offered by...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Thank you, Mr. President. Could we have a roll call, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Why not. Senator Sommer has asked for a roll call, is he joined by another Senator? On Amendment No. 1 those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27. The motion to adopt prevails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the Committee on Appropriations I.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 would attempt to be site specific and would identify that the rehabilitation monies, namely the thirty million dollars, convert the Dixon...Developmental Center to a correctional facility. This is in consort with the speeches of the Governor, and I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Discussion? Senator Buzbee.

SENATOR BUZBEE:

Mr. President, I...correct me if I'm wrong, but I believe on that last amendment you said it's 31 Ayes, 27 Nays, the amendment fails, and I...I'm not sure that's what you said, but I thought that's what I heard you said...say.

PRESIDING OFFICER: (SENATOR BRUCE)

No, I said adopted but you can...

SENATOR BUZBEE:

Oh, okay, alright. I...well, I rise in support of this amendment. This is the amendment that does what the Governor promises. I just...somewhere in this mess on my desk I have a headline from the Rockford Register-Journal which says, "Thompson to okay prison for Dixon." If that, in fact, is true, then I think we ought to say we're going to appropriate the money for Dixon. So, I think it's a good amendment and ought to be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Let...let me get...just get something clear here. Committee Amendment No. 1 that was just...that was just

adopted dropped out thirty million dollars for a unnamed new site. Now, we're putting back by virtue of Amendment No. 2 the same amount of money and specifying Dixon, Illinois even though the Governor has yet to make that decision. There are a lot of communities around the State of Illinois that are still in the running, and I for one do not intend to support Amendment No. 2 and earmark the money for Dixon until such time as the Governor has, in fact, specifically named that site versus all the other sites in the State of Illinois that are still under consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Well, my area has had a meeting and they showed interest into this thing. I mean who is...who are we believing here when it says, "Thompson to okay prison for Dixon?" I mean, who...whose word is this? Is this from the Governor?

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. I, too, have on my desk a thing from the Rockford Register Star dated April 3rd. It says James Thompson has decided to do such and such, according to a top aide who's later quoted as, "It's a hot prospect." To...to my knowledge, the Governor has not yet made any formal announcement of any site for a prison, and I would be very careful if I were voting on this because we're expressing something here that the Governor has ultimate control over. You may raise expectations in the community to only have them dashed. So, I would, therefore, suggest we vote No on this particular amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in support of this amendment, as I...as I supported the last amendment. The...the Dixon community, I think, is unique in that it has a very large mental health institution that is going to be closed. It has facilities which are not available in other parts of the State that lend themselves to conversion, namely it has a large sewer plant that is capable of handling a population of five thousand. It has a large power plant. There are about twelve hundred acres of land on this site. There is a modern hospital. The only facility in the State of Illinois that really measures up when you are considering conversion is the Dixon facility, and this amendment should be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce. Senator Gitz.

SENATOR GITZ:

Well, Mr. President and members of the Senate, the article that appeared, by the way, has never been repudiated by the Governor's aides by any press secretary, and I think it's worthy of quoting from this because you can't have it both ways. You can't say we're going to close a facility and it's in a special category by itself but, by the way, we don't want to be site specific for thirty million dollars and tell you where it's going. Now, Director Lane said, "I'm sure he will view Dixon favorably. I know, I'm recommending Dixon," and he, meaning the Governor, knows the accounts of the hearing the results were. "The Governor has put Dixon in a special category because of the harm job-wise the closing of DDC has on a community like that. And I think he feels it's quite proper that if the community wants it, it's theirs. And I thought the hearing went very positively." That's the director of the center. I was there along with Senator Schuneman when he came to Dixon. You can look at the Dixon paper and say in the first paragraph, very first, "As part of

Governor James R. Thompson's decision to recommend the closing of DDC he said, 'We have concluded that Dixon offers the opportunity for the site of a correctional facility.'" Now, it seems to me that a lot of communities around the State have been led down the primrose path. Now we're being asked to decide who the bride is. I don't think it's fair for the Governor to have raised the expectations which have already been there in that community, and that's the way the decisions have been made by the county board and the city council, but now we are saying, well, by the way, don't hold us to it, we want to add thirty million dollars for carte blanche to continue to play roulette. This is a very simple, straightforward amendment based upon representations that have been made by other parties.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is...further discussion? Further discussion?  
Senator Carroll may close.

SENATOR CARROLL:

Thank you. A couple of items just to add to the enlightenment of some of the members, whether they like it or not. One, this would be a conversion of twelve hundred new beds as opposed to seven-fifty as had been proposed under some prior concepts, so that you could, in fact, get twelve hundred beds. Secondly, according to the administration, there is a suggestion of the need for and, therefore, the building of or conversion of two prisons. And I believe the understanding of many was the possibility of converting Dixon and thereby getting twelve hundred beds as one of those two, and then the usage of the hearing process to let the other twenty-two or twenty-three locations fight it out over who would get the construction of the new prison. In this particular bill as introduced, there was only a lump sum dollar, and as we identified, no specificity. Whether that was for one or two, nobody could tell, but all has indicated that, in fact, the

Governor's Office wanted two. One of which, according to the newspaper article, for the conversion of Dixon because it would, in fact, produce many more beds than any other alternative and more quickly. And secondly, was the construction of a new site somewhere else in the State. As to the comments of what do you believe that you read in the papers, I've always taken the position that there's only one thing I believe that I read in the papers and that's when they endorse me. And I would urge adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 27. Amendment No. 2 is lost. Senator Demuzio, for what purpose do you arise?

SENATOR DENUZIO:

Well, having voted on the prevailing side of Amendment No. 1, I move to reconsider the vote by which Amendment No. 1 has failed.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. I'm sorry, Senator Demuzio, your...your amendment is on number...your motion is on Amendment No. 1, is that right?

SENATOR DENUZIO:

Yes, Sir.

PRESIDING OFFICER: (SENATOR BRUCE)

The...the amendment was adopted, No. 1, and you said the amendment had failed. Did...did you...that's what confused the Chair, we just...this one had just lost. Did you vote on the prevailing side on No. 1? Senator Demuzio, the...the roll call, in fact, does reflect that you voted on the prevailing side, so you have the right to move to reconsider the

vote by which Amendment No. 1 was adopted. Senator Demuzio.

SENATOR DEMUZIO:

Let me ask a parliamentary inquiry then here. Amendment No. 1 deleted thirty million dollars or thereabouts for a new prison site in Illinois, and by the adoption of that amendment we deleted that thirty million dollars. Is my interpretation of the amendment correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, the Chair cannot get into the debate of what is in or not in amendments. I...I have no knowledge. It was...I can assure you that it was properly adopted whatever it contained. Senator Demuzio.

SENATOR DEMUZIO:

I withdraw my motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, thank you. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by the Committee on Appropriations I.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment to add words "site development" for particular multi-purpose projects at SIU Edwardsville. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Discussion...Senator Vadalabene.

SENATOR VADALABENE:

Yes, it appears that you're rolling pretty good, let's go with the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. All in favor say Aye. Opposed Nay.

The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4, the Committee on Appropriations I.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We had deleted from the reappropriation bill certain projects that are to be in the new appropriation bill that includes the North Riverside Armory and the appellate court project. I would move adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 4. Discussion of the motion? Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5, the Committee on Appropriations I.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. While it was not in the budget, we have the great opportunity of obtaining a new State Armory with basically Federal funds if we provide the first sixty thousand in planning. Amendment No. 5 would add that money for a new State Armory in Marseilles.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 5. Discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll with Amendment No. 6.

SENATOR CARROLL:

Let me withdraw it at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the amendment is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 by Senator Philip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip on Amendment No. 6. Can we break up the caucus right at Senator Bloom's desk in...in front of Senator Philip. Thank you, Gentlemen. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a two hundred thousand dollar appropriation in regard to St. Agnes Church. We're...you know, we have purchased it and we're going to be tearing it down. I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 6. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1522, Senator Carroll, Senate Bill. Senator Carroll. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1522.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 15...1523, Senator Carroll.

Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1523.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1524...for what purpose does Senator Grotberg arise?

SENATOR GROTBORG:

On a point of order really. The amendment...the bill before this one to tear down St. Agnes' Church for two hundred thousand dollars. Isn't that in conflict with the former agreement earlier today when everyone was safe in God's House as passed by Senator Simas? It seems to me it's in conflict, and I don't know if I have to move to reconsider or not, but when we start tearing down churches and passing bills on the strengths of God's House the same day, I thought the Body should remember.

PRESIDING OFFICER: (SENATOR BRUCE)

They will probably very briefly. Alright, 1524, Senator Buzbee. Read the bill, Mr. Secretary please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...1524.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1525, Senator Buzbee. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1525.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Buzbee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee is recognized. Senator Buzbee moves the adoption of Amendment No. 1. Discussion of the motion?

Senator Rhoads.

SENATOR RHOADS:

You said this was a Floor amendment, right?

PRESIDING OFFICER: (SENATOR BRUCE)

Yes, Senator.

SENATOR RHOADS:

Explanation, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, sure. Senator Buzbee.

SENATOR BUZBEE:

Yes, my explanation is I'd like to withdraw the amendment at this time; go ahead and move the bill to 3rd, and I'll bring it back later if I decide I want to put this amendment on.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the amendment is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1560, Senator Berman. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1560.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill as introduced...dealt with the Pension Code of the School Code. That's been deleted by this amendment. The amendment does three things which I believe are noncontroversial. Number one, it extends the reporting date for the Chicago Community School Study Commission from September 1, '82 to March 1, '83. Provides authority to school boards to hire certified school counselors and...and to supervise school counselor interns. And the third thing, it clarifies the parent-teacher conference days to allow for...to be used in coordination with teacher workshop days. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1560. Any discussion? Senator Davidson.

SENATOR DAVIDSON:

SB 1606  
2nd Reading

...Mr. President and members of the Senate, I rise in support of this amendment. Urge a favorable vote.

PRESIDENT:

Alright, Senator Berman has moved the adoption of...of Amendment No. 1 to Senate Bill 1560. Any further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1596, Senator Buzbee. On the Order of Senate Bills 2nd Reading, Senate Bill 1596. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1596.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDENT:

3rd reading. 1597, Senator Berman. On the Order of Senate Bills 2nd Reading, Senate Bill 1597. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 1597.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

SB 1606  
2nd Reading

PRESIDENT:

3rd reading. 1606, Senator Bruce. On the Order of Senate Bills 2nd Reading, Senate Bill 1606. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1606.

(Secretary reads title of bill)

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

PRESIDENT:

Committee Amendment No. 1, Senator Bruce.

SENATOR BRUCE:

Yes, this makes it clear that the employers of the State will not have to pay any interest charges made by the Federal Government on borrowing in the Unemployment Fund, and just says that this shall come from the Special Penalty Fund that is created within the...within the Unemployment Fund, and it just...rather than coming from general revenue it comes from the Penalty Fund.

PRESIDENT:

Senator Bruce moves the adoption of Committee Amendment No. 1 to Senate Bill 1606. Any discussion? Senator Keats.

SENATOR KEATS:

Thank you. I'm...I'm quickly reading the...the explanation. Where does this Penalty Fund come from, I haven't hit that far in it yet?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

The Penalty Fund is not created by any payment by any employer for unemployment compensation benefits and it does not go into the Trust Fund. If an employer pays late or does not pay an adequate amount, he is assessed a penalty, the money goes into the fund, the penalty goes into the Penalty

Fund. Effective April 1st, the Federal Government is now charging us ten percent on the money we borrow. We're going to pay that money...instead of paying it out of the Unemployment Trust Fund, we're going to pay it out of the Penalty Fund so that we will not have to assess employers any additional money for...for interest.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I...I don't deny my memory is a little foggy on that, but what did we use a Penalty Fund before for?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

The Penalty Fund before was to be...when it was created, I am told by the Department of Labor, in 1965, it was to have been used for innovative research to improve the system. Every Governor has, Senator Keats, seen fit just to transfer the money into general revenue and the employers have gotten stuck with no innovative research. So, it has...it has been for naught. This will be one way of keeping employers getting the money that they're actually paying in, instead of Governor's using it for everything else.

PRESIDENT:

Alright, Senator Bruce has moved the adoption of Committee Amendment No. 1 to Senate Bill 1606. Further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

SB 1624  
2nd Reading

No amendments from the Floor.

PRESIDENT:

3rd reading. 1624, Senator D'Arco. On the Order of Senate Bills 2nd Reading, Senate Bill 1624. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1624.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one amendment.

PRESIDENT:

Senator D'Arco on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 amends the Chicago Park employees' article of the Pension Code to provide a increase in the minimum annuity for survivors effective January 1, 1983 from sixty to a hundred dollars and also an increase in the child annuity of the survivor to hundred...one hundred dollars per month if a parent survives and to a hundred and fifty dollars per month if no parent survives. And I would move to adopt Amendment No. 1 to Senate Bill 1624.

PRESIDENT:

Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 1624. Any discussion? Senator Berning.

SENATOR BERNING:

Well, thank you, Mr. President. Not particularly on the amendment, but on the...motion to move it to 2nd. Senator D'Arco, the understanding was that this was going to be held until you furnished a disclaimer from the city. Do we have that?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

That's the second amendment to this bill which is coming up.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

The next amendment to the bill has the disclaimer. It exempts the State Mandates Act. So, if you wait...wait a few seconds, we'll get to it.

PRESIDENT:

Alright, Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 1624. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

This is the amendment. Senator Berning and I just discussed, exempting the State Mandates Act from reimbursement to units of local government. It will have no fiscal impact on the State, and I move the adoption of Amendment No. 2 to Senate Bill 1624.

PRESIDENT:

Senator D'Arco moves the adoption of Amendment No. 2 to Senate Bill 1624. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

SB 1632  
2nd Reading

No further amendments.

PRESIDENT:

3rd reading. 1632, Senator Taylor. On the Order of Senate Bills 2nd Reading, Senate Bill 1632. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1632.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Taylor.

PRESIDENT:

Senator Taylor.

SENATOR TAYLOR:

Mr. President, I...

PRESIDENT:

Senator...Senator Taylor.

SENATOR TAYLOR:

...I only wanted to call this amendment after two other amendments was proposed before this one by Senator Chew, and if his amendment was not...did not prevail, then I'll offer my amendment.

PRESIDENT:

Alright, we'll just resort them out here. Withdraw that Amendment No. 2 for the moment and let's go with a different No. 2.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Chew.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Yeah, okay, I'm right here. Amendment No. 2, Mr. Presi-

dent, it deletes everything after the enacting clause. It eliminates the current board of five, thirty days after the effective date of this Act and provides means for the appointment of seven new members by the Mayor of the City of Chicago. It increases the number needed for a quorum from three to four. Permits the CHA to establish salary up to fifteen thousand dollars for each commissioner. Permits the CHA to establish resolution of salary...by resolution of salary or per diem allowance for the services of the commissioner who serves as chairman. Provides that any CHA commissioner who receives compensation under this Act may not receive compensation from any other public entity. Provides that any CHA commissioner may not receive any compensation other than...of other things of value directly or indirectly from any organization or business entity that transacts any business with CHA. Adds an immediate effective date. And that's what Amendment No. 2 does. That is the amendment that, in fact, is the bill. And I would ask for a favorable support or...answer any questions.

PRESIDENT:

Alright, Senator Chew has moved the adoption of Amendment No. 2 to Senate Bill 1632. Any discussion? Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, we have here another amendment proposed by Senator Chew which would provide for significant salaries for...for these appointed officeholders. Where there is now no salary for members of the Chicago Housing Authority, we would provide for salaries of up to fifteen thousand dollars per year for seven members. Apparently, if this doesn't go on, Senator Taylor has one, hopefully at a lesser figure rather than a higher figure, but in any...in any event, I don't see why we should pay any salary to these members of the Chicago Housing Authority. As soon as this is done, you're going to find the housing

authorities in your communities are going to be coming to you asking that salaries be provided for them. Now, who pays these salaries? It's the tenants of the buildings that pay the salaries. The rents are going to have to be high enough to pay the salaries of the...of the members of the housing authority. They seem to have gotten along alright up to a few months ago without any salaries, now all of the sudden a problem arose, and unfortunately, they feel the only way to bail it out is to throw some more money into the pot. I think this is a bad amendment and I urge a No vote.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I rise in opposition to this amendment. It just seems to me that after many, many years of housing authorities operating without pay, and at a time when we're very much concerned with salaries, and of course, we've seen here today on the Senate Floor attempts being made to show the public that we're concerned about salaries, we shouldn't at this time be adding a salary for the members of the housing authority. This was brought about, as I understand it, and I read in the paper, where the thought was that if we offered the chairman of the Chicago Housing Authority a salary, he'd quit. That's kind of an unusual way to get rid of a person by offering him substantial salary so he'll quit. It just seems to me that it's not in the best interest of all of us to start providing salaries for housing authorities at this time, and I would urge a No vote.

PRESIDENT:

Any further discussion? Senator Joyce, Jeremiah.

SENATOR JEREMIAH JOYCE:

Will the sponsor yield? Senator Chew.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Your...your amendment provides in part that no CHA commissioner can receive any compensation or a thing of value from any organization or business entity that transacts business with the CHA. Is that presently a practice that you know of right now?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator, I don't know what the practice is of CTA now, and I can't answer that yes or no. I have not been that close with the CTA in its operational procedures. I can't say. Maybe someone else here can tell you.

PRESIDENT:

Senator Joyce. Alright, Senator...any further discussion on the adoption of Amendment No. 2? Senator Chew, you wish to close?

SENATOR CHEW:

Mr. President, it was alleged here on the Floor last week that this bill was an outgrowth of an agreement between the City of Chicago and HUD. This amendment is agreed now by the City of Chicago. I don't know whether it's agreed by HUD, but I have not had any opposition from HUD, and the City of Chicago is in agreement with this amendment that I'm proposing now. And I would ask for its adoption.

PRESIDENT:

Alright, Senator Chew has moved the adoption of Amendment No. 2 to Senate Bill 1632. All...roll call. Roll call has been requested. That request is in order. Those in favor of the adoption of Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29.

Amendment No. 2 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Chew.

PRESIDENT:

Senator Chew.

END OF REEL

REEL #8

SENATOR CHEW:

Mr. President, Amendment No. 3 again enacts...deletes everything but the enacting clause, and the only change that's made in this, is that the Governor will make the appointments, and the salary is the same of fifteen thousand dollars. Now on this it permits the Chicago Transit...Housing Authority to establish a salary up to fifteen thousand dollars. It does not require the Chicago Housing Authority to establish any salary at all, just as the other amendment did not require, it says permit. And I didn't get a chance to answer the conservative friend of mine, Senator Walsh, who suddenly today became concerned about salaries. It does not mandate that the Housing Authority set a salary for members, it merely permits them to do it, Senator, on each amendment. The difference in this amendment and the other amendment is, one permits the Governor to make the appointment and the other one permits the Mayor of the City of Chicago to make the appointment. So you have a choice of now another one. I would move its adoption.

PRESIDENT:

Senator Chew has moved the adoption of Amendment No. 3 to Senate Bill 1632. Any discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question.?

PRESIDENT:

Indicates he will yield, Senator Mahar.

SENATOR MAHAR:

Senator Chew, does this mean that the Governor would appoint all housing authority people or just the City of Chicago?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Any city that has more than five hundred thousand residents.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

...that's just the chairman then, is that it?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

No, Senator, the members. He does not appoint the chairman, that...the chairman is appointed by the members of the housing authority.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Yes, I'd like to speak against the amendment. Presently the...the chairman is appointed...or the members are appointed by the mayor and they're approved by the Department of Commerce and Community Affairs. I think it should remain that way. As I understand the amendment, it also includes a salary stipulation, again, which I think that we're getting out of line on and we ought to oppose at this time.

PRESIDENT:

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Rhoads.

SENATOR RHOADS:

Senator Chew, the...I don't think the amendment is getting better because of the fact that it's permissive and

because of the fact that you have the gubernatorial appointments in it. The question is, why...why...why the compensation at all? What are the duties that make the case for compensation so compelling?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator Rhoads, many appointments that's made in the City of Chicago, the City of Rockford, Western Springs, Springfield are paid appointees. We have not had anyone serving on the board of the Chicago Housing Authority including the chairman as paid appointees. This does not require...does not require, Senator, that board members be paid, it merely permits, and there's a difference, require or permit the board to pay up to fifteen thousand dollars to its commissioners, if the commissioners so desire. It does not require that. Now that is the answer to the proposed authority that would give the board to compensate board members. It's not a requirement, it's a permit.

PRESIDENT:

Further discussion? Senator Simms.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of Senate, I rise in opposition to it for the very reason I think it's setting a precedent. We have a housing authority in Rockford and we have them in other...part of the States. They are not paid now, and they do it out of the charity and the goodness of their community spirit in which they have. And once you establish a precedent for one part of the State, the same precedent will soon be emulated in the other parts of the State of Illinois, particularly, probably in my community and some of the other larger downstate communities. So I think it's a poor precedent that we're starting. This should be a service of...community service of assisting those of...in the

housing authority with their community benefit and with their expertise on a volunteer basis. I think what we're doing is losing a lot of valuable people, potentially, that are good volunteers and do so out of the charity and the goodness of their heart. And as the President of the United States is trying to encourage volunteerism this, frankly, just goes in its face by trying to pay people. There are many people that are willing to serve but do not want to be paid, they want to do it out of the goodness and the love of their human being.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President, just as a matter of clarification. Senator Chew, regarding your argument of require or permit, let me read you your own amendment. It says, "Shall receive...shall receive for his services as such commissioner a sum not to exceed fifteen thousand dollars for each year of his term." I don't know where that says permits, it says "he shall receive" or "she shall receive."

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I don't think it's really important whether it's the Governor or the mayor who does the appointing, or anyone else for that matter,...we still have the question of Charlie Swibel. Now the Governor has failed to exercise his prerogative in this area. You know, has the Governor indicated that he would like to have these powers of appointment? You know, we're back to the basic question of why we are doing this in the first place, not whether board members should be paid or...or should serve without pay. The question is, why are we doing this...and it is simply that the present chairman will not get off the board.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I had a question of the sponsor and then I want to speak to the amendment.

PRESIDENT:

Sponsor indicates he will yield. Senator Grotberg.

SENATOR GROTBORG:

Senator...Senator, the previous Senator almost got to the point, but who wants this amendment? This is a classic question.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

The sponsor.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Senator Chew. Now to the amendment. I think that there is really nothing wrong with the existing Chicago Housing Authority enacting Statute. Here we are trying to launder the dirty linen, put it on the backs of fifty-nine senators, some of whom are from Chicago, some of whom are from downstate. I've sat on boards with Charile Swibel over the years and never needed any help from me to get what he wanted, and he never had to have any help from anybody down here to get what he wanted. But the existing Statute of the Chicago Housing Authority is plenty adequate to handle the problem. All we got to do is fish or cut bait on the guy in the saddle, and that is a little festering sore on the side, I won't say which side, of the mayor and those who are with her in this establishment. I think it's rather an insult that we, fifty-nine Gentlemen and Ladies, are being asked to remove this festering sore, and I would just ask

everybody to vote No on it no matter where you're coming from because it has nothing to do with the Chicago Housing Authority by transferring it to the Governor's hot seat or to the mayor's hot...already hot seat, but...just vote No..just vote No, it's the...it's the only sensible to do.

PRESIDENT:

Further discussion? Senator Chew may close.

SENATOR CHEW:

Thank you, Mr. President. You know,...I...I...sometimes when you have to evaluate your colleagues, you said it to your friends said, oh, that Senator Simms is a real sharp guy, he understands English. Now, when I have to reevaluate him, I don't know what I'm going to say. He doesn't seem to understand that the board can set the salary of a commissioner at one dollar. And I get to my friend who lives in the suburbs south of me, and I said, the white haired fellow is really, really tops, a giant of a legislator. He doesn't understand English. Shall be paid what the commissioners set as a salary, that's a must, if they set it, they shall be paid that. I don't find anything wrong with the amendment. If it's washing dirty linen, as Brother Grotberg said, then that's your statement about it, I don't have any problem with washing it or keeping it dirty. If the Governor doesn't want to do it, then we'll find another way, maybe Taylor's amendment moves the Governor and puts back in the mayor. I had two, take your choice. You defeated one, I'd ask for adoption of No. 2 Amendment.

PRESIDENT:

Senator Chew has moved the adoption of Amendment No. 3 to Senate Bill 1632. Roll call has been requested. Those in favor of the amendment will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 11, the Nays are 37,

none Voting Present. Amendment No. 3 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...No. 4 offered by Senator Taylor.

PRESIDENT:

Senator Taylor.

SENATOR TAYLOR:

Thank you, Mr. President and members of the Senate. As you know, last week we had quite a discussion on this particular amendment. I'll try to solve some of the problems that existed in the Amendment No. 1 that which was a committee amendment. That was in terms of the eminent domain portion and approval of the city council. All of that has been deleted. This amendment simply deletes everything after the...enacting clause. It increased the CHA board from five to seven, it increased the number needed for a quorum from three to four, and it permits the authority by resolution to establish a salary of per diem allowance for the chairman only. I move for the adoption of Amendment No. 4.

PRESIDENT:

Senator...pardon me, Senator Taylor has moved the adoption of Amendment No. 4 to Senate Bill 1632. Any discussion? Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, this amendment is no better than the prior three, it's just not quite as bad. It provides only for compensation to the Chairman of the Chicago Housing Authority and this, of course, would be the only housing authority in the State where any such compensation were to be provided. Now, it has been indicated before we seem to find ourselves in an unusual position here in the Illinois State Senate solving a problem that the City of Chicago is very able to solve on its own. The administration of the City of Chicago had no trouble shuffling up the

Chicago Park District when the Chairman of the...of the Chicago Park District was...it was suggested that he depart, he departed, and apparently not of his own accord and yet he left. The administration of the City of Chicago had no trouble shaking up the Library Board. I don't know why they have to come to the Illinois Legislature to just have a...an ally of the Mayor of the City of Chicago remove himself from the Chicago Housing Authority. Apparently the difficulty with HUD is that everything would be all right if this individual absent himself. And I can see no reason why we should provide a salary, an inducement in order to accomplish that end. I think this is a bad amendment, as were the other three, and I urge a No vote.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Very briefly, you know, I don't understand it. I don't know what is here, but for us to have been put through all of this time and effort for what appears to be nothing other than some faith saving for Charlie Swibel doesn't make a lot of sense. It doesn't make a lot of sense on its face. So, I'm looking at this...there has to be something else here, and I'm voting No.

PRESIDENT:

Further discussion? Senator Taylor may close.

SENATOR TAYLOR:

Thank you, Mr. President and members of House. I'm sorry that I have some great lawyers here and they simply does not understand the amendment. It does not provide for a salary, Senator Walsh, it says it permits by resolution. And that mean that the authority has the authority to pass the resolution in order to give a salary or per diem if necessary. Nothing says that they're going to do that. And I'm very surprised, you're supposed to be a good lawyer I understood,

but apparently you're not. I think it's a good amendment...I think this is a good amendment. I think it's amendment that should be accepted. I've supported amendments before, we didn't always agree with them, but I tried to give you the help that you needed, and I look for the same consideration from you. It's a good amendment, I solicit your support for it.

PRESIDENT:

All right. Senator Taylor has moved the adoption of Amendment No. 4 to Senate Bill 1632. Those in favor of the adoption of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 30. All right. All right. Amendment No. 4 fails. There's been a request for a verification. There has been a request for a verification of the negative vote. Will the Senate members please be in their seats. The Secretary will read the negative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Becker, Berning, Bloom, Bowers, Coffey, Davidson, DeAngelis, Degnan, Demuzio, Etheredge, Friedland, Geo-Karis, Groberg, Jeremiah Joyce, Keats, Kent, Maitland, McMillan, Niurod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Schuneman, Simms, Sommer, Thomas, Walsh, Weaver.

PRESIDENT:

Senator Taylor, do you question the presence of any member?

SENATOR TAYLOR:

Senator Demuzio.

PRESIDENT:

Senator Demuzio on the Floor? Senator Demuzio on the Floor? He is not, strike his name, Mr. Secretary.

SENATOR TAYLOR:

Senator Degnan.

PRESIDENT:

I think he has been shackled through Senator Joyce. Do you question the presence of any...any member, Senator? All right. The roll has been verified. On that question, on the adoption of Amendment No. 4, there are 29 Ayes, and 29 Nays and Amendment No. 4 fails. Are there further amendments, Mr. Secretary? The other amendments, the Secretary informs me, the Chair is prepared to rule are technically out of order. They were drawn, I am sure, predicated upon the committee...the adoption of the committee amendment, which was, in fact, not adopted. So the Chair will rule that the other amendments are out of order. Any further amendments that are in order?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1651, Senator Bloom. Yes, on the Order of Senate Bills 2nd Reading is Senate Bill 1651. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1651.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is recognized on Amendment No. 1.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. This is the administration's weight distance amendment. As

you know, right now out in Congress, beyond the markup stage, the Federal Highway...the Surface Transportation Assistance Act of 1982 is about to pass. Section 127, subsection A, says, "No funds authorized to be appropriated for any fiscal year under the provisions of the Federal Highway Act shall be apportioned to any state which does not permit the use of the national system of interstate and defense highways within its boundaries by vehicles with the weight of twenty thousand pounds carried on any one axle, including enforcement tolerance, or with a tandem axle weight of thirty-four thousand pounds including enforcement...tolerances, or a gross weight of at least eighty thousand pounds for vehicle combinations of five axles or more." This...basically means that we are about to have bigger, longer, wider trucks. The...I have caused to be distributed to you copies of the amendment as well as an explanation. Basically what this does is change the maximum gross weight limit for trucks from seventy-two thousand to eighty thousand pounds. Now, it also changes the single axle weight limit from eighteen to twenty, and the tandem axle weight from thirty-two to thirty-four. This provision will bring Illinois in line with forty-seven other states, and will generate approximately a hundred and eighty million dollars in economic benefits to the trucking industry. It also adopts the Federal Bridge Formula, and that will allow truck between forty-five thousand pounds and eighty thousand pounds to carry more payload. It allows the use of triple axle configuration. Now in return, it imposes a weight distance fee on those weight classes of trucks starting with the triple axle at forty-five thousand pounds up to eighty thousand pounds. All revenues generated by the weight distance fee will go into the Road Fund, which is approximately fifty million. This will insure...this will insure that these funds will be used to repair and maintain the roads in Illinois. It also requires a safety inspection. I

will attempt to answer your questions, otherwise, I ask that...this amendment be adopted and we can put it in final form, and perhaps address the issues that are raised by this bill and others on 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Chew.

SENATOR CHEW:

Yes, Mr. President, let me start out by saying, this is an amendment to a shell bill to, in fact, gouge the truckers of not only Illinois but any truck that passes through Illinois. This is the truck weight bill. I would like to have the attention of the people on this Senate Floor so we will know what this is. The proposal contained in this amendment are almost identical to those that were in House Bill 2499, which because of obvious lack of support and objections were never called for a vote in the House before that deadline last week. This is the amendment that was proposed by Representative Telcser. They had absolutely no support in the House, and consequently, it was not called. This is what is called the concept of weight distant tax, and if this amendment were to be accepted, it is called the fifty million dollar a year amendment. This is Governor Thompson's road bill. The Motor Vehicle Laws Commission, which several members on this side are members of that commission, have worked long and hard with the industry and with the Department of Transportation trying to work out a formula that will be acceptable and fair. Nobody, but nobody, wants this kind of an amendment because all it does is to give Governor Thompson a nice big, beautiful campaign sheet to say, look, I have taken fifty million dollars from the trucks that travel your highways, I am not going to raise your gasoline taxes, and I'm not going to increase your license plate fee because all of this, incidentally, comes out of what we are demanding of the truckers. Now we want the truckers to pay for the usage

of additional weight. They are in agreement to pay. We had an agreed bill on last year, and I might add, we were working on this same legislation before the present sponsor of this amendment came to this distinguished Body. We had the help of his predecessor, the noted Hudson Sours, working with us on trying to effectuate a program to work with industry. What did DOT say about...what they would do with the money? They say, the first year the fifty million dollars or thereabout, that they were going to take it and repair the roads from the previous winter destruction. The basis of having the trucking industry to compensate for heavier loads is to be able to repair the damages that's occurring because of the additional weight. They have not traveled the highways yet, and yet, John Kramer admitted at every meeting we've held, and believe me, Ladies and Gentlemen, we've held many, that the fifty million would be used to repair the highways right now. Now just less than one year ago, it was scientifically discovered, so says IDOT, that the additional weight would cost seventeen percent more destruction of highways, and we at that time were at a cost between sixteen million and twenty-five million. The five surrounding states that have...that permit trucks of additional weight, the entire amount of monies that's generated, the five surrounding states total only sixty-four million dollars. What makes Illinois different? The Governor has failed in his attempt to keep the roads in the shape they should have been in because his priorities have been different. To have any single industry, and...I will remind you, Ladies and Gentlemen, Illinois has the highest registration fee for truckers of any state in the union. And in addition to the highest registration fee that we currently have, this proposal would be the highest damage registration fee in the nation. This is a bad amendment. It is not an amendment for industry, it is not an amendment for the people of the State

of Illinois. It's an amendment for James R. Thompson's campaign material. The Democratic candidate has also stated the need for additional weights on trucks, as the present Governor has stated, but the Democratic candidate for the governorship has used common sense.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, if you'll bring your comments to a close, please.

SENATOR CHEW:

I would ask for an extra minute, Sir. This is important. May I?

PRESIDING OFFICER: (SENATOR BRUCE)

The Chair doesn't make the rules, Senator. I'm just here...

SENATOR CHEW:

Senator...Vadalabene will yield a minute of his time.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. One more minute, Senator.

SENATOR CHEW:

We are not here to use any special interest group or any industry in this State for the sole purpose of campaigning for any candidate, be he Democratic or Republican. Suddenly I was called at my house by the Governor's Office, "Senator Chew, we have decided to support your weight bill." Up comes an airplane, I'm down in Springfield, and when I get here, I'm faced with a fifty million dollar charge put on by Jim Thompson and the Department of Transportation, and if you've ever seen a dog who'd eaten sour meat, that's just how I felt. They don't want...listen, the Governor wants one of two things, and let's give him one thing. He wants to go out and say, I tried to get enough money from the truckers to repair your highways. Well, anybody with common sense or could figure mathematics knows very well fifty million

dollars is not going to repair the highways, but he can say, I proposed it and the Legislature rejected it. Now, he has George Ryan over in the House who jumps everytime he pops his finger, why in the hell didn't they call the bill over in the House? Well, I'll tell you why they didn't call it, because they knew that the legislative members of the House would not jump through the hoop. And the Senate has always been known to have more sense than House members, and we aren't going to jump through this hoop. Governor Thompson cannot have a fifty million dollar amendment for campaign material. And I would ask my members of this Senate, both Republican and Democratic, to let us defeat this amendment, and maybe, hopefully, the Governor will get enough common sense, and his Secretary of Transportation, and let us all come together and agree upon what is needed financially, but what is fair.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, if you would bring your comments to a close, your time has expired.

SENATOR CHEW:

Thank you, I shall, Mr. President. We can work it out, but they don't want to work it out, they want to gouge the people. I remember the distinguished Senator last year put an amendment on a bill of eighty-five million dollars. I ask, where is the thirty-five now? So it's a figure thing they can play with, and this is too big to play with politically. Let us defeat this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Maitland, did you...Senator...Senator Rock.  
Senator Lemke. Senator Lemke.

SENATOR LEMKE:

Senator Bloom, would you answer a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Lemke.

SENATOR LEMKE:

This increased weight that we're talking about, how much...did they do any studies as to what kind of damage it's going to do to our roads?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes, the Department of Transportation did a study based on the American Association of State Highway Transportation Official Standard Roads Test, and they...based on that study, they say will..it will cost around fifty million dollars to keep up with the extra damage to the pavement that the heavier trucks and the axle loads will inflict on our highway. They were conducted in Ottawa, Illinois and are widely accepted in the engineering community, and provide the basis for the cost estimates, by the way, that are used by most states.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Was there any study done by the National Safety Council as to how this increased rate causes increased accidents and increased serious injury to people in automobiles?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes, there was, and it is cited in a study done by the Central States Resource Center over in Urbana, Illinois, called Increased Truck Size and Weight. I don't have it at my fingertips, but yes, they have done it, and yes, they do believe that...they do believe that...that higher...excuse me, larger trucks are a factor...where they are not inspected.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

But they do increase accidents. Is that right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

I don't think they say that they increase accidents. I think they say that...I wish I had it here at my fingertips, they do say that having oversized trucks is a little more dangerous. That's why it's incumbent that we get this kind of bill passed so you can provide for increased safety inspections and pay for the damage done to the highways, because, as you know, the Feds are going to say, you got to do it anyway.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

...What is the stance of the Automobile Motor Club on this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

The Chicago Motor Club?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Chicago Motor Club, AA, you know, Triple A.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

The Chicago Motor Club opposes the Federal change, but they're not going to prevail 'cause we're down to three states.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Now you state that with this increased rate and with the expert inspection by the State, we shouldn't have an increase in accidents, but, isn't it a fact that the Governor has proposed to cut some of these jobs?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom. Senator Bloom.

SENATOR BLOOM:

He restored them.

SENATOR LEMKE:

He...he restored them, then.

SENATOR BLOOM:

We...we restored them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

You mean that the...we prevailed over here to restore these additional inspectors, is that what you're saying? But the Governor's still position is to cut these jobs, isn't it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

At the time, I believe it was.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Well, I personally think that the increased weight of trucks...increased size, increased weight will only add to the further deterioration of the highways already in the State that are not properly repaired by the DOT, especially in...in areas where they're not highways but side streets and so forth, which are not built to uphold this. And, therefore, the burden will go on local government to fix those local roads in the county, and so forth, and I think that

this...we all know that if a heavier truck hits you in an automobile, your injuries are going to be more severe, and it's going to increase the accidents, plus it's going to increase the amount of damages, personal injuries these individuals are...are going to suffer, and in some cases, increase deaths that are caused by automobile accident. I don't think this is a good proposal. Even though we need the money, I don't think the life of an individual is worth sacrificing for this. If the Governor wants, he should come up with some kind of constructive proposal to...to talk about fixing these roads instead of coming up with this sham of a thing to put the burden on the trucking industry who may...who is already in financial trouble because of the Federal deregulations who may, a lot of them go out of business. I ask for a No vote on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Marovitz.

SENATOR MAROVITZ:

Trying to get away from the politics of this thing, Senator Bloom, which I think we ought to do if we're going to try and get to the merits of it. Senator Chew, has a bill pending, also, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes. Senator Bloom, I never brought the politics up, but, yeah, Charlie has a bill pending.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

I...I didn't...I didn't accuse you of bring the politics up, but is there another bill pending?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

1202 is pending. That increases the diesel fuel tax to pay for heavier trucks. However, that also includes about seventy thousand diesel powered autos and smaller pick-up trucks which are not adding to the increased damage to our State highway system.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz. Oh.

SENATOR BLOOM:

And it...and it doesn't pay the fifty thousand dollars worth of damage.

SENATOR MAROVITZ:

Does that bill increase the...the tonnage, also?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

I believe it...oh, yeah, it increases the tonnage alright, right up to bigger, longer, wider. But I believe there's an axle tax or something, and a diesel tax.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

What...what is the present status of the legislation in Congress which would, in effect, make all of this moot anyway by legislating increased weights throughout the...throughout the country.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Senator, according to a...a letter from Bob Michael's

office, it has gone through markup in the House. The Senate has passed bigger, longer, wider last year, and so right now, it is well on its way to passage. In other words, it's cleared House Public Works, that was the Surface Transportation Act of 1972 that I referred to in my prior remarks.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Is it correct to say then, that should that legislation pass, any action by us is going to be superfluous because there's going to be a...a eighty thousand pound limit in Illinois regardless, and...and therefore, and that will...and we'll get nothing in return for that increased limit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

What we'll get is eighty thousand without the income because, you see, this particular...the commercial trucking industry, the additional weight, are the ones that are going to increase the damage to our highway system, so we'll get it but we won't get the income.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

What would be the problem with coming in after that legislation passes...on an emergency nature and raising the rates at that time out of the necessity because of the increased tonnage on our highways?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, I think the...one of the prior speakers answered that when he talked about my predecessor working on allowing bigger, longer, wider and working out what is fair, whatever

is fair. As a practical matter, it's not a question of if, it's a question of when. And this, by the way, make no mistake about it, this ain't a road program, it's not intended to be a road program. What it's intended to do is to try and provide the finances to take care of the increased damage to our highway system, and we ought to get on with it now and get it on the books.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Okay, well then just so that there...we don't make any mistake about it, which obviously everybody is or is trying to make mistakes about it, how do we know this isn't a road program, I mean, what...what...what guarantees or what assurances do we have that this fifty million dollars is not a road program for the Governor during...during the crucial campaign months of 1982?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

What assurances do you have that this is not a road program? Senator, there are seventeen thousand miles in Illinois that right now need to be fixed. There are about a thousand of those that are on the, what you'd call the critical list. No one with any common sense is going to campaign and say, a fifty thousand..a fifty million dollar weight distance tax to take care of the fifty million dollars of additional damage that will be inflicted on our highways, is a road program. I...I don't...I think your fears are totally misplaced.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

I was with you until the end. You lost me at the end.

What...why wouldn't anybody in their right mind think that a fifty million dollar increased tax could...could go toward a road program during the...during the political times of '82? I don't understand that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Okay, Senator, in the first place, should this bill become law, I don't think that the weight distance would kick in until the last quarter of the year. Now you can't...you want a road program, obviously, you have to start during the summer months, not towards the fall, for openers, A. B, if someone would say the fifty million dollars to pay for the increased damage that these overweight trucks will inflict on our highway is a road program, just begs common sense. The needs...this is just maintenance, for Heaven's sake,...the needs of our highway system are...are darn near critical. That is one of the reasons why there are proposed gas tax increases before the House and one pending before this Chamber. That addresses the road program. I...I guess it's self-evident that it's not a road program.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Senator Marovitz.

SENATOR MAROVITZ:

Well, I may be...Senator Bloom, I may be supporting your legislation...your amendment, but I don't...I don't see that it is self-evident at all. If...if a fifty million dollar...windfall is coming into our State and that's anticipated...now I know what the damage is going to be, we all know what the damage is going to be by increased tonnage, we all know the bad state of our roads, but if we can anticipate fifty million dollars coming in, even at the last quarter, that..that anticipatory money can be spent through money now within the Road Fund and spent in such a way as to...as to

promulgate a road program. Now I'm not talking about a new road program, maybe that's where we're getting our semantics wrong, I'm talking about, you know, paving deteriorated roads, and highways, and bridges, and...that kind of thing from the damage of the winter. But it's still a road program, that...no matter how you phrase it. That's all.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Bloom, I think you may have been getting a few hostile questions, and...I do not intend my questions to be hostile, but I really have some problems with some of the things that...that I see in the amendment. I...I have heard for a long time about the need to increase the weight limit in Illinois, and I understand the...the general concept that if we're going to raise the weight limit, then those trucks should pay for the potential damage to the highways. But it looks to me like, the way this bill is set up, that the cost, that is, the...the fifty million dollars that you hope to raise, is spread over a number of different weight classifications and is not confined to those trucks that are going to increase from seventy-three thousand to eighty thousand pounds. For example, there...there appears to be substantial increases for trucks with weight limits of...of fifty thousand pounds. How would you respond to...to that criticism?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, I think what you're saying is, why...why are

all...or should all truckers be paying for this when we're jumping only from seventy-three to eighty? Is...is that the idea?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, I'm saying that, but also a question of degree, Senator. I think perhaps the spreading would be acceptable if...if, in fact, it were...the lower weight limits were paying a small amount, but it doesn't appear to me that that's the case.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, IDOT...no, I'm informed that about eighty percents of the trucks running in Illinois only...Illinois only will not be subject to the fee, only those in the weight classes that will cause the extra road damage will benefit from the weight increase. We get into the load shifting and the axles there, because this bill adopts the...what's known as the Federal Bridge Formula, which is something that says, W equals five hundred times and over and plus one, et cetera. It also increases permissible axle weights, and that's why you go down to forty-five thousand. See? You raise the axle weights and most trucks now weighing forty-five thousand pounds will be able to carry more payload. Does that answer your question?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Probably the explanation was adequate and it's a failure in me, but I don't understand what's going to be happening here, and I guess until I do understand it, I might not be able to support the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

No, I...try and complete the answer for you, Cal. For those trucks which do not gain payload from the Bridge Formula, the bill authorizes the use of triple axle combinations so that heavier loads can be carried on relatively short trucks. I mean, they've...they've tried to...they've tried to take into consideration everything. Now, when, during the discussions we said, why not start at fifty-five, you get into a constitutional problem. Kentucky, which has imposed...by the way, one of the prior speakers referenced what their fee is, Kentucky has imposed about thirty-six million on the trucking industry, and they have one-third of the truck miles we have in Illinois which is per capita a higher cost. Kentucky did that, and because they didn't have a constitutional cutoff, they ended up in court. This is the cleanest, best way that they know how.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Joyce.

SENATOR JEROME JOYCE:

Okay. It seems that we are concerned that Congress is going to tell us we must raise the weight limit from seventy-three thousand to eighty thousand. Well, if that's the case, why don't we just wait until they do that, if they are going to do that, and then we can raise the rates for the trucks. In the meantime, it seems to me that it's...it's just unconscionable to talk about raising weight limits when we can't pass a gasoline tax to improve the highways. I see that bill only got some forty votes in...in the House. And

it just seems to me that if Congress is going to do this, well then, after they do it, then we can come in with the bigger license fees and...and solve the problem. Why couldn't we do that, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

In the first place, Senator, I don't think we'll be in Session. In the second place, I recognize you among those responsible Senators who understand that we do have to...increase the user fee, the gas tax, in that area and I assume that you're supportive of whatever effort we're trying to be about in the Senate. But the practical answer is, we will not be in Session by the time this passes, and I predict it will be that much harder to increase...to impose a weight distance because then the trucking industry will have gotten what they wanted from Congress for free.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate, I wasn't intend to rise on this bill, but I feel maybe necessary that I do so. This bill as...being amended, I feel, is a little tough on the trucking industry, and one...especially in my part of the State, we have to count on to move our goods to and from market. We had hearings...the Motor Vehicles Laws Commission had hearings for a year or better asking all interested groups, including all the trucking industries, the State police, the Secretary of State's Office, the Governor's Office and any other group that might like to come and testify in those committee meetings. And during that time, which we set for many hours listening to testimony by both sides of the issue, on one side the trucking industry saying, well, we feel the damage to the system would be somewhere

around sixteen million dollars. On the Department of Transportation's side, they were saying, well, we feel it will be thirty-six million dollars the damage to our highway system. We listened to that, we continually asked them to get together and try to come up with a reasonable amount of increase that would pay for that damage to the system and that wasn't done. And so, we finally decided, the Motor Vehicles Laws Commission, if they couldn't decide on either side and that this compromise in 1202 that will be coming up is one decided by the commission, not by the Department of Transportation or not by the trucking industry. We came up with that figure and felt that it was a...a reasonable figure that would allow trucking industry to survive and also make them pay the cost of the damage to the highway system. And that's the reason I feel this...this bill is too tough. This bill or the intention of a concept like this was not brought to our attention in...like I say, the department and the Governor's Office had that opportunity to bring their idea to that commission. Now that commission spent a lot of hours and a lot of time, and the taxpayers paid for the times of those hearings. And I think when we...if we're going to have commissions, and we're going to ask the departments to come and testify on behalf of their department and they don't show up, that's not our fault. And for us to continue to waste our time driving from one end of the State to the other to have hearings to deal with a problem, and someone sees fit not to be there, that's not exactly our problem. But I...I feel that this concept and this amendment should not be accepted at this time, that we have a better concept that will be coming before us, hopefully, in the near future. I think we need to deal with the eighty thousand pounds, I think if we don't the Feds are going to. I think it is a very important issue. But I think that this is too tough in a time when economic problems are here, and I can just speak

for some of the trucking industry in my area that are verily holding on now, and you slap them with too...too rough of a cost, you're going to just bankrupt some more of the trucking industry. In my area, the railroads have all been closed down, and if we close down the trucking industry, I don't know how we're are going to get our goods to and from market. And I think this amendment needs to be opposed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Yes, I have a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Berning.

SENATOR BERNING:

Senator Bloom, can you tell me, or assure me that this amendment will or will not affect secondary roads? Is it restricted solely to expressways, limited access highways and interstates?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

It affects the State highway system. There is a local option in it. The State is not saying to your units of local government, you have to accept that. As a matter of fact, part of the fifty million that will be generated, five percent is set aside for...local governments to use, should they...decide to allow it. I think that answers your question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Yes, I...I caught that and quickly looking at this, that five percent is for...is available for counties, municipalities, townships and road districts. Well, I submit, that is

a negligible amount of money when you consider that it is those roads, particularly, who are most susceptible to damage, and it just appears that even five percent, on the other hand, taken out of the fifty million, which is admittedly only going to cover the damage and not provide anything for improvements but just to repair the damage that occurs from these overweight trucks, and we're already getting damage from those that are not that big. And all I have to do is call your attention to I-55 which was just rebuilt and which is already going to pieces, and we don't have eighty thousand pound trucks, at least, not that we know of.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Your point is very well taken, Senator Berning. However, over ninety percent of the overweight trucks are going to be on the interstate or State system. And that...and that is why they put this set-aside for local governments that would choose to allow this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning. Further discussion? Senator Rock.

END OF REEL

REEL#9

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Amendment No. 1, and even though Senators Chew and Coffey and myself, particularly myself, have been publically in favor of, as a reasonable thing to do, the increased weight of trucks travelling throughout our State, there is some real serious disagreement as to what the actual cost will be and who should bear that cost. Now, ordinarily the sponsor should have a right to amend his bill in the way he sees fit, and this kind of debate should take place on the Order of 3rd Reading. But we have just seen all too vividly when all but two on the other side saw fit to deny Senator Taylor the right to amend his bill with his amendment, that apparently, we're not playing by those rules. Absent...this amendment, and I suggest we ought to beat this amendment, there is still a vehicle alive. Senators Chew and Coffey and the Motor Vehicle Laws Commission, I understand, are ready, willing and able to sit down and work this out. This apparently is some kind of an end run by the Department of Transportation and the administration. I think that commission who has had public hearings, who has worked long and hard...we had two bills sitting on this Calendar 'til the bitter end last Session under the Damocles sword of what the Congress may or may not do, but I think they are ready, willing and able to continue to work toward a workable solution. In the meantime, I think we ought to stand by our commission and vote No on Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Senator Chew, for a second time.

SENATOR CHEW:

Just to make sure, Mr. President, and the President of the Senate just brought out the important part of it. There is another bill 1202 that we've worked on for the past four years. We have an agreed bill, State police, Motor Vehicle Laws, the Federal Government, the National Trucking Association, have agreed that the amendment for 1202 is the bill that can be passed, everybody will be satisfied. We're not waiting on the Federal Government to mandate it, which they will, and it has been the present Governor who has forbid, in a sense, up until recently to get any votes on additional weight trucks. Now, this amendment starts it off at forty-five thousand pounds and it charges every trucker from that weight forward. What we have, it does not do that, it does not penalize the present operating truckers. And by the way, the amendment on 1202, in fact, gives local government five percent of the revenue, so it's a better amendment all around, and it's an agreed amendment by those that know what they're doing, not by some neophyte who comes on the scene twenty minutes ago with all of his beautiful serene charts which don't mean anything, nobody can see them, and it can't be explained. They bypassed the Committee on Transportation in the House and sent the bill to Revenue which was against all rules, but as I said, we in the Senate got a little more sense than those guys in the House. Senator Coffey should have been handling anything pertaining to transportation over on that side, but they didn't they bypassed Senator Coffey, why, I don't know. He's the Minority Spokesman on everything on transportation, and I might add, he's good because he works with the various agencies, and he works with the groups. But they bypass him, you know, little boy...boy, you stand aside, we want the heavyweight, and on this case, the heavyweight really don't know what the hell they're doing.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Well, thank you, Mr. President. There's been so many misstatements surrounding this proposed amendment, you don't know where to begin. In the first place, this...this bill...this amendment has the support of the farm bureau, the teamsters, the business associations and the State police, might I add, contrary to one...of what the prior speakers said. I think it was stated quite...quite well, what will it cost and who shall bear it? Well, in the lineup of people that are backing the other bill are basically the beneficiaries of it, the trucking industry, the people that are going to inflict the fifty million dollars worth of damage. And yes, the disagreement as to cost, there were at least, it seemed like a month each afternoon, but we've had four meetings, Senator Chew sat in on them, where the Illinois Department of Transportation representatives and trucking industry representatives were there, and mind you, it's the State that's going to have to administer then bear the cost for the increased damage to our highways. Ultimately, they're the ones that are responsible for fixing up our highways, but it's the increased usage of trucks on the interstate and State system that is going to create the additional damage. Now, the fact remains, it's absolutely necessary that we get something done. And from the prior speakers, it's absolutely clear that most of the politicization of this issue is not coming from this side of the aisle, and I think that's truly unfortunate, because the one group...the one group that keep...that has not been mentioned in this debate are the highway users and the taxpayers, and that's really what it's all about, and I see no reason why there should not be 55 affirmative votes on this board because no one has been able to attack the amendment on its merits. And it is not an end run, it is something that has been before this Body before, and might I add, in May of 1981 this Body overwhelmingly,

overwhelmingly endorsed the concept of weight distance by a vote of 36 to 18. And perhaps...perhaps at a later date, we can discuss that particular roll call in another debate. I'd urge your favorable vote on this bill.

PRESIDENT:

Alright, Senator Bloom has moved to adopt Amendment No. 1 to Senate Bill 1651. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 35. Amendment No. 1 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1670, Senator Schaffer. Alright. With leave of the Body, can we go back for a moment to Page 5, on the Order of Senate Bills 3rd Reading, Senator Bruce was presiding, the amendment...that's to be amended, Senator, is that correct? 1385...yeah, 1358. The bottom of Page 5 it is a bill, Senators Bruce and Etheredge. Senator Bruce seeks leave of the Body...on the Order of Senate Bills 3rd Reading at the bottom of Page 5, Senator Bruce seeks leave of the Body...58...thank you...to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1385. Mr. Secretary. It's getting late. We have only about twenty or so more minutes, so I'd ask the membership to please be patient, we've done a great deal. 1358, Amendment No. 2, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This will put the rates at the appropriate level for the amount of money that the Appropriations Committee has given

the community colleges throughout the State...it was introduced at the BHE levels, we reduced it down to the Governor's level, and this will bring them back an average of an eighty-eight cents per credit hour increase for all the different categories for the 5.5 million dollars added by the Appropriations II Committee. And I would ask for your favorable consideration of the amendment.

PRESIDENT:

Alright, Senator Bruce has moved the adoption of Amendment No. 2 to Senate Bill 1358. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Alright, with leave of the Body, we'll move to the Order of House Bills 3rd Reading...for the consideration of House Bill 522. Senator Kent, okay. On the Order of House Bills 3rd Reading is House Bill 522. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 522.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kent.

SENATOR KENT:

House Bill 522 appropriates one million seven hundred and thirty-eight thousand one hundred and eighty-four dollars to the State Board of Education for the school...payment to the school districts for the interest lost for the dual June-July State-aid payment for the Governor. I would ask for a favorable roll call.

PRESIDENT:

*SB 791  
Specific Rec of the Gov.*

Is there any discussion? The question is, shall House Bill 522 as amended pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none Voting Present. House Bill 522 having received the required constitutional majority is declared passed. Page 19 on the Calendar, on the Order of Specific Recommendations for Change...the Message from the Governor I understand by the Secretary, has been distributed to all members. Alright, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Motion. I move to accept the specific recommendations of the Governor as to Senate Bill 791 in the manner and form as follows.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I ask to accept it. All the Governor did was keep the threshold of the current law for disclosure at a hundred and fifty dollars. I think the Governor is misled, but I think that because of the necessity of this bill, which is for the lottery for our terms and for the appointment in the House of Representatives, it's necessary we pass it. I did a survey over in the House and I think we would come short on override on...on the Governor's Veto, and that way the bill would die. So, I have moved to accept it.

PRESIDENT:

Alright, Senator Lemke has moved to accept the specific recommendations of the Governor. Further discussion? Senator Rhoads.

SENATOR RHOADS:

I support the motion, Mr. President, although I must echo the remarks of Senator Lemke. I think the increase to two

hundred and fifty dollars, inflation alone since 1974 would have justified that, and I think the Governor made a mistake but I support Senator Lenke in this motion.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator.

SENATOR BUZBEE:

In the Governor's Amendatory Veto, it's my understanding that when he brought that exemption back from two fifty to the current total of one fifty that...that's...that, in fact, is what he did, is...is that correct? Okay, that is correct he indicates. I...I...I am wondering why...for what possible reason the Governor could have done that except that he knows this is an issue that is very important to the Senate because it involves our terms. Obviously, he doesn't...doesn't bother him to disclose because most of his contributors are larger than a hundred and fifty or larger than two hundred and fifty. But those of us who run for the General Assembly, we depend on an awful lot of small people to contribute those kinds of small amounts of money for our re-election effort, our campaign efforts. It seems to me the...the most crass type of political demagoguery for the Governor to make such a stupid move as this, playing politics with a lot of little campaign contributors so that their names will be made public if they contribute a hundred and fifty-one dollars to a candidate for the State Senate. It's sheer demagoguery on his...on his part. The Governor is capable of doing that upon occasion but usually he's not quite as crass about it as he was in this...in this case. Big Jim has...has outdone himself this time.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

My last answer for the day, Senator Buzbee, I'll explain to you why this was done. It's because there's going to be an election shortly in the City of Chicago, and there are a lot of people who might be under a lot of pressure, and rather than two forty-nine you get one forty-nine, very simple.

PRESIDENT:

Any further discussion? Alright, the question is, shall...shall the Senate accept the specific recommendations of the Governor as to Senate Bill 791 in the manner and form just stated by Senators Lemke and Rhoads. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 4, none Voting Present. The specific recommendations of the Governor as to Senate Bill 791 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Leake, for what purpose do you arise?

SENATOR LEMKE:

I'd like to now have the sponsorship of the bill changed on...on House Bill 2462. The bill should be sponsored by D'Arco and Lemke.

PRESIDENT:

Alright, Senator Lemke seeks leave to show Senator D'Arco as the chief Senate sponsor of House Bill 2462. Is leave granted? Leave is granted. All we have remaining is a request for an introduction by one of the members, resolutions for the Consent Calendar, and then we will entertain a motion to adjourn until ten o'clock tomorrow morning. There is at least one committee at eight-thirty, and I think there are two, but we will get there. It's five more minutes and

we'll be out of here. With leave of the Body, introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1688 by Senator Coffey.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 545 offered by Senators Lenke, Rock, Bruce, Savickas and all members, congratulatory.

Senate Resolution 546 by Senators Berning and Geo-Karis, congratulatory.

Senate Resolution 547, Senator Taylor, congratulatory.

Senate Resolution 548, Senator Etheredge, congratulatory.

Senate Resolution 549, Senator Davidson and...Davidson and all members, congratulatory.

Senate Resolution 550 offered by Senators McLendon, Rock and all Senators, it's a death resolution.

Senate Resolution 551 offered by Senator Berning...death resolution.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 552 offered by Senator Johns.

PRESIDENT:

Executive Committee. Alright, Senator Philip, for what purpose do you arise, Sir? A couple of more minutes, men, stay loose.

SENATOR PHILIP:

Thank you, Mr. President. I ask leave to...be replaced as the House sponsor of...Senate sponsor of House Bill 2588 and ask that Senator Grothberg be the sponsor.

PRESIDENT:

Alright, Senator Philip seeks leave to show Senator Grotberg as the Senate sponsor of House Bill 2588. Leave is granted. It is so ordered. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. Leone, Clerk.

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

House Bill 2381. Passed the House May 20, 1982. Anthony J. Leone, Clerk of the House.

PRESIDENT:

Further business to come before the Senate? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I'd like to make a similar request to Senator Philip's and ask to have sponsorship of House Bill 2250 shifted to Senator Walsh.

PRESIDENT:

Alright, Senator Schaffer seeks leave of the Body to have Senator Walsh shown as the Senate sponsor of House Bill 2250. Is leave granted? Leave is granted. Senator Rhoads.

SENATOR RHOADS:

Similar request, Mr. President, on Page 14, House Bill 2134 was read in today as Lenke-Rhoads, that should read Lenke-Coffey.

PRESIDENT:

2134?

SENATOR RHOADS:

2134.

PRESIDENT:

Alright. 2134, show Senator...with leave of the Body will show Senators Lenke and Coffey as the Senate sponsors. Leave is granted. Senator Nimrod.

SENATOR NIMROD:

Announcement, Mr. President.

PRESIDENT:

That's in order, Senator.

SENATOR NIMROD:

Last week we were advised that there'd be softball practice tonight. Due to the late hour and the conflicts that take place upon adjournment tomorrow, there will be practice over at the Springfield High School over on Capitol Street which is a few blocks west of the Stratton Building.

PRESIDENT:

Further announcements? Further business? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. I would like to relinquish sponsorship of House Bill 2506 and turn that over to Senator Thomas. 2506, House Bill.

PRESIDENT:

Alright, 2506, Senator Sangmeister seeks leave to have Senator Thomas shown as the chief Senate sponsor. Is leave granted? 2506, leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Mr. President, with leave of the Body, I've talked to the sponsor, I'd like to be added as a hyphenated co-sponsor on Senate Bill 1601.

PRESIDENT:

Alright, Senate Bill 1601, show Senator Joyce, with leave of the Body, as a hyphenated co-sponsor. Leave is granted. Further announcements? Senator Gitz.

SENATOR GITZ:

The Committee on the Reorganization of State Government will meet promptly tomorrow at 8:30 a.m. and hopefully, if all are in attendance, Executive Orders 1 and 2 can be dispatched forthwith. Room 212.

PRESIDENT:

Senator Nash.

SENATOR NASH:

The group working on the cost containment will meet in Room 400, that's a joint effort by the Committee on Public Health, Welfare and Corrections and Appropriations I. In 400, eight-thirty in the morning.

PRESIDENT:

Alright, further business to come before the Senate? If not, Senator Nash moves that the Senate stand adjourned until Wednesday, May 26, at the hour of 10:00 a.m. Ten o'clock tomorrow morning. The Senate stands adjourned.