

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 27, 1981

1. PRESIDENT:

2. The hour of nine having arrived the Senate will please come
3. to order. Will the members please be at their desks. Will our
4. guests in the gallery please rise. Our prayer this morning by
5. the Reverend Joseph Havey, Saint Agnes Catholic Church, Springfield,
6. Illinois. Father.

7. REVEREND JOSEPH HAVEY:

8. (Prayer given by Reverend Havey)

9. PRESIDENT:

10. Thank you, Father. Reading of the Journal.

11. SECRETARY:

12. Friday, May the 15th, 1981; Monday, May the 18th, 1981;
13. Tuesday, May the 19th, 1981.

14. PRESIDENT:

15. Senator Johns.

16. SENATOR JOHNS:

17. Mr. President, I move that the Journals just read by the
18. Secretary be approved unless some Senator has additions or cor-
19. rections to offer.

20. PRESIDENT:

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

24. SENATOR JOHNS:

25. Thank you, Mr. President. I move that reading and approval
26. of the Journals of Wednesday, May the 20th; Thursday, May the 21st;
27. Friday, May the 22nd; and Tuesday, May the 26th, in the year of
28. 1981 be postponed pending arrival of the printed Journal.

29. PRESIDENT:

30. You've heard the motion. Any discussion? If not, all in
31. favor signify by saying Aye. All opposed. The Ayes have it. So
32. ordered. Committee reports.

33. SECRETARY:

1. Senator Rock, Vice-Chairman of the Committee on Assignment
2. of Bills assigns the following House Bills to committee:
3. Agriculture, Conservation, and Energy - 385, 422, 607, 623,
4. 870, 978, 979, 998, 1257, 1354, 1591, 1592, and 1816: Elementary
5. and Secondary Education - 441, 974, 1051, 1301, 1353, 1719: Higher
6. Education - 198, 377, 1438, 1439, 1646: Elections and Reappor-
7. tionment - 15...597, 857, 942, 947, and 1475, and Senate Bill 1229:
8. Executive - House Bills 185, 411, 760, 959, 972, 1136, 1152, 1209,
9. 1489, 1497, 1553, and 1880: Executive Appointments, Veterans'
10. Affairs, and Administration - 1153: Finance and Credit Regulations -
11. 666, 823, 983, 1019, 1022, 1394, and 1440: Insurance, Pensions,
12. and Licensed Activities - 598, 682, 726, 767, 795, 803, 813, 1161,
13. 1323, 1373, and 1863: Judiciary I - 249, 541, 725, 882, 1005, 1006,
14. 1043, 1150, 1155, 1166, 1168, 1234, 1291, 1407, 1417, 1419, 1420,
15. and 1487: Judiciary II - 113, 239, 463, 576, 577, 645, 646, 748,
16. 995, 996, 1016, 1139, 1313, 1359, and 1474; Labor and Commerce -
17. 490, 535, 927, and 1819; Local Government - 663, 674, 717, 785,
18. 1073, 1246, 1578, 1661, 1817, and 1818; Public Health, Welfare,
19. and Corrections - 477, 580, 811, 980, 1080, 1097, 1181, and 1470;
20. Revenue - 217, 900, 1048, 1253, and 1558; Transportation - 394,
21. 808, 829, 1189, 1270, 1348, and 1630.

22. PRESIDENT:

23. Resolutions.

24. SECRETARY:

25. The following resolutions are all congratulatory:

26. 202, by Senator Dawson.

27. 203, by Senators Grotberg, Shapiro, and Schaffer.

28. 204, by Senator Hall and all Senators.

29. PRESIDENT:

30. Consent Calendar. If you'll turn to page 2 on the Calendar,
31. we will move to the Order of Senate Bills 2nd reading. Top of
32. page 2, Senate Bill 213. Senator Carroll, do you wish that bill
33. called? 237, Senator DeAngelis. 271, Senator Carroll. On the

1. Order of Senate Bills 2nd reading, Senate Bill 271. Read the bill,
2. Mr. Secretary.

3. SECRETARY:

4. Senate Bill 271.

5. (Secretary reads title of bill)

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

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
12. What we have attempted to do with the various commissions of State
13. Government of the General Assembly, is to create three pieces of
14. legislation to appropriate the money. One for those that are
15. considered standing commissions, one for those that are considered
16. as if they were branches of the General Assembly, and one for
17. those that are newly created commissions for this fiscal year.
18. This particular bill, Senate Bill 271, will be the omnibus for the
19. standing commissions, those commissions that are continuing from
20. year to year. We have amended in the eleven such commission
21. that were over in the Senate by way of Amendment No. 1. And I
22. would move adoption of Amendment No. 1, and answer any questions.

23. PRESIDENT:

24. Senator Carroll has moved the adoption of Committee Amendment
25. No. 1 to Senate Bill 271. Is there any discussion? If not, all
26. in favor signify by saying Aye. All opposed. The Ayes have it.
27. The amendment is adopted. Are there further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDENT:

31. Any amendments from the Floor?

32. SECRETARY:

33. Amendment No. 2 by Senator Carroll.

SB 309
2nd Reading
5-27-81

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. We delete by this amendment, some twenty-two thousand
6. in tourism promotion funds for the Ethnic Heritage Festival, which
7. we will by later amendment to another bill add to the Department
8. of Commerce and Community Affairs, which would be the appropriate
9. payer of tourism funds. I would move adoption of Amendment
10. No. 2.

11. PRESIDENT:

12. Senator Carroll has moved the adoption of Amendment No. 2 to
13. Senate Bill 271. Any discussion? If not, all in favor signify
14. by saying Aye. All opposed. The Ayes have it. The amendment is
15. adopted. Further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. 308. 310. 309. Senator Schaffer on the Floor?
20. All right. For the benefit of the membership, we are kind of
21. listening to the Chairmen and Minority Spokesmen of the Appro-
22. priations Committee. Some of these amendments have been worked
23. out, some have not yet. So, if Senators Grotberg or Carroll or
24. Buzbee get up and say hold it, we'll hold it. On the Order of
25. Senate Bills 2nd reading, Senate Bill 309. Read the bill, Mr.
26. Secretary.

27. SECRETARY:

28. Senate Bill 309.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Appropriations II offers
31. two amendments.

32. PRESIDENT:

33. Amendment No. 1, Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This amendment transfers forty-
3. three thousand eight hundred dollars from the Electronic Data Processing
4. Line to the Contractual Services Line. This is necessary due to
5. higher than anticipated bids for contractual agreements, and lower
6. than anticipated bids for electronic data processing equipment.
7. It is necessary to amend this bill in order to meet FY'82 expend-
8. itures in these lines. There's no change in the total FY'82 ap-
9. propriation, I would move its adoption.

10. PRESIDENT:

11. Senator Buzbee has moved the adoption of Committee Amendment
12. No. 1 to Senate Bill 309. Any discussion? If not, all in favor
13. signify by saying Aye. All opposed. The Ayes have it. The amend-
14. ment is adopted. Further amendments?

15. SECRETARY:

16. Committee Amendment No. 2.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This reduces the Health Finance
21. Authority's appropriation, two hundred and fifty-three thousand
22. six hundred dollars, in the Personal Services Line. 7.8 thousand
23. in the Pay Plan. Five new positions are eliminated. Annualized
24. savings of twenty-three thousand nine hundred dollars. FY'81 base
25. was higher than authorized by eleven thousand seven hundred.
26. It also saves seventeen thousand in Retirement, seventeen thousand
27. in Social Security, nine thousand in Contractual Services, two
28. thousand in Commodities, and thirty-five thousand dollars in
29. equipment. And a total reduction of three hundred thirty-four
30. thousand five hundred dollars. I would move its adoption.

31. PRESIDENT:

32. Senator Buzbee has moved the adoption of Committee Amendment
33. No. 2 to Senate Bill 309. Any discussion? If not, all in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. No further committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor?

7. SECRETARY:

8. Amendment No. 3 by Senator Bloom.

9. PRESIDENT:

10. Senator Bloom.

11. SENATOR BLOOM:

12. Thank you, Mr. President. This amends the appropriation by
13. reducing it by a half, and it's needed in view of the Health Finance
14. Authority's failure to gain Federal acceptance. They failed to
15. get a waiver of their rate review system for the State of Illinois.
16. The full FY'82 appropriation probably should be contingent upon
17. their further attempt to get a Federal acceptance, which would
18. come in either October or November.

19. PRESIDENT:

20. All right, Senator Bloom has moved the adoption of Amendment
21. No. 3 to Senate Bill 309. Any discussion? Senator...Senator...
22. Senator Buzbee.

23. SENATOR BUZBEE:

24. We concur.

25. PRESIDENT:

26. All right, Senator Bloom has moved the adoption of Amendment
27. No. 3 to Senate Bill 309. Any discussion? If not, all in favor
28. signify by saying Aye. All opposed. The Ayes have it. The amend-
29. ment is adopted. Further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. 310, Senator Grotberg. On the Order of Senate
Bills 2nd reading, Senate Bill 310. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 310.

3. (Secretary reads title of bill)

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

6. PRESIDENT:

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Thank you, Mr. President. The effect of this amendment is
10. a reduction of twenty-one thousand two hundred dollars spread
11. across various lines, Retirement, Personal Services, Equipment,
12. et cetera. It leaves twenty-five thousand three hundred dollars
13. increase over FY'81 estimated expenditures, that's a 4.3 percent
14. increase. And I would move its adoption.

15. PRESIDENT:

16. Senator Buzbee has moved the adoption of Committee Amendment
17. No. 1 to Senate Bill 310. Any discussion? If not, all in favor
18. signify by saying Aye. All opposed. The Ayes have it. The
19. amendment is adopted. Further amendments?

20. SECRETARY:

21. No further committee amendments.

22. PRESIDENT:

23. Any amendments from the Floor?

24. SECRETARY:

25. No Floor amendments.

26. PRESIDENT:

27. 3rd reading. 311, Senator Grotberg. On the Order of Senate
28. Bills 2nd reading, Senate Bill 311. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 311.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Appropriations II offers
33. three amendments.

1. PRESIDENT:

2. Amendment No. 1; Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr...Mr. President. This amendment reduces the
5. GRF appropriation...or pardon me, the total appropriation by one
6. hundred twenty-eight thousand eight hundred dollars. It's ninety-
7. three thousand dollar reduction application of the eight percent
8. solution, and reduction of funds for five Federally funded positions.
9. Sixty-five hundred dollar reduction...making reductions consistent
10. with Personal Services reductions. In Retirement and Social
11. Security, a sixty-two hundred dollar reduction. In Contractual
12. Services, twenty-two thousand eight hundred dollar reduction. A total
13. reduction of a hundred and twenty-eight thousand eight hundred
14. and sixty dollars. And I would move its adoption.

15. PRESIDENT:

16. Senator Buzbee has moved the adoption of Committee Amendment
17. No. 1 to Senate Bill 311. Any discussion? If not, all in favor
18. signify by saying Aye. All opposed. The Ayes have it. The amend-
19. ment is adopted. Further amendments?

20. SECRETARY:

21. Committee Amendment No. 2.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. This...amendment reduces the ap-
26. propriation request by thirty-six thousand nine hundred dollars
27. of which thirty-one thousand five hundred is in EDP from GRF and
28. the General Office in GRF. Also reduced are Equipment Lines,
29. Federal, and...and GRF, for a total reduction of thirty-six
30. thousand nine hundred dollars. And I would move its adoption.

31. PRESIDENT:

32. Senator Buzbee has moved the adoption of Committee Amendment
33. No. 2 to Senate Bill 311. Any discussion? If not, all in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. Committee Amendment No. 3.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Mr. President, this is an amendment that was offered by
9. Senator Netsch in the committee, and I opposed the amendment.
10. So, I will move its adoption, and since she is not here, I ask
11. everybody to vote against it, 'cause I'm...I'm opposed to it. It's
12. an addition of six...six hundred seventy-five thousand dollars
13. in GRF to the Purchase Care Residential Services Line. And
14. Senator Netsch is here now, if she would like to make the explanation,
15. I'm going to oppose her.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTBURG:

19. Well, thank you, Mr. President. Senator Netsch and I share
20. the leadership in this good amendment. This is the amendment that
21. goes to the halfway houses that are scattered, essentially in
22. the Chicago area. And it's an annual battle to keep them in the
23. budget, it's not the first time. This time they got zeroed out
24. by our friendly administration, and we have found enough money,
25. I think, throughout this total budget to restore six hundred
26. and seventy-five thousand dollars to the Residential Services
27. Line, which I believe is only a portion of what they asked for,
28. and I forget whether it's fifty or sixty-six and two-thirds per-
29. cent. I yield to Senator Netsch.

30. PRESIDENT:

31. Yes, Senator Buzbee, for what purpose do you arise?

32. SENATOR BUZBEE:

33. I want to...I feel compelled to rise on a point of order, to correct

1. something Senator Grotberg said. They did not zero them out,
2. they, in fact, allowed them 2.6 million dollars. They just
3. didn't allow them an increase that they wanted, but they're
4. still getting 2.6 million dollars in the budget request.

5. PRESIDENT:

6. The question is on Amendment No. 3 to Senate Bill 311. Senator
7. Totten.

8. SENATOR TOTTEN:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. I rise in opposition to this amendment. This is an un-
11. budgeted add on, it's a...it's an add on that we cannot afford,
12. and that at this time with a...strained fiscal resources we ought
13. not to be adding to the State budget. And for these reasons, this
14. should be a No vote on this amendment.

15. PRESIDENT:

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Mr. President, and members of the Senate. I rise in support
19. of this amendment. I don't know how many of you have had the opportunity
20. to go through a residents...Drug Therapeutic Residents Program,
21. but if you haven't I invite you to go on North 5th Street. Most
22. of you recognize this as the Gateway House, or Gateway Program.
23. Have...been one who brought the first downstate facility from
24. the Chicago area down for the drug abusers in downstate Illinois,
25. this is a good program. Those who survive the first two months
26. have had a ninety percent, plus, cure rate. The greatest program
27. in the country, recognized by all people who deal with drug abusers.
28. This is a good amendment. I urge a Yes vote.

29. PRESIDENT:

30. Further discussion? Senator Netsch.

31. SENATOR NETSCH:

32. Thank you, Mr. President. I was the initial sponsor of the
33. amendment with strong support and help from Senator Grotberg in the

1. committee. I would like to make, quickly, two points. One, and
2. I think Senator Davidson has already begun to point this out.
3. While some of the facilities are in the metropolitan area, by
4. no means are all of them there, this is a program that extends
5. State-wide, and has implications really, for virtually everyone
6. in this Senate. Secondly, although I realize that this is some-
7. thing that can be said about a number of good programs, perhaps
8. in this case it is more true than in any other case, and that is,
9. that if we spend the money in this respect we save it in some
10. other respects. And let me give you on very direct example.
11. The Task Program, which keeps people out of the full-time incar-
12. ceration when they meet a whole variety of very stringent con-
13. ditions that we in the General Assembly have set, there is
14. currently a waiting list of, I've forgotten the exact number at the
15. moment, over a hundred on that program alone. Our choice really
16. is fairly simple, we send them to the penitentiary where it costs
17. thirty...twenty to thirty thousand dollars a year to maintain
18. them, and remember these are not those who have committed crimes
19. of personal violence. They are people who are addicted to drugs,
20. however, or we put them in this program that costs a great deal
21. less than that, gives us a chance not only to save money directly
22. but also to have, at least, the prospect of getting these people
23. into a condition where they're not going to end up right back in
24. prison when they are, in fact, discharged. It is a very direct
25. trade in that respect, one that is very obvious to see, and one
26. that is very cost efficient. I think on that ground alone, this
27. amendment ought to be approved.

28. PRESIDENT:

29. All right, Senator Netsch has moved the adoption of Amendment No.
30. 3 to Senate Bill 311. Any discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. I rise in opposition to this
33. amendment. You know, there are literally hundreds of good programs
in this State which we would like to provide more funding to.
As a matter of fact, I have one of these...halfway

1. houses in my town. It's a very fine operation. They have...they
2. operate two houses, they've done a good job. But the fact of the
3. matter is, that we can keep bleeding and bleeding and bleeding
4. with all of the bleeding hearts until we bleed the State Treasury
5. completely dry. Now, we're...there is 2.6 million dollars allowed
6. for the funding of these kinds of programs already in the budget.
7. The folks that wanted this addition came to me and talked to
8. me, they were very nice people, they made a very logical, sane,
9. unemotional presentation, contrary to the way most of them...these
10. sorts of folks operate. They came in and made a very sane pre-
11. sentation. But I just think that the...time we've got to put our
12. foot down at some point, and say no, we're not going to go with
13. additions, we...we make rearrangements in the budget, but we're
14. not going to allow the addition this year. Perhaps next year
15. if the economy is better and we start collecting more taxes and
16. so forth, then maybe we might consider an addition, but this year
17. we ought to say no, and give them the 2.6 million dollars that
18. was budgeted. So, I would ask for a No vote on this amendment.

19. PRESIDENT:

20. Further discussion? Senator Collins.

21. SENATOR COLLINS:

22. Thank you, Mr. President. I rise in strong support of this
23. amendment. Someone said that we had a lot of programs already
24. dealing with the problem of drug addiction, but that is not true.
25. The current Detox Program operated through the Department of Mental
26. Health is no more than a three or four day period in which a person
27. is allowed to dry out, and they find that after those two or three
28. days, that there are no adequate...inadequate resources to refer
29. these people to for any type of long term treatment and cures.
30. These programs serve that purpose, and I think that all of us,
31. should support this amendment. There is absolutely not enough re-
32. sources to respond to the needs of drug addicts in this State.
33. And if we're hoping to...someone said to take them off of the welfare

1. rolls; to make them productive citizens. This is what we have
2. to do, we just have to prioritize the amount of money that we
3. have coming into the State Treasury rather than talking about we
4. don't have enough. Let's spend the money where we can get the
5. most results.

6. PRESIDENT:

7. Further discussion? Senator Johns.

8. SENATOR JOHNS:

9. Mr. President, and members of the Senate. We're hearing of
10. riots everyday in all the prisons. Our Early Release Program
11. is trying to relieve the pressures within those prisons. We're
12. trying to build more prisons, and here we have a chance, I think,
13. to really offset some of that pressure, by helping the people
14. out on the streets. I am in support of this amendment, and I
15. urge my colleagues to join me.

16. PRESIDENT:

17. Senator Netsch, do you wish to close? Further discussion?
18. Senator Netsch is moving the adoption of Amendment No. 3 to
19. Senate Bill 311. Do you wish to close? Senator Netsch.

20. SENATOR NETSCH:

21. Just very briefly, I would point out that despite the attitude
22. of most of us on the Appropriations Committees, that we need to
23. be very tight on budgetary matters this year, there were, as we
24. recall only three members of that committee, at most, who voted
25. against this amendment. And that is Senator Buzbee, Senator Totten,
26. and possibly Senator Carroll, all three of whom have spoken.
27. Everyone else was convinced that the case had been made for this
28. ...extra appropriation. I would move the adoption of the amendment.

29. PRESIDENT:

30. Senator Netsch has moved the adoption of Amendment No. 3 to
31. Senate Bill 311. Those in favor of the amendment will vote Aye.
32. Those opposed will vote Nay. The voting is open. Senator Buzbee,
33. will you vote Senator Bruce Aye on the amendment, please. Thank

1. you. Have all voted who wish? Have all voted who wish? Have
2. all voted who wish? Take the record. On that question, the Ayes
3. are 22, the Nays are 26, none Voting Present. The amendment fails.
4. Further amendments?

5. SECRETARY:

6. No further committee amendments.

7. PRESIDENT:

8. Any amendments from the Floor?

9. SECRETARY:

10. No Floor amendments.

11. PRESIDENT:

12. 3rd reading. 312 is...313. 314. On the Order of Senate Bills
13. 2nd reading, Senate Bill 314. 314. Read the Bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 314.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Appropriations II offers
18. two amendments.

19. PRESIDENT:

20. Senator Buzbee, Amendment No. 1.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. This amendment reduces the request
23. ...three hundred and fifty thousand dollars all out of GRF. It
24. implements the Governor's FY'82 budget revisions. A hundred and
25. thirty thousand dollar reduction in Contractual Legal Services.
26. Twenty thousand dollars in reduction of EDP Consulting Contracts.
27. Two hundred thousand dollars reduces by one-half the line item des-
28. signated for Guaridan Ad Litem payments. And it is a total
29. reduction of three hundred and fifty thousand dollars. I would
30. move its adoption.

31. PRESIDENT:

32. Senator Buzbee has moved the adoption of Committee Amendment
33. No. 1 to Senate Bill 314. Any discussion? If not, all in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. Committee Amendment No. 2.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. This amendment provides nine month
9. funding for fourteen positions appropriated in FY'81, but unfilled
10. to date, a reduction of sixty thousand dollars. It adds three
11. hundred thousand dollars in Federal funds previously used by the
12. Illinois Developmental...Disability's Advocacy Authority. Reduces
13. GRF by the same amount. It limits any GRF grants for the Illinois
14. Developmental Disability's Advocacy Authority to one dollar.
15. And I would move its adoption.

16. PRESIDENT:

17. Senator Buzbee has moved the adoption of Committee Amendment
18. No. 2 to Senate Bill 314. Any discussion? If not, all in favor
19. signify by saying Aye. All opposed. The Ayes have it. The
20. amendment is adopted. Further amendments?

21. SECRETARY:

22. No further committee amendments.

23. PRESIDENT:

24. Any amendments from the Floor?

25. SECRETARY:

26. Amendment No. 3 by Senator Buzbee.

27. PRESIDENT:

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. This is an amendment that is
31. offered in a spirit of compromise because of some cuts made in
32. the previous amendment. This amendment restores two hundred and
33. sixty thousand dollar GRF cut in Committee Amendment No. 2. It
provides full year funding for sixteen positions which were phased

AB 315
3rd Reading
5-27-81

1. at nine months. The commission has obtained commitments from
2. the Governor's Office for exemptions from the hiring freeze. That
3. adds sixty thousand dollars of GRF. It adds back two hundred
4. thousand dollar GRF which was to be replaced by Federal funds
5. in FY'82. There is some question as to whether the Federal funds
6. will be available, there still remains a reduction of a hundred
7. thousand dollar GRF. If Federal funds are not forthcoming, this
8. can be restored later. And I would move its adoption.

9. PRESIDENT:

10. Senator Buzbee has moved the adoption of Amendment No. 3
11. to Senate Bill 314. Any discussion? If not, all in favor signify
12. by saying Aye. All opposed. The Ayes have it. The amendment
13. is adopted. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. On the Order of Senate Bills 2nd reading,
18. Senator Etheredge, Senate Bill 315. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 315.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations II offers
23. one amendment.

24. PRESIDENT:

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. This amendment breaks out the Opera-
28. tions Division by the four regions, Cook County, Northern Illinois,
29. Central Illinois, and Southern Illinois. The amendment also applies
30. to the Senate eight percent solution which gives a reduction of
31. thirteen thousand seven hundred dollars. Also included in the
32. amendment is a reduction of the Central Region Contractual Services
33. Line. A reduction of twenty-nine hundred ten dollars provides funding

1. for the commission's second Springfield office at Lincoln Towers
2. for six months instead of the requested twelve months. The
3. commission is scheduled to be transferred to the Department of
4. Children and Family Services on January 1, 1982. And I move
5. its adoption.

6. PRESIDENT:

7. Senator Buzbee has moved the adoption of Amendment No. 1
8. to Senate Bill 315. Any discussion? If not, all in favor signify
9. by saying Aye. All opposed. The Ayes have it. The amendment
10. is adopted. Further amendments?

11. SECRETARY:

12. No further committee amendments.

13. PRESIDENT:

14. 3rd...any amendments from the Floor?

15. SECRETARY:

16. Amendment No. 2 by Senator Buzbee.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This is a form in structure amend-
21. ment, it's strictly technical in nature. And I would move its
22. adoption.

23. PRESIDENT:

24. Senator Buzbee has moved the adoption of Amendment No. 2 to
25. Senate Bill 315. Any discussion? If not, all in favor signify
26. by saying Aye. All opposed. The Ayes have it. The amendment is
27. adopted. Are there further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDENT:

31. 3rd reading. Senator Davidson, 318, they tell me is ready
32. to move. On the Order of Senate Bills 2nd reading, Senate
33. Bill 318. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate Bill 318.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Appropriations II offers
5. one amendment.
6. PRESIDENT:
7. Senator Buzbee.
8. SENATOR BUZBEE:
9. Thank you, Mr. President. This amendment reduces...or
10. makes a reduction of forty-three thousand six hundred dollars.
11. It reduces Personal Services by twenty-five thousand two hundred
12. dollars. Fifty percent of the reduction is from GRF and fifty
13. percent from Federal funds. This will permit the staff of four
14. to have an eight percent salary increase in FY'82. And allows
15. the agency to hire two new staff people for six months for FY'82.
16. Reduces the Retirement Line Items, reduces Contractual Services
17. by fifteen thousand six hundred dollars. Reduces...total reductions,
18. forty-three thousand six hundred dollars. And they still are
19. allowed a 5.5 percent increase over FY'81 estimated expenditures.
20. I would move its adoption.
21. PRESIDENT:
22. Senator Buzbee has moved the adoption of Amendment No. 1
23. to Senate Bill 318. Any discussion? If not, all in favor signify
24. by saying Aye. All opposed. The Ayes have it. The amendment is
25. adopted. Are there further amendments?
26. SECRETARY:
27. No further committee amendments.
28. PRESIDENT:
29. Are there amendments from the Floor?
30. SECRETARY:
31. No Floor amendments.
32. PRESIDENT:
33. 3rd reading. Top of page 3, on the Order of Senate Bills 2nd

1. reading, Senate Bill 329. Senate Bill 329. Read the bill,
2. Mr. Secretary.

3. SECRETARY:

4. Senate Bill 329.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Appropriations I offers
7. two amendments.

8. PRESIDENT:

9. Senator Carroll, Amendment No. 1.

10. SENATOR CARROLL:

11. Thank you, Mr. President, and Ladies and Gentlemen of the
12. Senate. Committee Amendment No. 1 is a deletion of twenty-five
13. thousand six hundred for an overbudgeted position and some minor
14. adjustments in Commodities to follow our guidelines. I would...
15. move adoption of Amendment No. 1.

16. PRESIDENT:

17. Senator Carroll has moved the adoption of Committee Amendment No. 1
18. to Senate Bill 329. Any discussion? If not, all in favor signify
19. by saying Aye. All opposed. The Ayes have it. The amendment is
20. adopted. Further amendments?

21. SECRETARY:

22. Committee Amendment No. 2.

23. PRESIDENT:

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
27. Committee Amendment No. 2 is the reduction in Contractual and
28. Professional Artistic in line with the Governor's equipment, and
29. Professional Artistic freeze. I would move adoption of Amendment
30. No. 2.

31. PRESIDENT:

32. Senator Carroll has moved the adoption of Amendment No. 2
33. ...Committee Amendment No. 2 to Senate Bill 329. Any discussion?

1. If not, all in favor signify by saying Aye. All opposed. The
2. Ayes have it. The amendment is adopted. Are there further amend-
3. ments?

4. SECRETARY:

5. No further committee amendments.

6. PRESIDENT:

7. Any...any amendments from the Floor?

8. SECRETARY:

9. Amendment No. 3 by Senator Carroll.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President, and Ladies and Gentlemen of the
14. Senate. After reviewing this with the department and the minority
15. spokesman, we have added back some twenty thousand of GRF so
16. that they could now hire a new savings and loan examiner. I would
17. move adoption of Amendment No. 3.

18. PRESIDENT:

19. Senator Carroll has moved the adoption of Amendment No. 3
20. to Senate Bill 329. Any discussion? If not, all in favor signify
21. by saying Aye. All opposed. The Ayes have it. The amendment is
22. adopted. Are there further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. Senator Mahar on 330. On the Order of Senate
27. Bills 2nd reading, Senate Bill 330. Mr. Secretary, read the bill,
28. please.

29. SECRETARY:

30. Senate Bill 330.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Appropriations I offers
33. three amendments.

1. PRESIDENT:

2. Senator Carroll, Amendment No. 1.

3. SENATOR CARROLL:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. Committee Amendment No. 1 is to cut the operations by some
6. forty-seven thousand seven hundred in GRF and fifty-one six in
7. other funds for following of the guidelines which we had
8. previously set. And to reduce by some 11.9 million the grant
9. lines to reflect their spending patterns. I would move adoption
10. of Committee Amendment No. 1.

11. PRESIDENT:

12. Senator Carroll has moved the adoption of Committee Amendment
13. No. 1 to Senate Bill 330. Any discussion? If not, all in favor
14. signify by saying Aye. All opposed. The Ayes have it. The
15. amendment is adopted. Further amendments?

16. SECRETARY:

17. Committee Amendment No. 2.

18. PRESIDENT:

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President, and Ladies and Gentlemen of the
22. Senate. This is the Equipment and Professional Artistic Freeze
23. Amendment. I would move adoption of Amendment 2.

24. PRESIDENT:

25. Senator Carroll moves the adoption of Committee Amendment
26. No. 2 to Senate Bill 330. Any discussion? If not, all in favor
27. signify by saying Aye. All opposed. The Ayes have it. The
28. amendment is adopted. Are there further amendments?

29. SECRETARY:

30. Committee Amendment No. 3.

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President, and Ladies and Gentlemen of the
2. Senate. This was a request by the agency for a technical amendment
3. to rearrange the bill in a more comprehensible form. I would
4. move adoption of Amendment No. 3.

5. PRESIDENT:

6. Senator Carroll moves the adoption of Committee Amendment No.
7. 3 to Senate Bill 330. Any discussion? If not, all in favor
8. signify by saying Aye. All opposed. The Ayes have it. The
9. amendment is adopted. Are there further amendments?

10. SECRETARY:

11. No further committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor?

14. SECRETARY:

15. Amendment No. 4 by Senator Grotberg.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. Thank you, Mr. President, and fellow Senators. I offer
20. Amendment No. 4 to restore seventy-three hundred and ninety-
21. nine dollars in the central office for equipment. These funds
22. are necessary to augment and match available Federal funding for
23. the purchase of printing equipment for this Emergency Services
24. and Disaster Agency that is deeply involved in communicating with
25. the...the Civil Defense people all over the State of Illinois. I
26. move for the adoption.

27. PRESIDENT:

28. Senator Grotberg has moved the adoption of Amendment No. 4 to
29. Senate Bill 330. Any discussion? If not, all in favor signify
30. by saying Aye. All opposed. The Ayes have it. The amendment
31. is adopted. Further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. On the Order of Senate Bills 2nd reading,
3. 333, Senator Geo-Karis. On the Order of Senate Bills 2nd
4. reading, Senate Bill 333. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 333.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Appropriations I offers
9. two amendments.

10. PRESIDENT:

11. Senator Carroll, Amendment No. 1.

12. SENATOR CARROLL:

13. Thank you, Mr. President, and Ladies and Gentlemen of the
14. Senate. Committee Amendment No. 1 is the operations cut in
15. accordance with the Senate guidelines of two hundred and twenty-
16. three thousand nine hundred of GRF. I would move adoption
17. of Amendment No. 1.

18. PRESIDENT:

19. Senator Carroll has moved the adoption of Committee Amendment
20. No. 1 to Senate Bill 333. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it. The
22. amendment is adopted. Are there further amendments?

23. SECRETARY:

24. Committee Amendment No. 2.

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the
29. Senate. Committee Amendment No. 2 is the Equipment and Professional
30. Artistic Freeze. I would move adoption of Committee Amendment No. 2.

31. PRESIDENT:

32. Senator Carroll has moved the adoption of Committee Amendment
33. No. 2 to Senate Bill 333. Any discussion? Senator Geo-Karis, do

1. You wish to...

2. SENATOR GEO-KARIS:

3. I would like to move the bill to 3rd reading as soon as he
4. finishes.

5. PRESIDENT:

6. Good, good. Senator Carroll has moved the adoption of
7. Amendment No. 2 to Senate Bill 333. No further discussion, all
8. in favor signify by saying Aye. All opposed. The Ayes have it.
9. The amendment is adopted. Any further amendments?

10. SECRETARY:

11. No further committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor?

14. SECRETARY:

15. No Floor amendments.

16. PRESIDENT:

17. 3rd reading. On the Order of Senate Bills 2nd reading, Senate
18. Bill 334. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 334.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations I offers
23. two amendments.

24. PRESIDENT:

25. Senator Carroll, Amendment No. 1.

26. SENATOR CARROLL:

27. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
28. Committee Amendment No. 1 is the operations cut in accordance with
29. the guidelines already established. I would move adoption of
30. Committee Amendment No. 1.

31. PRESIDENT:

32. Senator Carroll has moved the adoption of Committee Amendment
33. No. 1 to Senate Bill 334. Any discussion? If not, all in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. Committee Amendment No. 2.

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. This is the Equipment and Professional Artistic Freeze.
10. I would move adoption of Committee Amendment No. 2.

11. PRESIDENT:

12. Senator Carroll has moved the adoption of Amendment No. 2
13. to Senate Bill 334. Any discussion? If not, all in favor signify
14. by saying Aye. All opposed. The Ayes have it. The amendment is
15. adopted. Are there further amendments?

16. SECRETARY:

17. No further committee amendments.

18. PRESIDENT:

19. Any amendments from the Floor?

20. SECRETARY:

21. No Floor amendments.

22. PRESIDENT:

23. 3rd reading. 335, Senator Nimrod. On the Order of Senate
24. Bills 2nd reading, Senate Bill 335. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 335.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Appropriations I offers
29. two amendments.

30. PRESIDENT:

31. Senator Carroll, Amendment No. 1.

32. SENATOR CARROLL:

33. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.

1. Committee Amendment No. 1 is again the cuts in operations of some
2. forty-four thousand six hundred of GRF in line with the Senate
3. guidelines. I would move adoption of Committee Amendment No. 1.

4. PRESIDENT:

5. Senator Carroll has moved the adoption of Committee Amendment
6. No. 1 to Senate Bill 335. Any discussion? If not, all in favor
7. signify by saying Aye. All opposed. The Ayes have it. The amend-
8. ment is adopted. Further amendments?

9. SECRETARY:

10. Committee Amendment No. 2.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
15. Again, Committee Amendment No. 2 is the Equipment and Professional
16. Artistic Freeze. I would move adoption of Amendment No. 2.

17. PRESIDENT:

18. Senator Carroll has moved the adoption of Committee Amendment
19. No. 2 to Senate Bill 335. Any discussion? If not, all in favor
20. signify by saying Aye. All opposed. The Ayes have it. The amend-
21. ment is adopted. Are there further amendments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDENT:

25. Any amendments from the Floor?

26. SECRETARY:

27. No Floor amendments.

28. PRESIDENT:

29. 3rd reading. 338, Senator Grotberg. On the Order of Senate
30. Bills 2nd reading, Senate Bill 338. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 338.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations I offers
2. two amendments.

3. PRESIDENT:

4. Senator Carroll, Amendment No. 1.

5. SENATOR CARROLL:

6. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
7. Committee Amendment No. 1 is a reduction of some seventy-five
8. thousand eight hundred in accordance with the Senate guidelines.
9. I would move adoption of Committee Amendment No. 1.

10. PRESIDENT:

11. Senator Carroll has moved the adoption of Committee Amendment
12. No. 1 to Senate Bill 338. Any discussion? If not, all in favor
13. signify by saying Aye. All opposed. The Ayes have it. The amend-
14. ment is adopted. Further amendments?

15. SECRETARY:

16. Committee Amendment No. 2.

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
21. This is the Professional Artistic and Equipment Freeze. I would
22. move adoption of Committee Amendment No. 2.

23. PRESIDENT:

24. Senator Carroll has moved the adoption of Committee Amendment
25. No. 2 to Senate Bill 338. Any discussion? If not, all in favor
26. signify by saying Aye. All opposed. The Ayes have it. The amend-
27. ment is adopted. Further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDENT:

31. Are there amendments from the Floor?

32. SECRETARY:

33. Amendment No. 3 by Senator Carroll.

AB 339
2nd Reading
5-27-81

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. This is a restoration amendment for some examiners that
6. would be revenue generating, one for twelve, and three for nine
7. months. I would move adoption of Committee...or Floor Amendment
8. ...Amendment No. 3.

9. PRESIDENT:

10. Senator Carroll has moved the adoption of Amendment No.
11. 3 to Senate Bill 338. Is there any discussion? If not, all in
12. favor signify by saying Aye. All opposed. The Ayes have it. The
13. amendment is adopted. Are there further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. 339. On the Order of Senate Bills 2nd reading,
18. Senate Bill 339. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 339.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations I offers
23. three amendments.

24. PRESIDENT:

25. Senator Carroll, Amendment No. 1.

26. SENATOR CARROLL:

27. Thank you, Mr. President, and Ladies and Gentlemen of the
28. Senate. Committee Amendment No. 1 is to correct the error in
29. ILEC's introduction, they...introduced the wrong bill. This puts
30. the bill in as the way they originally wanted. I would move adoption
31. of Amendment No. 1.

32. PRESIDENT:

33. Senator Carroll moves the adoption of Committee Amendment

1. No. 1 to Senate Bill 339. Any discussion? If not, all in favor
2. signify by saying Aye. All opposed. The Ayes have it. The
3. amendment is adopted. Further amendments?

4. SECRETARY:

5. Committee Amendment No. 2.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. This amendment reduces the GRF funding to the fifty
11. percent level in line with what is happening out of Washington,
12. so that they can, in fact, phase down. I would move adoption
13. of Amendment No. 2.

14. PRESIDENT:

15. Senator Carroll has moved the adoption of Committee Amendment
16. No. 2 to Senate Bill 339. Any discussion? If not, all in favor
17. signify by saying Aye. All opposed. The Ayes have it. The
18. amendment is adopted. Further amendments?

19. SECRETARY:

20. Committee Amendment No. 3.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. Committee Amendment No. 3 deletes three new agency grants
26. that would have substantial out year GRF impact. I would move
27. adoption of Amendment No. 3.

28. PRESIDENT:

29. Senator Carroll has moved the adoption of Committee Amendment
30. No. 3 to Senate Bill 339. Any discussion? If not, all in favor
31. signify by saying Aye. All opposed. The Ayes have it. The amend-
32. ment is adopted. Are there further amendments?

33. SECRETARY:

1. No further committee amendments.
2. PRESIDENT:
3. Any amendments from the Floor?
4. SECRETARY:
5. No Floor amendments.
6. PRESIDENT:
7. 3rd reading. 342. On the Order of Senate Bills 2nd reading,
8. Senate Bill 342. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 342.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. The Committee on Appropriations I offers
13. two amendments.
14. PRESIDENT:
15. Senator Carroll, Amendment No. 1.
16. SENATOR CARROLL:
17. I'm almost willing to yield, because Senator Buzbee's father
18. is here and he wanted to talk on the mike, but I'm sure he'll get
19. a chance later. Committee Amendment No. 1 cuts operations by
20. some forty-four thousand in line with the Senate guidelines. I
21. would move adoption of Committee Amendment No. 1.
22. PRESIDENT:
23. Senator Carroll has moved the adoption of Committee Amendment
24. No. 1 to Senate Bill 342. Any discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The amend-
26. ment is adopted. Are there further amendments?
27. SECRETARY:
28. Committee Amendment No. 2.
29. PRESIDENT:
30. Senator Carroll.
31. SENATOR CARROLL:
32. Thank you, Mr. President, and Ladies and Gentlemen of the
33. Senate. This is the Professional Artistic and Contractual Freeze.

1. I would move adoption of Amendment No. 2.

2. PRESIDENT:

3. Senator Carroll has moved the adoption of Committee Amendment
4. No. 2 to Senate Bill 342. Any discussion? If not, all in favor
5. signify by saying Aye. All opposed. The Ayes have it. The
6. amendment is adopted. Are there further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDENT:

10. Any amendments from the Floor?

11. SECRETARY:

12. No Floor amendments.

13. PRESIDENT:

14. 3rd reading. If you'll now turn to page 4 on the Calendar.
15. Senator Degnan on the Floor? 406. Senator Schaffer on 451.
16. Senator Schaffer, do you wish to move that one? Okay. 582,
17. Senator Taylor. 583, Senator Gitz. 608. If...if you wish to
18. move it, check and we'll get back to you. I mean...the next
19. chance for 2nd reading is probably going to be like Sunday
20. afternoon or something. On...on the Order of Senate Bills 2nd
21. reading, Senate Bill 608. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 608.

24. (Secretary reads title of bill)

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

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President, and Ladies and Gentlemen of the
31. Senate. This is the second of those threebills to deal with
32. commissions. This is the one for the major support commissions,
33. and Committee Amendment No. 1 would add those five other major

1. support commissions into Senate Bill 608. I would move adoption
2. of Committee Amendment No. 1, and answer any questions.

3. PRESIDENT:

4. Senator Carroll has moved the adoption of Committee Amendment
5. No. 1 to Senate Bill 608. Any discussion? If not, all in favor
6. signify by saying Aye. All opposed. The Ayes have it. The
7. amendment is adopted. Are there further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor?

12. SECRETARY:

13. Amendment No. 2 by Senator Carroll.

14. PRESIDENT:

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President, and Ladies and Gentlemen of the
18. Senate. This is some nineteen thousand four hundred in new Federal
19. funds that are available for the Legislative Council. This
20. would let them capture that money. I would move adoption of
21. Amendment No. 2.

22. PRESIDENT:

23. Senator Carroll has moved the adoption of Amendment No. 2
24. to Senate Bill 608. Any discussion? If not, all in favor signify
25. by saying Aye. All opposed. The Ayes have it. The amendment
26. is adopted. Are there further amendments?

27. SECRETARY:

28. Amendment No. 3 by Senator Bloom.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Thank you, Mr. President. This adds nineteen thousand eight
33. hundred dollars basically to pick up a project...to add someone

1. for a project in connection with the Inter-Governmental Cooperation
2. Commission to codify and categorize rule makings by business and
3. it also includes monies for an Illinois Assembly on regulatory
4. reform. I'd move its adoption.

5. PRESIDENT:

6. Senator Bloom has moved the adoption of Amendment No. 3 to
7. Senate Bill 608. Any discussion? If not, all in favor signify
8. by saying Aye. All opposed. The Ayes have it. The amendment
9. is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. 406, Senator Degnan. On the Order of Senate
14. Bills 2nd reading, the top of page 4, is Senate Bill 406. Read
15. the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 406.

18. (Secretary reads title of bill)

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

20. PRESIDENT:

21. Are there amendments from the Floor?

22. SECRETARY:

23. Amendment No. 1 offered by Senator Dawson.

24. PRESIDENT:

25. Senator Dawson.

26. SENATOR DAWSON:

27. Amendment No. 1...counties having a population of more than
28. two thousand..establish any sanitary landfill site within five
29. miles of the location of an existing sanitary landfill site
30. within that county provided however, that the subsection shall
31. not apply to sanitary landfills owned or operated or used by the
32. sanitary district for the treatment or disposal of sewage or
33. solvent waste.

1. PRESIDENT:

2. Senator Dawson moves the adoption of Amendment No. 1 to
3. Senate Bill 406. Any discussion? If not, all in favor signify
4. by saying Aye. All opposed. The Ayes have it. The amendment
5. is adopted. Further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. Senator Dawson further asks leave to be shown
10. as the chief sponsor of Senate Bill 406. Is leave granted? Leave
11. is granted. 451, Senator Schaffer indicated he did not wish to
12. move it. 582, Senator Taylor. On the Order of Senate Bills 2nd
13. reading, Senate Bill 582. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 582.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Elections offers two
18. amendments.

19. PRESIDENT:

20. Committee Amendment No. 1, Senator Taylor.

21. SENATOR TAYLOR:

22. Mr. President, and members of the Senate. I move to Table
23. Committee Amendment No. 1, since that amendment was...Senator Grotberg's
24. amendment has been placed on now, Senate Bill 790. Move to
25. Table Committee Amendment No. 1.

26. PRESIDENT:

27. All right, Senator Taylor has moved to Table Committee Amend-
28. ment No. 1 to Senate Bill 582. Any discussion? If not, all in
29. favor signify by saying...Senator Grotberg.

30. SENATOR GROTBORG:

31. Thank you, Mr...will the sponsor yield?

32. PRESIDENT:

33. Indicates he'll yield. Senator Grotberg.

1. SENATOR GROTBORG:

2. Is this the Grotberg amendment for the director of the State
3. Board of Elections? And you're taking it out because it's in
4. another bill now?

5. PRESIDENT:

6. Senator Taylor.

7. SENATOR GROTBORG:

8. I want...

9. PRESIDENT:

10. All right, Senator Taylor has moved to Table Committee Amendment
11. No. 1 to Senate Bill 582. Any discussion? If not, all in favor
12. signify by saying Aye. All opposed. The Ayes have it. Amend-
13. ment No. 1 is Tabled. Further amendments?

14. SECRETARY:

15. Committee Amendment No. 2.

16. PRESIDENT:

17. Senator Taylor.

18. SENATOR TAYLOR:

19. Committee...Amendment No. 2 amends the Election...Code, provides
20. that specimen ballot...or ballot labels shall be published in one...
21. now in two newspapers in the county. This is designed to save
22. money. I move for the adoption of Committee Amendment No. 2.

23. PRESIDENT:

24. All right, Senator Taylor has moved the adoption of Committee
25. Amendment No. 2 to Senate Bill 582. Any discussion? If not, all
26. in favor signify by saying Aye. All opposed. The Ayes have it.
27. The amendment is adopted. Are there further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDENT:

31. Any amendments from the Floor?

32. SECRETARY:

33. Amendment No. 3 by Senator Taylor.

1. PRESIDENT:

2. Senator Taylor.

3. SENATOR TAYLOR:

4. Amendment No. 3 amends the Election Code by providing that
5. the ballot of township office shall proceed the ballot for the
6. municipal officer. I move for the adoption of Amendment No. 3.

7. PRESIDENT:

8. Senator Taylor has moved the adoption of Amendment No. 3
9. to Senate Bill 582. Any discussion? If not, all in favor signify
10. by saying Aye. All opposed. The Ayes have it. The amendment is
11. adopted. Further amendments?

12. SECRETARY:

13. Amendment No. 4 by Senator Taylor.

14. PRESIDENT:

15. Senator Taylor.

16. SENATOR TAYLOR:

17. Amendment No. 4 to the Election Code is to change the title,
18. of chief clerk and assistant chief clerk to the board of election
19. commissioner. I move for the adoption of Amendment No. 4.

20. PRESIDENT:

21. Senator Taylor has moved the adoption of Amendment No. 4
22. to Senate Bill 582. Any discussion? If not, all in favor signify
23. by saying Aye. All opposed. The Ayes have it. The amendment is
24. adopted. Are there further amendments?

25. SECRETARY:

26. Amendment No. 5 by Senator Taylor.

27. PRESIDENT:

28. Senator Taylor.

29. SENATOR TAYLOR:

30. Amendment No. 5 is a technical amendment. It corrects an
31. error in the text of existing law, which is...which was discovered
32. by the...Senate Enrolling and Engrossing. I move for the
33. adoption.

1. PRESIDENT:

2. Senator Taylor moves the adoption of Amendment No. 5 to
3. Senate Bill 582. Any discussion? If not, all in favor signify
4. by saying Aye. All opposed. The Ayes have it. The amendment
5. is adopted. Further amendments?

6. SECRETARY:

7. Amendment No. 6 by Senator Taylor.

8. PRESIDENT:

9. Senator Taylor.

10. SENATOR TAYLOR:

11. Amendment No. 6 removes the mandatory language and replaces
12. it with the permissive language in the Election Code. Therefore,
13. I move for the adoption of Amendment No. 6.

14. PRESIDENT:

15. Senator Taylor has moved the adoption of Amendment No. 6
16. to Senate Bill 582. Any discussion? If not, all in favor signify
17. by saying Aye. All opposed. The Ayes have it. The amendment
18. is adopted. Further amendments?

19. SECRETARY:

20. Amendment No. 7 by Senator Taylor.

21. PRESIDENT:

22. Senator Taylor.

23. SENATOR TAYLOR:

24. Mr. President, I'd like to...for Senator Hall to explain
25. Amendment No. 7, because it's an amendment that is his amendment,
26. I just put it on the bill for his sake.

27. PRESIDENT:

28. Senator Hall.

29. SENATOR HALL:

30. Thank you, Mr. President, and Ladies and Gentlemen of the
31. Senate. The purpose of this amendment is to allow cities to
32. be able to conduct elections. As you know, under the consolidations
33. of elections, the entire expense for all of these now fall on the

1. cities, and a number of cities are not able to afford the cost
2. of handling all elections. As...there are now nine cities of
3. election commissions in the State of Illinois, Chicago, Rockford,
4. Aurora, Springfield, Bloomington, Peoria, Danville, Galesburg,
5. and East St. Louis, and these were all organized years ago under
6. the city election laws as autonomous election jurisdictions.
7. Now, they have to pick up all the entire expense and so many of
8. these cities are just not able to do this, and therefore that
9. many of these elections will not be held for the...lack of
10. finances by the cities. And I'd ask adoption of this amendment.

11. PRESIDENT:

12. Senator Hall has moved the adoption of Amendment No. 7 to
13. Senate Bill 582. Any discussion? Senator Rhoads.

14. SENATOR RHOADS:

15. Yes, question of the sponsor.

16. PRESIDENT:

17. Sponsor indicates he'll yield. Senator Rhoads.

18. SENATOR RHOADS:

19. Senator Hall, could you tell me the origin of this amendment.
20. Now, we had several agreed upon amendments that the State Board
21. of Elections had requested and this was not among them. Can
22. you tell me where this amendment came from?

23. PRESIDENT:

24. Senator Hall.

25. SENATOR HALL:

26. I'll be happy to do that, Senator. We had a bill and it was
27. never able to be heard in the Election Commission...Committee, and
28. therefore it was placed in this bill, since it is germane to the
29. bill. And that's where it came.

30. PRESIDENT:

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Well, you are authorizing a Board of Election Commissioners

1. to levy a tax, is that what the amendment does?

2. PRESIDENT:

3. Senator Hall.

4. SENATOR HALL:

5. This does not include Cook County or anything, the point
6. is that we're just allowing them to be able to have...the cities
7. are not able to pick up the cost of this...elections. Like in the
8. City of East St. Louis, the last election that all that their
9. tax showed was five thousand dollars, and the expense of the
10. election was a hundred and twenty some thousand dollars. There
11. would have been no way that we could have had the last Federal Election
12. in...in my area.

13. PRESIDENT:

14. Senator Rhoads.

15. SENATOR RHOADS:

16. Can you tell me if the State Board of Elections has a
17. position on this amendment?

18. PRESIDENT:

19. Senator Hall.

20. SENATOR HALL:

21. Beg your pardon, I...

22. PRESIDENT:

23. Senator Rhoads.

24. SENATOR RHOADS:

25. I...I asked if the...do you know if the State Board of Elections
26. has a position on this amendment?

27. SENATOR HALL:

28. Yes, the State Board of Elections is in support of this, and
29. the counties are the ones we're asking to pick it up. There's
30. no way for the cities at this time to do it.

31. PRESIDENT:

32. All right, Senator Hall has moved the adoption of Amendment
33. No. 7 to Senate Bill 582. Any further discussion? If not, all

1. in favor signify by saying Aye. All opposed. The Ayes have it.
2. The amendment is adopted. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDENT:

6. 3rd reading. 583, Senator Gitz. On the Order of Senate
7. Bills 2nd reading, Senate Bill 583. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 583.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor?

14. SECRETARY:

15. Amendment No. 1 offered by Senators Bloom and Gitz.

16. PRESIDENT:

17. Senators Bloom and Gitz. Senator, who's...who's going to
18. handle...Senator Gitz. Senator Walsh, this is a Bloom-Gitz amendment,
19. will you please take a look. Thank you, very much. Senator Gitz.

20. SENATOR GITZ:

21. This amendment would take the commission guidelines on adver-
22. tising, and it would codify them. And it is virtually identical
23. to their guidelines. And it is very similar in terms of its concept
24. to the bill yesterday that received 30 affirmative votes before
25. the verification.

26. PRESIDENT:

27. All right, Senator Gitz has moved the adoption of Amendment
28. No. 1 to Senate Bill 583. Any discussion? Senator Maitland.

29. SENATOR MAITLAND:

30. Thank you, Mr. President. Once again, I...I rise in opposition
31. to Amendment No. 1 which we voted on yesterday. And object for...
32. for the same reasons. I think it's too restrictive, very honestly
33. if you really carefully analyze what's about to happen
here, it's going to tie the hands of the Commerce Commission, and

1. in fact, is going to hurt the consumers, the very people that the
2. Legislators are trying to protect. I urge a rejection.

3. PRESIDENT:

4. Further discussion? Senator Bloom.

5. SENATOR BLOOM:

6. I was...thank you, Mr. President, and fellow Senators. I
7. was hoping I wouldn't have to chirp. This amendment is a watered
8. down version of Senate Bill 1326 which passed out of this Chamber
9. 44 to 9 three years ago. It's limited in its application, and
10. I...I think it in no way, shape, or form ties the Commerce
11. Commission's hands. I'd urge its adoption.

12. PRESIDENT:

13. Further discussion? Senator Bruce.

14. SENATOR BRUCE:

15. I...I just think that we ought to put this amendment on. The
16. sponsor had a run at it, passed it, had it verified off by one
17. vote. This is a watered down version, everyone will get a chance
18. to make their speeches on 3rd reading. But the sponsor ought to
19. take a shot, he wants to amend this bill to see if he can pick up
20. the extra vote, and I would think we ought to just put it on
21. and then see...3rd reading.

22. PRESIDENT:

23. Senator Gitz has moved the adoption of Amendment No. 1 to
24. Senate Bill 583. Any further discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The
26. amendment is adopted. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. 624, Senator Hall. 636, Senator Weaver. On
31. the Order of Senate Bills 2nd reading, Senate Bill 636. Read
32. the bill, Mr. Secretary.

33.

(END OF REEL)

7AB 636
2nd Reading

Reel #2

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1. SECRETARY:
2. Senate Bill 636.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor?
7. SECRETARY:
8. Amendment No. 1 by Senator Weaver.
9. PRESIDENT:
10. Senator Weaver.
11. SENATOR WEAVER:
12. Thank you, Mr. President. Senate Amendment No. 1 rolls
13. back the manufacturing machinery to the 1980 level of thirty-
14. one and a quarter percent for a period of time, that is,
15. until January the 1st, 1983. I'd move adoption.
16. PRESIDENT:
17. Senator Weaver has moved the adoption of Amendment No. 1
18. to Senate Bill 636. Any discussion? Senator Buzbee.
19. SENATOR BUZBEE:
20. Thank you, Mr. President. Question of the sponsor.
21. PRESIDENT:
22. Indicates he'll yield, Senator Buzbee.
23. SENATOR BUZBEE:
24. Does this...does this amendment affect the...the farm
25. machinery sales tax rollback at all?
26. PRESIDENT:
27. Senator Weaver.
28. SENATOR WEAVER:
29. No, that's another bill, Senator Buzbee. 1056, I believe.
30. PRESIDENT:
31. Senator Buzbee.
32. SENATOR BUZBEE:
33. Thank you.

1. PRESIDENT:

2. Further discussion? Senator McMillan.

3. SENATOR McMILLAN:

4. Mr. President and members of the Senate. I would rise
5. in support of Senator Weaver's amendment. This is a form
6. in which I believe the bill must be in if it is ever to be
7. passed. And I would seek a favorable roll call.

8. PRESIDENT:

9. Senator Weaver has moved the adoption of Amendment
10. No. 1 to Senate Bill 636. Any discussion? If not, all
11. in favor signify by saying Aye. All opposed. The Ayes
12. have it, the amendment is adopted. Further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. 649, Senator Joyce. On the Order of
17. Senate Bills 2nd reading, Senate Bill 649. Read the bill,
18. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 649.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Agriculture offers
23. one amendment.

24. PRESIDENT:

25. Senator Joyce.

26. SENATOR JEROME JOYCE:

27. Yes, the...Mr. President, the amendment changes the
28. method of controlling soil erosion in the bill. I'd move
29. for its adoption.

30. PRESIDENT:

31. Senator Joyce moves the adoption of Committee
32. Amendment No. 1 to Senate Bill 649. Any discussion? If
33. not, all in favor signify by saying Aye. All opposed. The

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

2. SECRETARY:

3. No further committee amendments.

4. PRESIDENT:

5. Any amendments from the Floor?

6. SECRETARY:

7. No Floor amendments.

8. PRESIDENT:

9. 3rd reading. 654, Senator Degnan. 670, on the Order
10. of Senate Bills 2nd reading, Senate Bill 670. With leave
11. of the Body, Senators Carroll and Buzbee will handle this
12. for Senator Shapiro and I. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 670.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. The Committee on...no...no committee
17. amendments.

18. PRESIDENT:

19. Any amendments from the Floor?

20. SECRETARY:

21. No Floor amendments.

22. PRESIDENT:

23. 3rd reading. On the Order of Senate Bills 2nd reading,
24. bottom of Page 4, Senate Bill 671. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 671.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments.

29. PRESIDENT:

30. Any amendments from the Floor?

31. SECRETARY:

32. Amendment No. 1 offered by Senator Rock.

33. PRESIDENT:

Senator Carroll, with leave of the Body will handle that for...

1. SENATOR CARROLL:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. This is a reduction of three hundred, fifteen thousand of
4. General Revenue to keep it in line with the Senate increases.
5. I would move adoption of Amendment No. 1.

6. PRESIDENT:

7. Senator Carroll moves the adoption of Amendment No. 1 to
8. Senate Bill 671. Any discussion? If not, all in favor signify
9. by saying Aye. All opposed. The Ayes have it, the Amendment
10. is adopted. Further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. 691, Senator Egan. 814, Senator Etheredge.
15. Senator Etheredge.

16. SENATOR ETHEREDGE:

17. Mr. President, a point of information.

18. PRESIDENT:

19. Yes, Sir.

20. SENATOR ETHEREDGE:

21. We've been working on amendments to this bill. I confidently
22. expect that they will be ready before the day's over. Will we
23. have an opportunity for 2nd reading, move this bill to 3rd
24. reading tomorrow?

25. PRESIDENT:

26. With leave of the Body, we will certainly do that. Yes.

27. SENATOR ETHEREDGE:

28. Thank you.

29. PRESIDENT:

30. We...we wish to afford every member the opportunity to
31. get shot down or shot up, yes.

32. SENATOR ETHEREDGE:

33. Thank you.

1. PRESIDENT:

2. Okay. 816, Senator Carroll. 850, Senator Demuzio.
3. 963, Senator Gitz. On the Order of Senate Bills 2nd reading,
4. the middle of Page 5, Senate Bill 963. Read the bill, Mr.
5. Secretary.

6. SECRETARY:

7. Senate Bill 963 did have a request for a fiscal note.
8. It has been withdrawn.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment No. 1 by Senator Gitz.

15. PRESIDENT:

16. Senator Gitz.

17. SENATOR GITZ:

18. Thank you, Mr. President, members of the Senate. The
19. amendment to 963 would totally rewrite the bill. This
20. was done in conjunction with the Treasurer's Office with
21. the Institute of Natural Resources and our staff. It was
22. felt that the best way to approach this was not to create
23. a new separate bureaucracy, but to amend the existing Illinois
24. Environmental Facilities Financing Act and that's exactly
25. what this bill does. And it would...give the...them one
26. additional area of latitude in alternative energy to make
27. loans. We've also talked to their attorneys and staff and
28. everybody seems to be very favorably disposed to this language.

29. PRESIDENT:

30. Senator Gitz has moved the adoption of Amendment No. 1
31. to Senate Bill 963. Any discussion? If not, all in favor
32. signify by saying Aye. All opposed. The Ayes have it, the
33. amendment is adopted. Further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDENT:

4. 3rd reading. 1021, on the Order of Senate Bills 2nd
5. reading, the middle of Page 5, Senate Bill 1021. Read the
6. bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1021.

9. (Secretary reads title of bill)

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

12. PRESIDENT:

13. Senator Buzbee, Amendment No. 1.

14. SENATOR BUZBEE:

15. Thank you, Mr. President. This an addition of nine
16. million, nine hundred six thousand dollars...of GRP. The
17. amendment deletes group care and general assistance transfers.
18. These transfers were effected in House Bill 538 and I would
19. move its adoption.

20. PRESIDENT:

21. Senator Buzbee moves the adoption of Committee Amendment
22. No. 1 to Senate Bill 1021. Any discussion? If not, all in
23. favor signify by saying Aye. All opposed. The Ayes have
24. it, the amendment is adopted. Further amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDENT:

28. Any amendments from the Floor?

29. SECRETARY:

30. Amendment No. 2 by Senator Grotberg.

31. PRESIDENT:

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. Thank you, Mr. President, members. I believe Senate
2. No. 2 is the Treasurer's emergency amendment. Is that correct?

3. PRESIDENT:

4. Pardon me, Senator Grotberg, I...I'm sorry, I was
5. distracted.

6. SENATOR GROTBORG:

7. This is the Treasurer's emergency funding amendment?
8. Is that the one that we're talking about?

9. PRESIDENT:

10. No, this is 1021.

11. SENATOR GROTBORG:

12. 1021...oh, here I am, thank you. Okay, we...our handlers
13. over here...falling behind eliminates the transfer
14. of two million, one hundred and nineteen thousand General
15. Revenue to the aged, blind and disabled program. The
16. department gave the AABD recipients 14.3 increase in
17. benefits in 1980 and the Legislature funded a five percent
18. increase as of January '81 and this replaces the shortfall.
19. Now, if I may take your time, members of the Senate. If
20. I may have your attention. What we have found in staff is
21. that we have been accepting the department's word on a
22. Federal regulation that...differs...the regulation differs
23. from the Federal Law as regards the mandating of continued
24. increases in the aged, blind and disabled lines of our
25. own General Revenue Funds in the Department of Public Aid.
26. I offer this amendment only to describe to everyone here
27. that that is a problem and we have been corresponding with
28. the Feds, they've either got to get their act together or our department
29. has to get their act together, they are not mandated
30. to give an increase every time the public...every time the
31. aged, blind and disabled Federal portion goes up. And
32. having given that description, I would ask then, to withdraw
33. this amendment, but as we go through the next time around...

1. we...we're going to fine tune...I'm not going to be the one
2. that takes the money away from the aged, blind and disabled.
3. But we...we wanted to bring it to the attention of the Body.
4. Thank you. I withdraw it.

5. PRESIDENT:

6. All that and you withdrew it. The amendment's withdrawn.
7. Any further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. Senator Egan has filed an amendment with
12. 691. If you'll turn, top of Page 5, on the Order of Senate
13. Bills 2nd reading, Senate Bill 691. Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 691.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Revenue offers
18. one amendment.

19. PRESIDENT:

20. Senator Egan, Committee Amendment No. 1.

21. SENATOR EGAN:

22. I move to Table Amendment No. 1, Mr. President, so that
23. I may adopt Amendment No. 2 which I have filed.

24. PRESIDENT:

25. Senator Egan moves to Table Committee Amendment No. 1
26. to Senate Bill 691. Any discussion? If not, all in favor
27. signify by saying Aye. All opposed. The Ayes have it. Amend-
28. ment No. 1 is Tabled. Further amendments?

29. SECRETARY:

30. No further committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor?

33. SECRETARY:

34. Amendment No. 2 by Senator Egan.

SB 1064
2nd Reading

1. PRESIDENT:

2. Senator Egan.

3. SENATOR EGAN:

4. Yes, thank you, Mr. President and members of the Senate.
5. The amendment is a technical amendment. Changes...does not
6. change the basic concept of the bill. It restructures the...the
7. bill so that...it...the information is as contained in...
8. chronological order and...and the...the concept does not change.
9. So...

10. PRESIDENT:

11. Senator Egan moves the adoption of Amendment No. 2 to
12. Senate Bill 691. Any discussion? If not, all in favor signify
13. by saying Aye. All opposed. The Ayes have it. The amendment
14. is adopted. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. 1064, Senator Shapiro. Senator Weaver,
19. what about 1064? Do you wish to move it?

20. SENATOR WEAVER:

21. This amendment is very similar to the...

22. PRESIDENT:

23. Oh, is there an amendment on it, I...I'm sorry. On...on
24. the Order of Senate Bills 2nd reading, Senate Bill 1064. Read
25. the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1064.

28. (Secretary reads title of bill)

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

30. PRESIDENT:

31. Any amendments from the Floor?

32. SECRETARY:

33. Amendment No. 1 offered by Senators McMillan and Maitland.

1. PRESIDENT:

2. Senator McMillan.

3. SENATOR McMILLAN:

4. Floor Amendment No. 1 to Senate Bill 1064 would amend
5. the Act so that the delay in the exemption for farm machinery
6. and equipment sales tax would be for just one year. And
7. that's the complete amendment.

8. PRESIDENT:

9. Senator McMillan has moved the adoption of Amendment
10. No. 1 to Senate Bill 1064. Any discussion? If not, all in
11. favor...I beg your pardon, Senator Buzbee.

12. SENATOR BUZBEE:

13. Question of the sponsor of the amendment.

14. PRESIDENT:

15. Indicates he'll yield, Senator.

16. SENATOR BUZBEE:

17. ...Senator McMillan, it was my understanding that...that
18. you and Senator Maitland were opposed to the Governor's
19. stance on the...on the delay of the...of the...that you
20. were opposed to the Governor's stance of taking the additional
21. two cents off of the farm machinery sales tax and now it's
22. my understanding that you, apparently, have reached some
23. agreement to accommodate the Governor's desires by putting
24. off this additional two cents for another year. Is that correct?

25. PRESIDENT:

26. Senator McMillan.

27. SENATOR McMILLAN:

28. That is absolutely incorrect. I...we have arrived at
29. no such agreement. The point is, we agreed to take...to
30. discharge the committee of the bill so that it could be
31. considered so that if at some later point, some agreement
32. is reached, it can be voted upon. And our strong feeling is
33. that no such agreement could be reached under any circumstances,

1. unless we make it clear, in the bill, that we're talking
2. about only a one year delay, not a permanent delay, as...as
3. the original bill was drafted.

4. PRESIDENT:

5. Further discussion? Senator McMillan moves the...Senator
6. Buzbee.

7. SENATOR BUZBEE:

8. Then the effect of your amendment would say that the
9. additional two cents would come off September 1 of 1982. Is
10. that correct?

11. PRESIDENT:

12. Senator McMillan.

13. SENATOR McMILLAN:

14. That's correct.

15. PRESIDENT:

16. Senator McMillan has moved the adoption of Amendment No. 1
17. to Senate Bill 1064. Further discussion? If not, all in favor
18. signify by saying Aye. All opposed. The Ayes have it, the
19. amendment is adopted. Further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDENT:

23. 3rd reading. 1082, Senator Joyce. On the Order of
24. Senate Bills 2nd reading, Senate Bill 1082. Read the bill,
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1082.

28. (Secretary reads title of bill)

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

30. PRESIDENT:

31. Any amendments from the Floor?

32. SECRETARY:

33. Amendment No. 1 offered by Senator Jerome Joyce.

1. PRESIDENT:

2. Senator Joyce.

3. SENATOR JEROME JOYCE:

4. Yes, Mr. President, thank you. This is the...the bill
5. now, it is...this is...a result of the work of the Local
6. Government Finance Study Commission created by the General
7. Assembly last year and this is a clarifying amendment. ...And
8. I move for its adoption, although I would like, perhaps to
9. have leave to bring this bill back. I think Senator Bruce
10. may have an amendment that we need to work on some more. So
11. I would like to move it to 3rd with the option of bringing
12. it back.

13. PRESIDENT:

14. All right. That...that request is in order. Senator
15. Joyce has moved the...Senator Bruce, on Amendment No. 1.

16. SENATOR BRUCE:

17. Well, just that there are many of us concerned about
18. this one year level plan. Senator Joyce just got the amend-
19. ment, I haven't even had a chance to take a look at it. I've
20. withdrawn the amendment I've had on a hundred and eight percent
21. increase and he tells me there's a hundred and five, maybe
22. everybody can live with it. There is not. Well, we're going
23. ...continuing dialogue on what the factor ought to be.

24. PRESIDENT:

25. Indicates he will bring it back. Senator Joyce moves
26. the adoption of Amendment No. 1 to Senate Bill 1082. Further
27. discussion? If not, all in favor signify by saying Aye.
28. All opposed. The Ayes have it. The amendment is adopted.
29. Further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. 1086, on the Order of Senate Bills 2nd
34. reading, bottom of Page 5, Senate Bill 1086. Read the bill,

1. Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1086.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDENT:
7. Any amendments from the Floor?
8. SECRETARY:
9. Amendment No. 1 by Senator Demuzio.
10. PRESIDENT:
11. Senator Demuzio.
12. SENATOR DEMUZIO:
13. Thank you, Mr. President. Amendment No. 1 just simply
14. clarifies the EPA issuance of permits. Under the original
15. bill, it only went to the operational permit. This amendment
16. simply says that no disposal site may receive any shipments
17. of hazardous waste until the site has been issued...all
18. permits required under the act for the operation of a
19. hazardous waste disposal site. It's clarifying language
20. and I move for adoption of Amendment No.1.
21. PRESIDENT:
22. Senator Demuzio moves the adoption of Amendment No. 1
23. to Senate Bill 1086. Any discussion? If not, all in favor
24. signify by saying Aye. All opposed. The Ayes have it, the
25. amendment is adopted. Further amendments?
26. SECRETARY:
27. Amendment No. 2 by Senator Demuzio.
28. PRESIDENT:
29. Senator Demuzio.
30. SENATOR DEMUZIO:
31. Yes, thank you, Mr. President, Ladies and Gentlemen of
32. the Senate. Amendment No. 2 to Senate Bill 8...18...1086,
33. addresses something that the Supreme Court reaffirmed
34. on Friday and that is that the materials in Wilsonville

1. had to be exhumed and moved. Amendment No.2, 1086, simply
2. says that the material that is being moved in Wilsonville
3. cannot be deposited in any other site in the State of
4. Illinois. They've had their...their shot at it and now
5. we're asking them to...in...in their removal to move it
6. to someplace else. I don't think anybody in here wants
7. it in their community. There's been too much publicity
8. about it. I move for the adoption of Amendment No. 2.

9. PRESIDENT:

10. Senator Demuzio moves the adoption of Amendment No. 2
11. to Senate Bill 1086. Any discussion? If not, all in favor
12. signify by saying Aye. All opposed. The Ayes have it. The
13. amendment is adopted. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. On the Order of Senate Bills 2nd reading,
18. Senate Bill 1157. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1157.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations I
23. offers one amendment.

24. PRESIDENT:

25. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President and Ladies and Gentlemen of
28. the Senate. This is the third part of the triumvirate
29. of commission bills. This is the one for the ones that are
30. being newly created, this Session of the General Assembly
31. and that survive the various committees. Committee Amendment
32. No. 1 adds four of those such new commissions. I would move
33. adoption of Amendment No. 1.

1. PRESIDENT:

2. Senator Carroll has moved the adoption of Committee Amend-
3. ment No. 1 to Senate Bill 1157. Any discussion? Senator
4. Grotberg.

5. SENATOR GROTBORG:

6. Yes, just a clarifying question of the sponsor, if he
7. would please.

8. PRESIDENT:

9. Indicate...indicates he'll yield, Senator Grotberg.

10. SENATOR GROTBORG:

11. Senator Carroll, this is just a vehicle bill that the
12. ...the action on film festivals and performing arts now
13. resides in DCCA, if all goes well.

14. PRESIDENT:

15. Senator Carroll.

16. SENATOR CARROLL:

17. As I understand it, yes, there will be a Floor amendment
18. to delete the original purpose of the bill from the bill.
19. This amendment adds the others that are newly created by
20. actions of the various committees of the Senate.

21. PRESIDENT:

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. One more question, Senator Carroll. As I recall, there
25. is no commission for the Illinois Performing Arts and Film
26. Festival. Is that fact or fiction...at this point in time?

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. That is fact at this point in time. The bill as introduced
31. became the vehicle, but then the substantive bill to create
32. the commission did...never survived the Executive Committee and
33. the next amendment will take out its appropriation.

1. PRESIDENT:

2. All right, Senator Carroll has moved the adoption
3. of Amendment No. 1 to Senate Bill 1157. Any discussion?
4. If not, all in favor signify by saying Aye. All opposed.
5. The Ayes have it, the amendment is adopted. Further amend-
6. ments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDENT:

10. Any amendments from the Floor?

11. SECRETARY:

12. Amendment No. 2 by Senator Carroll.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and Ladies and Gentlemen of
17. the Senate. This deletes the Illinois Performing Arts
18. and Film Commission's appropriation because it did not
19. survive the Executive Committee. I'd move adoption of
20. Amendment No. 2.

21. PRESIDENT:

22. Senator Carroll has moved the adoption of Amendment
23. No. 2 to Senate Bill 1157. Any discussion? If not, all
24. in favor signify by saying Aye. All opposed. The Ayes
25. have it, the amendment is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. 1200, Senator Gitz. 1202, Senator Chew.
30. 1209, Senator Maitland. ...On the Order of Senate Bills
31. 2nd reading, top of Page 6, Senate Bill 1209, Senator Maitland.

32. SENATOR MAITLAND:

33. Thank you, Mr. President. I would move at this time to

1. recommit Senate Bill 1209 to Agriculture, Conservation and
2. Energy.

3. PRESIDENT:

4. Senator Maitland, as sponsor, moves to recommit Senate
5. Bill 1209 to the Committee on Agriculture, Conservation
6. and Energy. Any discussion? If not, all in favor signify
7. by saying Aye. All opposed. The Ayes have it, Senate
8. Bill 1209 is recommitteed to the Committee on Agriculture.

9. PRESIDENT:

10. (Machine cut-off)...Resolutions.

11. SECRETARY:

12. The following resolutions are all congratulatory.
13. Senate Resolution 205, Senator Lemke and all Senators.
14. 206, Senator Nash...Nega, Rock and all Senators.
15. 207, Senator Egan.

16. PRESIDENT:

17. Consent Calendar. With leave of the Body WAN...D TV
18. seeks permission to film as do...as does Channel 2, 5 and 7.
19. Leave granted? Leave is granted. Senator Schaffer, for
20. what purpose do you arise?

21. SENATOR SCHAFFER:

22. To ask leave of the Body to recommit Senate Bill 451
23. from the Order of 2nd reading to the Senate Public Health,
24. Welfare and Corrections Committee.

25. PRESIDENT:

26. All right. On the Order of Senate Bills 2nd reading,
27. the middle of Page 4, Senate Bill 451. Senator Schaffer, as
28. the sponsor, seeks leave to recommit that to the Senate
29. Committee on Public Health, Welfare and Corrections. Is
30. leave granted? Leave is granted. So ordered. If I can
31. have the attention of the membership, we will begin again
32. at Page...the top of Page 15, Senator Lemke is first out
33. of the chute 791, and we will go through 3rd readings.

1. There are about fifteen bills to be recalled, which we will
2. get to later. Senator Shapiro and I have discussed and there
3. is...the reality of...we...we will be working this evening.
4. So the plan is to work until roughly five or five-thirty
5. and then take an hour or two for dinner and come back at
6. seven o'clock. And work...we have only until Friday and
7. we have better than three hundred bills on the Calendar.
8. So my suggestion is that we get at it. Yes, Senator Bloom.

9. SENATOR BLOOM:

10. Might it not be better to...maybe send out for dinner
11. and work through till eight, nine, ten.

12. PRESIDENT:

13. You want to buy, you go ahead.

14. SENATOR BLOOM:

15. No, I don't want to buy.

16. PRESIDENT:

17. All right.

18. SENATOR BLOOM:

19. Maybe Sommer could...

20. PRESIDENT:

21. Senator Walsh...

22. SENATOR BLOOM:

23. ...he still has his pd's.

24. PRESIDENT:

25. ~~You want~~ to help Senator Bloom buy dinner for everybody,
26. Senator Walsh? No, it would not be better. It's better that
27. everybody get out and get their head clear or unclear. All
28. right, on the Order of Senate Bills 3rd reading. All right.
29. We'll begin on the top of Page 15, Senate Bills 3rd reading.
30. The Chair understands that there is again a possibility of
31. a further Agreed Bill List. Senator Bruce.

32. SENATOR BRUCE:

33. Yes, thank you, Mr. President. We've developed another

SB 791
2nd Reading

1. Agreed Bill List of seventy-two bills and we will distribute
2. a list of tentatively agreed bills in a few moments. But
3. our suggestion would be that we would skip bills that are
4. on that list today. We would vote on the Agreed Bill List
5. sometime...first thing Friday morning and if you are knocked
6. off the Agreed Bill List, you would have the first shot
7. out of the barrel after the Agreed Bill List on Friday.
8. And we would...there's about seventy-two of those and we're
9. going to be adding some bills, so the Chair, may, in fact,
10. indicate as we go along today that that bill is on the
11. tentative Agreed Bill List.

12. PRESIDENT:

13. All right. The list will be distributed shortly.
14. Senator Grothberg.

15. SENATOR GROTHBERG:

16. Just a question to enhance the Agreed Bill List. I'm
17. assuming that several of the call back's are technical
18. amendments to rather simple bills. I know one of mine is.

19. PRESIDENT:

20. Any...any...any call back is not on the Agreed List.

21. SENATOR GROTHBERG:

22. I understand, but they may...add them to the Agreed
23. Bill List after tomorrow.

24. PRESIDENT:

25. Well. All right. On the Order of Senate Bills 3rd
26. reading. Senate...top of Page 15, Senate Bill 791. Mr.
27. Secretary, read the bill, please.

28. SECRETARY:

29. Senate Bill 791.

30. (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Lemke.

1. SENATOR LEMKE:

2. What this does, is amends the Campaign Disclosure
3. Acts to increase the reporting threshold to fifteen hundred
4. dollars from a thousand dollars. Authorizes the filing of
5. nonparticipating statements in lieu of reports by inactive
6. political committees. Requires the State Board of Elections
7. to provide for subpoena fees and authorize certain preliminary
8. hearings on complaints. I think it's a...I think it's a
9. good bill and I ask for its...it's a State Board of Elections
10. Bill.
11. I ask for its adoption.

12. PRESIDENT:

13. Any discussion? Senator Rhoads.

14. SENATOR RHOADS:

15. ...Thank you, Mr. President, members of the Senate.
16. I rise in support of Senate Bill 791. We've gone over most
17. of the provisions in the bill and, with one exception, they
18. all have been recommendations of the Advisory Board of the
19. State Board of Elections. And I ask for a favorable vote.

20. PRESIDENT:

21. Further discussion? Senator Buzbee. Senator Egan, can
22. you move your caucus.

23. SENATOR BUZBEE:

24. Question...question of the sponsor.

25. PRESIDENT:

26. Indicates he'll yield, Senator Buzbee.

27. SENATOR BUZBEE:

28. Did I understand you to say that...that...the disclosure
29. would now be increased from one hundred and fifty dollars
30. to one thousand dollars. In other words, any campaign contri-
31. bution. Is that what you said?

32. PRESIDENT:

33. Senator Lemke.

1. SENATOR LEMKE:

2. We raised the threshold from a thousand dollars to
3. fifteen hundred dollars. In other words, where you have
4. to file a report.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR LEMKE:

8. We didn't raise the...

9. SENATOR BUZBEE:

10. Oh, okay. So, in other words if the committee...if the
11. committee receives fifteen hundred dollars or less, they do
12. not have to file a report. But...but, well wait just a minute.
13. But it doesn't do anything to our disclosure as far as if...if
14. we receive contributions of over a hundred and fifty dollars.

15. PRESIDENT:

16. Senator Lemke.

17. SENATOR LEMKE:

18. A thousand dollars, it raises it to...what we call the
19. Federal level, which is two hundred and fifty dollars, from
20. a hundred and fifty.

21. PRESIDENT:

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. In...in other words, we can receive contributions now
25. of up to two hundred and fifty dollars without disclosing
26. it?

27. PRESIDENT:

28. Senator Lemke.

29. SENATOR LEMKE:

30. The itemization was up to a hundred and fifty, what
31. we do is raise it to two-fifty now. So you don't have to
32. report the itemization and...in...until you get to two-
33. fifty. Once you get two hundred and fifty dollars from
34. a particular person, then you got to report it.

1. PRESIDENT:

2. Further discussion? If not, the question is shall
3. Senate Bill 791 pass. Those in favor will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all voted
5. who wish? Have all voted who wish? Have all voted who wish?
6. Take the record. On that question the Ayes are 44, the Nays
7. are 7, none Voting Present. Senate Bill 791, having received
8. the required constitutional majority is declared passed.
9. 793, Senator Lemke. On the Order of Senate Bills 3rd...3rd
10. reading, Senate Bill 793. Read the bill, Mr. Secretary.
11. You don't wish to call that. ...794. On the Order of
12. Senate Bills 3rd reading, Senate Bill 794. Read the bill,
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 794.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Lemke.

20. SENATOR LEMKE:

21. What this bill does, is permits the State Board...
22. authorizes the State Board of Elections to impose civil
23. penalties not to exceed a thousand dollars in persons
24. failing or refusing to comply with the board order directing
25. that violation of the Act...decease or correct it. And to
26. seek enforcement in the circuit court. It gives the State
27. Board power to enforce these things because the State's
28. attorneys apparently are too busy and don't enforce them
29. after the fines are levied. So I think it's a good bill
30. and I...I think it will help campaign disclosure reporting
31. and clear up some of the problems we had in the past.

32. PRESIDENT:

33. Any discussion? Senator Rhoads.

1. SENATOR RHOADS:

2. Thank you, Mr. President. I join Senator Lemke in
3. urging a...an Aye vote on 794. It does give some enforce-
4. ment powers to the State Board of Elections and I think it's
5. a good bill.

6. PRESIDENT:

7. The question is shall Senate Bill 794 pass. Those
8. in favor will vote Aye. Those opposed will vote Nay.
9. The voting is open. Have all voted who wish? Have all
10. voted who wish? Have all voted who wish? Take the
11. record. On that question the Ayes are 51, the Nays are
12. 1, 1 Voting Present. Senate Bill 794, having received
13. the required constitutional majority is declared passed.
14. 798, Senator Vadalabene. On the Order of Senate Bills
15. 3rd reading, Senate Bill 798. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 798.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, Senate Bill 798 modifies the qualifications of
24. the Director of Personnel by easing the restrictions
25. with respect to a political activity. The amendment would
26. allow a precinct committeeman or a person to serve as
27. director provided that the person is not an officer of
28. a standing committee and I would appreciate a favorable
29. vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Is there discussion? The
32. question is shall Senate Bill 798 pass. Those in favor
33. vote Aye. Those opposed vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Take
2. the record. On that question, the Ayes are 53, the Nays
3. are none, none Voting Present. Senate Bill 798, having
4. received the required constitutional majority is declared
5. passed. 799 is on the tentative Agreed List. All right.
6. 801, Senator Vadalabene. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 801.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Yes, thank you, Mr. President, members of the Senate.
15. Senate Bill 801 eliminates maximum salary levels for
16. elected county officials, including sheriffs, coroners,
17. county treasurers, county clerks, recorders and auditors.
18. And the bill applies to counties with less than two
19. million inhabitants. The elimination of maximum salary
20. levels is done to avoid the necessity for requesting
21. changes from time to time when county boards may wish to
22. increase the salaries over the existing minimums. I
23. know of no opposition to this bill, since it leaves the
24. discretion as to pay increases solely with the county
25. boards. And I would ask for a favorable vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Is there discussion? The
28. question is shall Senate Bill 801 pass. Those in favor
29. vote Aye. Those opposed vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Have
31. all voted who wish? Take the record. On that question
32. the Ayes are 50, the Nays are 3, none Voting Present.
33. Senate Bill 801, having received the required constitutional

1. majority is declared passed. Senate Bill 802, Senator
2. Vadalabene. Senate Bill 803 is on the tentative Agreed
3. List. 808, Senator Vadalabene. Read the bill, Mr. Secretary,
4. please.

5. SECRETARY:

6. Senate Bill 808.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Vadalabene.

11. SENATOR VADALABENE:

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

13. Senate Bill 808 is necessary to insure that the Illinois

14. Department of Public Aid follows the legislative intent

15. of the Nursing Home Care Reform Act. The Nursing Home

16. Care Reform Act of 1979 contained...language...requiring

17. mandatory nurse aidetraining for nurses aides working

18. in long term care facilities. This provision was supported

19. by both providers and consumers at that time with the

20. understanding the Department of Public Aid must

21. recognize the full cost of providing such training in

22. it's rates for...Medicaid recipients. The cost involved

23. in this bill is approximately one to one half million

24. dollars and I would appreciate a favorable vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Is there discussion? The question

27. is, shall Senate Bill 808 pass. Those in favor vote Aye.

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

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

30. On that question the Ayes are 53, the Nays are 2, none Voting

31. Present. Senate Bill 808, having received the required

32. constitutional majority is declared passed. Senator

33. Vadalabene on 810. All right. Senate Bill 815, Senator...

34. for what purpose Senator Vadalabene arise?

1. SENATOR VADALABENE:

2. Yes, on 810, I would like to...I think that's in
3. the Committee of Transportation...I'd like to recommit
4. that to the Committee on Transportation.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to recommit Senate Bill 810 to the
7. Committee on Transportation. On the motion to recommit,
8. is there discussion? All in favor say Aye. Opposed Nay.
9. The Ayes have it. The bill is recommitted to the Committee
10. on Transportation. Senate Bill 815, Senator Lemke.
11. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 815.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator...Senator Lemke.

18. SENATOR LEMKE:

19. What this does is amend the Human Rights Act to make
20. it a civil rights violation for an employer who assumes
21. the ownership and operation of a business where there
22. is in effect, a collective bargaining contract covering
23. the employees in the industry. To...also makes it a
24. civil rights violation for any party to a collective
25. bargaining contract to terminate or modify such contract
26. unless specific conditions prescribed in the Act are
27. met. Defines collective bargaining.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Simms.

30. SENATOR SIMMS:

31. Mr. President, Ladies and Gentlemen of the Senate. This
32. legislation did have a partisan roll call in committee.
33. The bill creates a civil rights violation, a situation
34. basically where an...employer assuming ownership or operation

1. of a business refuses to assume a collective bargaining
2. agreement, or terminates or modifies such contract
3. without first having written notice within sixty days.
4. Under the current case law a successor employer may, under
5. certain conditions, be required to recognize and bargain
6. with the predecessor's union. However such successor
7. employer is not required to honor its labor contract. I
8. think what we're using here, is Illinois Statutes and
9. the...and the...a civil rights violation of basically
10. a management-labor issue. And frankly, I don't think
11. this is in the area that the Legislature should be
12. coming involved with, particularly this area of the
13. Statute making it basically a civil rights violation of
14. ...concerning a matter of labor agreement. So, I would
15. certainly urge that...the...Senate look very carefully
16. at this legislation. I'm going to vote against it
17. and I would hope that this bill would not be passed.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. Thank you, Mr. President. I too rise in opposition
22. to this bill. I believe that, since we did not have an
23. opportunity to discuss the merits or demerits and certainly
24. taking a labor and management prerogative here and putting
25. it into a civil rights violation, under the Illinois Human Rights
26. Act, is certainly out of order and this bill should not
27. receive any support.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Thank you, Mr. President, members of the Senate. I
32. rise in opposition to this bill also. I think it should
33. be pointed out to the Body that almost every collective

1. bargaining agreement or labor contract, in the first paragraph
2. it usually says, successors or plants located in the area of.
3. Those are items that are bargained for in the collective
4. bargaining agreement, there's no need for the State to
5. intervene in a situation that is an element of private enterprise
6. in the collective bargaining process. Secondly, I think this
7. bill does another great injustice, because in many instances
8. forcing the labor agreement on somebody, will , in fact,
9. preclude them from either purchasing the company or will
10. continue the demise of the predecessor company. In both
11. situations, you're contributing to the unemployment and
12. depriving the economic climate of an opportunity to restore
13. a business that might be failing otherwise. I urge a
14. resounding No on this bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Savickas.

17. SENATOR SAVICKAS:

18. Yes, Mr. President and members of the Senate. Really
19. this legislation is important when you consider the
20. workers job security and financial stability. When a new
21. owner assumes the business..it stands to reason in fairness
22. that he is liable for guaranteeing employee protections
23. and rights under the existing collective bargaining agreement.
24. What happens in many cases and primarily in the restaurant
25. and hotel industry, is that when a contract is negotiated
26. and employees have joined a union and are secure in their
27. collective bargaining agreement, it is sold and the employees
28. are let go and fired, with no consideration for fairness or
29. equity. And this happens in many cases, I think in one
30. hotel down here in Springfield that happened five times.
31. There is no stability, all they're asking for is that if
32. a contract is negotiated and it's in force, that when
33. the new owner buys the place, just like when someone buys

1. a bank, they assume the liabilities and the assets and
2. all this is, this contract may be to some view, as a
3. liability. They're assuming this liability and...renegotiate
4. the contract or continue the existing one. That's all it
5. says, and I would...say that for the little working person,
6. that this would do no harm, that this would enhance the
7. business climate here in the State and I urge your support
8. of this legislation.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Further discussion? Senator
11. ...Newhouse.

12. SENATOR NEWHOUSE:

13. The sponsor yield to a question, please.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. He indicates he will yield. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. Senator, who enforces this Act?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Lemke.

20. SENATOR LEMKE:

21. Department of Human Rights will enforce it.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Newhouse.

24. SENATOR NEWHOUSE:

25. So, we're...we're moving, in effect, a labor question
26. into the Department of Human Rights?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. This is like we did with the fair employment practices.
31. It was all moved into...under one department, under the
32. Governor's consolidation.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Would this kind of a violation normally fall...into
4. the purview of FEPC?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke.

7. SENATOR LEMKE:

8. Yes.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Jerome Joyce.

11. SENATOR JEROME JOYCE:

12. Yes, Mr. President. I have a question of the sponsor.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates he will yield, Senator Jerome Joyce.

15. SENATOR JEROME JOYCE:

16. Yes, Senator Lemke, if this were to pass, would this
17. have an affect on the RTA or the CTA, I guess it's the
18. CTA that has the...the labor contracts that are so high now.
19. If this were to pass, would...and the RTA or the CTA went
20. down and...and were reformed under a different name, would
21. this...would we have to honor the contracts as they are
22. now?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Lemke.

25. SENATOR LEMKE:

26. My understanding that...that is covered under a different
27. Act, RTA, right now the contracts would be honored. The
28. only...the...if the RTA went bankrupt or CTA went bankrupt,
29. those contracts would be honored by the...the receiver who
30. would reorganize the company and I think those contracts
31. would attach to the...the equipment. And I don't think
32. you can get out from under them, I mean the way the law
33. is set up Federally. And this would not affect that arrangement

1. one bit.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Joyce. Further discussion? Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. Will the sponsor yield?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Well, I...I could see, Senator Lemke, some merit in...in
10. your legislation. I can also see the need for it, but I
11. believe as Senator DeAngelis has...has mentioned, there
12. are of course cases whereby new ownership is coming in
13. and one of their problems may have been the employees
14. that they've had and...and want to restructure and reorganize.
15. Now..not having looked at the bill, is there anything in the
16. bill that will allow the new ownership to terminate the
17. ...the present employment if, you know, so that they're
18. not completely locked in? Because I could see where, if
19. that's the case, a lot of businesses are not going to be sold
20. that are in trouble and they're just going to go under
21. if they're completely locked in. Isn't there something
22. in your bill that allows the new ownership to terminate
23. this?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Lemke.

26. SENATOR LEMKE:

27. What this does, is...it...this does...this says you
28. can't come right in and fire them. What it says here is,
29. you have to serve them with written notice of a proposed
30. ...modification or termination, sixty days prior to your
31. agreement expiration and in case where there is no
32. agreement expiration date, notice must be given...other
33. party sixty days prior to the date in which the proposed

1. modification or terminated is take...offer to meet and confer
2. with the other party for negotiating a new contract. Existing
3. agreements shall stay in effect without strikes or lockouts
4. for sixty days after the new owner sends notice and until
5. expiration of the existing agreement, whichever occurs.
6. In other words, it just gives a period of time of sixty days
7. where there can't be any strikes, there can't be a lockout
8. and they can sit down and...and renegotiate a contract.
9. This gives notice, they just can't come in and say, this
10. is it, and then all of a sudden you got the pickets outside
11. and you got all kind of problems.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. Okay, but then the way the legislation is structured
16. there is also no question that the new owner gives a
17. sixty day notice and he wants to fire everybody in the
18. joint, he will have the right to do that. Is that correct?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Lemke.

21. SENATOR LEMKE:

22. As long as he follows the guidelines he can do that, yes.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Sangmeister.

25. SENATOR LEMKE:

26. But the lock...that would be called a lockout and that
27. takes sixty days to do.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Sangmeister.

30. SENATOR SANGMEISTER:

31. But it's the...the criteria you're saying
32. is strictly the sixty days. There's nothing else in there
33. outside of the sixty days, right? You give the sixty day
34. notice and...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. ...Senator...Senator Lemke.

3. SENATOR LEMKE:

4. I said that's right.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Further discussion? Senator Lemke
7. may close.

8. SENATOR LEMKE:

9. I ask for an affirmative vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall Senate Bill 815 pass. Those in
12. favor vote Aye. Those opposed vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Have
14. all voted who wish? Take the record. On that question
15. the Ayes are 30, the Nays are 27, none Voting Present. For
16. what purpose does Senator...Senate Bill 815 having received
17. the required constitutional majority is declared passed.
18. For what purpose does Senator Simms arise?

19. SENATOR SIMMS:

20. Yes, I'd like a verification of the roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Simms has requested a verification. Will the
23. members please be in their seats. Secretary will call
24. those who voted in the affirmative and will the members
25. please respond when their name is called. Mr. Secretary.

26. SECRETARY:

27. The...the following voted in the affirmative: Berman,
28. Bruce, Carroll, Chew, Collins, D'Arco, Davidson, Dawson,
29. Degnan, Demuzio, Egan, Gitz, Hall, Johns, Jeremiah Joyce,
30. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega,
31. Netsch, Newhouse, Rupp, Sangmeister, Savickas, Taylor,
32. Vadalabene, Mr. President.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Simms, do you question the presence of any
2. member?

3. SENATOR SIMMS:

4. No.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. On...on a verified roll call, there are
7. 30 Ayes, 27 Nays, and Senate Bill 815, having received
8. the required constitutional majority is declared passed.
9. For what purpose does Senator Lemke arise?

10. SENATOR LEMKE:

11. Lock it up. Motion to reconsider.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke moves to reconsider the vote by which
14. Senate Bill 815 passed. Senator Johns moves to lie that
15. motion upon the Table. On the Motion to Table, all in favor
16. say Aye. Opposed Nay. The Ayes have it. The motion to
17. Table prevails. Senate Bill 817, Senator Carroll. Read
18. the bill, Mr. Secretary, please.

19. SECRETARY:

20. Senate Bill 817.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Carroll. May we have some order, please. Senator
25. Carroll.

26. SENATOR CARROLL:

27. Why thank you, Mr. President and Ladies and Gentlemen
28. of the Senate. Senate Bill 817 as now amended is the
29. composite of several ideas that were before the Criminal
30. Judiciary Committee to clear up a defect that has existed
31. in criminal law for quite some time. And that is to provide
32. a...a penalty for a threatening of a public official, as
33. narrowly defined as those who actually serve in...in

SB 819
3rd reading

1. elected State office. This would create such a penalty
2. and allow for, in the case of the Secret Service, or the
3. Illinois Law Enforcement Department, to actually review
4. in the case of such threats, some mental health records,
5. as narrowly also construed in order to protect the lives
6. of our constitutional elected officials and members of the
7. General Assembly, from threats to them or members of
8. their family. I would ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Is there discussion? The question
11. is shall Senate Bill 817 pass. Those in favor vote Aye.
12. Those opposed vote Nay. The voting is open. (Machine cut-off)
13. ...voted who wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 56, the Nays are none, none
15. Voting Present. Senate Bill 817, having received the required
16. constitutional majority is declared passed. Senate Bill
17. 818 is on the tentative Agreed List. Senate Bill 819, Senator
18. Totten. Read the bill, Mr. Secretary, please.

19. SECRETARY:

20. Senate Bill 819.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Totten.

25. SENATOR TOTTEN:

26. Thank you, Mr. President, Ladies and Gentlemen of
27. the Senate. The enterprise zone concept is a new idea
28. based on entirely fresh thought concerning urban economics.
29. The old approach to inner cities was based on two elements,
30. subsidy and central planning. This involved taxing away
31. some of the hard earned income of workers and producers
32. to give subsidies to poor inner city residents maintaining
33. or increasing their economic dependence. It also involved

1. massively bureaucratic urban renewal projects and other central
2. planning tools aimed at redirecting existing economic
3. activity. The enterprise zone concept is based on, instead,
4. wealth creation and the centralized market process instead
5. of subsidy. It focuses on removing government barriers
6. to wealth creation and economic growth, such as taxes and
7. regulations. And instead of central planning, it seeks
8. to create a general climate of open markets where entrepreneurs
9. and economic activity could flourish. The goal is to bring the
10. urban poor as well as the inner city geographical areas
11. in which they live, into the mainstream of the economy.
12. These individuals can then create, produce and earn their
13. own incomes and inner city revitalization can be financed
14. through inner city economic growth. History has recorded
15. a number of areas of economic activity over the years. The most
16. recent, of course, where a government has relaxed regulations
17. are Singapore, Malta, Hong Kong, to name but a few. In
18. England two years ago, both the Socialist...Labor Party
19. and the Conservative Party adopted the concept of enterprise
20. zones to revitalize economic activity in decaying cities
21. of Great Britian. The idea surfaced last year, in our own
22. Législature, or two years ago, and it's since then been adopted
23. as a policy of the Federal Government. The proposal that
24. I bring before you today to create enterprise zones in the
25. State of Illinois has a number of major features. I don't
26. know how many of you had the opportunity to read the series
27. the Chicago Tribune did on the City on the Brink. But in
28. that series they pointed out many of the economic problems
29. facing decaying inner city areas. One of the conclusions,
30. was that possibly we ought to be considering the Federal
31. policy and the State policy of adopting enterprise zones.
32. In the Thursday, May 14th edition of the Tribune, it had
33. a photograph which clearly depicts an area which would
34. come under this bill. It's an area in South Lawndale,
35. completely vacant, looks like World War II had finished

1. off the area. There is no economic activity in that area
2. today. This bill is aimed at providing...or providing the
3. incentive for economic activity in that area. It does
4. a number of things. First of all, it is permissive, it
5. would have to be initiated by a city or a municipality in
6. order for the area to be declared a enterprise zone.
7. The city would negotiate with the State Department of
8. Community and Business Affairs as to the creation of
9. the zone. If the State approved it, the following things
10. would happen from the local area. First of all, local
11. property taxes would start at a base of zero for anyone
12. locating in there, the assessment would be zero and it
13. would gradually increase over a five to six year period
14. to full property values. The city or municipality would
15. probably not lose any money as there is no economic
16. activity going on in the area at the time. Secondly,
17. there would be a relaxation of zoning, building and rent
18. control from the local government. Third, one of the
19. most...one of the best urban renewal programs in the
20. country is the Urban Homesteading Program. This measure
21. would provide incentives for urban homesteading. If
22. the State agreed with the local municipality on the
23. geographical designation and other negotiated parts of
24. the agreement, there would be a thousand dollar tax
25. exemption for persons participating in the Urban Homesteading
26. Program. In addition, if we are to revitalize our inner
27. city areas, the most important way or the most significant
28. way that we can do it is by restoring our neighborhoods.
29. Restoring our neighborhoods provides a...a climate for
30. businesses to locate. Over eighty percent of the new jobs that
31. are created in this State are created by small businesses of
32. less than twenty employees. This bill is aimed at encouraging
33. that type of business location in the city. Persons who would

1. be engaged in rehabilitating their homes or rehabilitating new
2. structures would also get an exemption on the sales tax for
3. materials used in that reconstruction. This is an idea that's
4. a hundred and eighty degrees from the present philosophy regarding
5. urban development. But it is one that is picking up support
6. all over the country. I'd be happy to answer any questions
7. and would solicit your favorable vote on Senate Bill 819.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Savickas.

10. SENATOR SAVICKAS:

11. Yes, Mr. President, I have a few questions. We're
12. concerned basically about the preemption of...the local
13. units, the home rule units, and it is a preemption bill.
14. I would suggest that on Page 2 of his Amendment No. 5, in
15. Section 9, it says "all State and local laws regarding
16. zoning, building codes, rent control, wage and price
17. control are suspended within the enterprise zones." I
18. would also further suggest that in the bill itself, on
19. Page 4, line 9...line 8 "State and local laws relating
20. to the licensing of any professions and occupations other
21. than medicine and pharmacology are suspended within the enterprise
22. zone. Licenses requirement shall be replaced by the
23. requirement to register with applicable licensing authority
24. prior to the practice of the profession. The State agency
25. shall promulgate rules, implementing such registration
26. requirements." I think we're talking about the elimination
27. of all licensing of say, plumbing contractors, electrical
28. contractors, all...violation of building codes. Question
29. would arise since all laws are...replaced here, how about
30. the collection of sales taxes? Are there any monies coming
31. in? How about your property tax, city services, when there
32. are no laws applicable there? How do we deal with fire
33. protection? Are firemen to go into this area, do they demand

1. that certain fire standards and codes be met? Police protection,
2. are the police..how are they to go into an enterprise zone
3. where no city ordinances are operative. I think we have a
4. very serious concern on this Enterprise Zone Act. To just say
5. that the Department of...Commerce and Community Affairs
6. will set the regulations in any community, it doesn't
7. take into consideration the very vital life support systems
8. that each city must provide by ordinance. And these ordinances
9. are suspended, there cannot be any violation of a city building
10. code. There cannot be any violation of City Fire Laws. There
11. cannot be any violation of probably police ordinances. And
12. I think that to just jump in and say, well yes, we want to
13. stimulate growth and by eliminating all licensing, all
14. building codes, all regulations, that this will stimulate growth,
15. I can't believe that. I think there's a question in this
16. bill that who would pay any taxes in this area? Are we
17. allowing free property taxes, free real estate taxes, free
18. transportation charges? Just what will happen in this zone?
19. Questions are numerous and I...I bring that up for your
20. consideration and I would ask that...also a ruling on the
21. preemption...and what the vote would take on that.

22.
23.
24.
25.
26.
27.
28.
29.
30.
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32.
33. END OF REEL

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Alright. The Chair is prepared to rule at the close
3. of debate on whether this is preemptive. Is there further
4. discussion? Senator Berman.

5. SENATOR BERMAN:

6. Thank you, Mr. President. I rise in opposition of
7. the bill. As I read the bill, any county or municipality
8. may petition for the designation of this...enterprise zone.
9. Without any further delineation, what that appears to be
10. is that a majority of the governing board, whether it be
11. a county board or a city council, could...vote to submit
12. an application and I think that this is in derogation of
13. the rights that people have expected under the zoning laws.
14. For example, if you own a parcel of property on the other
15. side of the block from the area that is designated an
16. enterprise zone, you will not receive any notice, you
17. would not be entitled to any hearings, but automatically
18. upon the vote of the...city council the...the land across
19. from your property...can be designated as an enterprise
20. zone. There will no longer be any zoning laws affecting
21. that parcel of land and you may wake up one morning to
22. find something totally abhorrent to your property interests
23. erected in that enterprise zone. I think this is a very
24. dangerous approach. I don't think it's spelled out in this
25. bill, but, in fact, what it does is abrogate all of the
26. rights of adjoining property owners merely by the majority
27. vote of the governing council of a city or a county. I
28. think the bill goes very...a great deal farther in abro-
29. gating certain rights that this State has provided for
30. working people. It provides right to work. Has that
31. been taken out? I stand corrected. That's been taken out.
32. But I think that the bill does deny certain inherent rights
33. to property owners that may be adjacent to this enterprise

1. zone. I think that the bill needs a lot more work. I'd
2. urge a No vote.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Bowers.

5. SENATOR BOWERS:

6. Well, Mr. President, I simply wanted to comment on the
7. question of...of the application of the home rule...provision.
8. It seems to me that if the whole process has to be started by
9. the municipality, in other words, the municipality must, in
10. fact, start this process, so, therefore, consent to it. It's
11. a little difficult for...for us on this side of the aisle...
12. at least this Senator, to understand how that can be pre-
13. emptive insofar as home rule powers are concerned and I
14. just wanted to call that to the Chair's attention.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. I have Senators Bloom, Grotberg, and Newhouse. Senator
17. Bloom. Is Senator Bloom on the Floor? Senator Grotberg.

18. SENATOR GROTERBERG:

19. Well, thank you, Mr. President and fellow Senators. I
20. rise in support of Senate Bill 819 and I'm a little shocked
21. at the opposition. The most vocal of which do represent and
22. represent so finely in so many other ways, some of the
23. more depressed areas of our great State of Illinois. I
24. think of the series that's been running in the Chicago
25. Press the last couple of weeks on the no man's land and
26. disaster areas of the south and west side of Chicago, I
27. think of the disaster areas of Aurora and Elgin and I
28. think of the disaster areas of Rockford, East St. Louis,
29. and, yes, the City of St. Louis, but that's not in this
30. bill. And we have this one opportunity to extend our-
31. selves beyond the traditional bonding...revenue bond,
32. Commercial Redevelopment Acts, all of the band-aids that we
33. have placed upon downtown renewal and urban renewal are

1. now stuck in the bond market. We are paralyzed across this
2. State of Illinois and these United States. The only thing
3. we have left to turn loose that is cost effective is energy
4. of people, desire of people, the motivation of people
5. and this is a do-it-yourself kit.. That's all it is.
6. It's a do-it-yourself kit and every municipality has to
7. first ask for it. Nobody shoves it down your throat. I
8. don't worry about preemption. The Department of Commerce
9. and Community Affairs is not going to declare anybody's
10. area a disaster area unless they ask it to be. It just
11. makes so much sense. I went to a seminar...with Senator
12. Totten on this matter and it's thrilling to watch the
13. movement across these United States in this general area
14. recognizing the limits of spending money to make money.
15. We have to make a marketplace for this type of endeavor.
16. That's in the bill to do it. For God's sake let's get
17. off our "what's its" and do something creative to turn loose
18. the initiative and power of people that are out of work,
19. that are depressed and that can rebuild their neighborhood.
20. I...recommend an Aye vote for this good bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Newhouse.

23. SENATOR NEWHOUSE:

24. Thank you, Mr. President and Senators. I rise in support
25. of this concept and I'd like to talk about it from two
26. aspects. One of which is the attraction of industry back
27. into urban areas and specifically the attraction of business
28. back into those most depressed areas. Our problem in those
29. areas, of course, is that there isn't any money there and
30. once there is some investment and once there is some money
31. turning over, those neighborhoods can turn around. I'd like
32. to talk about it from a second aspect and that is the aspect
33. of self-confidence, self-respect and pride that goes along

1. with the rebuilding and restructuring of a community. If
2. you take a look at some of the communities in Chicago, you'll
3. see two things happening. One is some that have gotten to
4. complete rock bottom and from rock bottom will have to be
5. entirely rebuilt. There are others that are in a sort of a
6. state of paralysis. If, for example, you should go down
7. King Drive, or go down Wabash, or go down Michigan Avenue
8. from, say, 31st Street out to 55th, you'll find in those
9. areas some of the finest housing that exists in the City of
10. Chicago. If you simply picked it up and moved it out of
11. those areas, it would command prices well into two hundred
12. thousand dollars. The problems we have, though, are that
13. those homes are isolated and, therefore, they're not...
14. it is not conducive to their restructuring and repair.
15. We've got Frank Lloyd...Wright housing in those areas.
16. We've got all kinds of reasonably good...no not reasonably
17. good...very fine structures. The problem, of course, is,
18. that who's going to do the rehab, who is going to take
19. on the job of...the massive job, that is, of that kind of
20. restructuring? It seems to me that we've got to have some
21. new kind of thinking and I think this is it. This...bill
22. is far from perfect. I've been talking to Senator Totten
23. and, certainly, expect to cooperate with him in the future
24. to help him put it where I...I...I think...we mutually
25. think it ought to go. So, I would suggest that this is
26. a good approach, that we ought to begin to look at it very
27. carefully and I would urge an Aye vote on it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. And the Chair would like to indulge the members by
30. introducing students from Simms Grade School, Oak Grove,
31. Orchardville and Wayne City in the galleries and would
32. our guests please rise and be recognized by the Senate.
33. They're accompanied by Representative Robbins. Senator

1. Gitz.

2. SENATOR GITZ:

3. A question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield, Senator Gitz.

6. SENATOR GITZ:

7. Senator, I think...first of all there are a lot of
8. meritorious ideas in this bill, but there is...also some very
9. loose language and I'd like to kind of clarify what your
10. intent is. Now, on page 3 in Section 7 it says, "the State
11. and any county or municipality that owns any structures
12. or vacant land within the enterprise zone shall dispose
13. of the structures" and it lists the manner. Is this to
14. say that if...we were to declare, let's say, a downtown
15. area an enterprise zone and we had...municipal offices
16. in some structure, that they would have to...to dispose
17. of that structure?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President. It says that, but it is...it
22. is highly unlikely that a municipality would want to declare
23. ...or a city...an enterprise zone in which major city or
24. State facilities would be...located in. What it means if
25. they're...it is intended to mean is, there are properties
26. such as homes...vacated homes or so on that are owned by
27. the city that they would sell those...to...people...who
28. would be willing to rehabilitate those.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Gitz.

31. SENATOR GITZ:

32. Well, I can appreciate that, but this says any structures
33. and if...this language the way it is now, it's...it's totally

1. open-ended. I can appreciate what you're saying about,
2. you know, vacant houses or buildings or something that
3. should be knocked down. Now,...this also would, by the way,
4. mean that any State or county municipality, I...I would
5. assume under this language in Section 7 that would in-
6. clude schools as well.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Totten.

9. SENATOR TOTTEN:

10. It would include any structures. Okay. It's...it's
11. ...as last year when we had this bill in...committee,
12. every department of State Government testified against
13. it because they said, "well, what if Joliet declares the
14. correctional institute an enterprise zone?" Well, the
15. State Department of...Commerce and Community Affairs is
16. not about to approve an application that...that has State
17. lands in it any more than a municipality wants to include
18. an area that has a school or a municipal facility in it,
19. unless there is the opportunity for a school, which is
20. no longer being used, to be rehabilitated...into...a
21. rental property...or some other facility that's productive
22. that could provide housing, which is being done in many
23. communities throughout this nation.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Gitz.

26. SENATOR GITZ:

27. It would seem to me that's kind of arguing against the
28. bill. I'd like to see it really workable so that we would
29. encourage people to participate. Now, in Section 8 it
30. says, "no business enterprise located in an enterprise zone
31. shall thereafter be eligible for any subsidy grant or any
32. other form of government assistance whatsoever at that
33. location." Now let's assume that individuals are...are living

1. in that enterprise zone and they have rehabilitated some of
2. these structures. By this language, that would seem to
3. me to indicate that, for example, if somebody was receiving
4. ...disability that you're saying they could no longer do that.
5. Why is that provision worded that way?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Totten.

8. SENATOR GITZ:

9. And when you answer that question, there's one other
10. thing I'd...I'd like to...ask about. That would also seem
11. to me to suggest that, for example, if we're giving a sales
12. tax exemption on business machinery and equipment, that by
13. this you'd be saying that perhaps they're not entitled to
14. that. If you could clarify that, I'd appreciate it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Totten.

17. SENATOR TOTTEN:

18. Okay. First...thank you, Mr. President. First of all,
19. Section 8...deals strictly with business enterprise not with
20. individuals. It says a business enterprise cannot receive
21. any subsidy. Individuals, such as those who may be on public
22. aid or something, they would continue. There would be no...
23. destruction of any of the aid that individuals may have.
24. Secondly, if...there were tax incentives given to business...
25. and they were located in the area outside of those enumerated
26. in the bill,...you are correct, they would not be able to
27. receive additional ones. The idea is not to give anyone an
28. economic advantage because of government subsidy. Everyone
29. is equal economically in the zone.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Bloom.

32. SENATOR BLOOM:

33. Thank you, Mr. President. I rise in support, obviously.

1. The people who have spoken for this bill...have been fulsome
2. in their praise and those that are opposed have...either...
3. picked nits or...paraded horribles and, actually, it...does
4. neither. It's permissive. It's a logical extension of tax
5. increment financing and it has some innovative features,
6. such as urban homesteading to help restore neighborhoods.
7. And...the encouragement to smaller business enterprises. But
8. it's no panacea and it's not being sold as that. And, yes,
9. you're right, Senator Newhouse, even...if you do have...areas
10. of a city where you'd like to establish an enterprise zone,
11. you're going to have to go down and fight city hall and get them
12. ...with you and your program. And the feature of having
13. the State...pass on what is an enterprise zone is essentially
14. to provide a monitoring system so that there are no rip-offs.
15. This is a good bill and there's really no logical reason why
16. is should be opposed. Thank you.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Collins.

19. SENATOR COLLINS:

20. A question of the sponsor. Senator Totten, there's no
21. question that I support the concept of what you're trying
22. to do, because I've tried to introduce several bills myself
23. to do the same thing and...and approximately fifty percent of
24. my district, under your bill, would probably qualify if, in
25. fact, the City of Chicago City Council decided to establish
26. and enterprise zone. But I'm concerned about some of the
27. things that were raised on this side in...in the opposition
28. and that is, for example, if an area, eighteen, sixteen hundred
29. block on St. Louis, for example, in...City of Chicago requested
30. from the city council that that area be declared as an enter-
31. prise zone...it was granted by the city council. Then, where
32. will the...the subsidies...who will the subsidies go to? Does
33. it go to the city and then back to the individuals? Do they form

1. a corporation as a group? Or how do they get the money? You
2. said it's to individuals.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Totten.

5. SENATOR TOTTEN:

6. Thank you, Mr. President. There are a number of incentives
7. to individuals. If the council approved the zone and after
8. the negotiations with the State an agreement was reached,
9. property taxes, first of all,...the abatement of property
10. taxes over a period of years would be a grant to the individuals.
11. Secondly, the sale...the income tax exemptions...would be...
12. incentives to individuals. For...rehabilitate materials used
13. in rehabilitating homes within the area would be a sales tax
14. exemption to the individuals who purchase and who are certified
15. as using the materials in the zone. Those are all exemptions
16. to individuals.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Collins.

19. SENATOR COLLINS:

20. Okay. The...the other question where...in an area like
21. that where...residential and commercial, okay. What happens...
22. who has the authority to...for those particular structures
23. that needed...need to be demolished and who would say which
24. of those structures would be demolished or not, for example,
25. taverns or...or...or...or schools or...or whatever within that
26. residential zone. How does the...the people who live in that
27. particular area control what goes out and what goes in?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Totten.

30. SENATOR TOTTEN:

31. Thank you, Mr. President. The legislation is silent on
32. what may be demolished in the area. And that would be strictly
33. up to the people in there. There is no...there are no guidelines

1. ...for buildings that may be demolished. The legislation is
2. more aptly directed at areas that have...are completely vacant.
3. That have no economic activity at all, although it is not
4. limited to areas that are vacant. In buildings that may be
5. demolished or so, that would have to be part of a negotiated
6. agreement between the owners of the property, the city and
7. an agreement with the State.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Collins.

10. SENATOR COLLINS:

11. Will the community residents maintain control?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Totten.

14. SENATOR TOTTEN:

15. There...there is nothing in the legislation that would
16. indicate they would maintain control, nor is there nothing in
17. the legislation that indicate they would lose control. It's
18. just silent on that, Senator.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Collins. Further discussion? Further dis-
21. cussion? Prior to Senator Totten closing, the Chair is
22. prepared to rule on whether the Act is, in fact, preemptive.
23. The Chair has never been...called upon to rule on whether or
24. not legislation, which in fact, requires the consent of a
25. local unit of government before it becomes effective, whether
26. that is not, in fact, preemptive, but under...on page 4, Section
27. 9 the bill states that all State and local laws regarding
28. zoning, building codes, rent control, and wage and price
29. controls are suspended. and under Section 6G there is a require-
30. ment that if there's any Act that limits the power to tax or
31. any other power or function of a home rule unit and...that is,
32. in fact, zoning, particularly as a home rule power. The
33. Chair is prepared to rule that the Act is preemptive and would

1. also point out to the sponsor that under Section 15 of your
2. bill, building materials, which would be outside the enter-
3. prise zone, are not subject to tax even by a seller outside
4. the enterprise zone and that in...in the way of raising
5. revenue for units of local government and sales tax would
6. specifically be a limit upon a unit of local government and,
7. therefore, the Act is preemptive. Senator Totten may close.
8. SENATOR TOTTEN:

9. Thank you, Mr. President and Ladies and Gentlemen of
10. the Senate. In closing I want to point out to the Gentleman
11. from Cook that, although, he read from Amendment No. 5, he
12. did not read it completely. Amendment No. 5, first of all,
13. struck the licensing provisions that were included in there
14. and...and did not include them. They are not suspended with-
15. in this legislation. The other amendments took out the
16. restrictions on minimum wage and took out the right to work
17. provisions, which were mentioned earlier. All references
18. to labor organizations and...matters dealing with labor
19. protection have been removed from the legislation in order
20. to overcome objections. But let me point out to others who...
21. who may feel...that this is a preemption. It is difficult
22. to write legislation, and as the Presiding Officer has indicated,
23. ...that starts with an initiative from a local and not...
24. preempt, as maybe this legislation does. But if we are to
25. reorder our priorities in inner cities and to do something
26. to rehabilitate neighborhoods and restore...some reasons for
27. living...in inner cities and to restore...some reasons for
28. encouraging economic activity, it's apparent, I think, to
29. most of us that we must do it in a matter in which we have
30. not addressed before. Senate Bill 819 does that. It is a...
31. it is a measure that is put forth not only to provide economic
32. incentives for restoring neighborhoods, but economic incentives
33. to increase employment in the major cities of this State. It

1. is also a proposal which should the Federal Administration come
2. down with an enterprise zone legislation that we have a shell
3. from...from which to operate so that we can take advantage of
4. Federal incentives that are undoubtedly coming down in
5. administration proposals that will soon be before the Congress.
6. I submit to you that if you are sincere about providing an
7. economic climate in our inner cities that Senate Bill 819 is
8. a measure that starts us on that way and I would appreciate
9. your favorable vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall Senate Bill 819 pass. Those in
12. favor vote Aye. Those opposed vote Nay. It will take 36
13. affirmative votes. The voting is open. Have all voted who
14. wish? Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 43, the
16. Nays are 14, none Voting Present. Senate Bill 819 having
17. received the required constitutional majority is declared passed.
18. Senate Bill 820, Senator Philip. Senator Philip. Health
19. service plans. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21. Senate Bill 820.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Philip.

26. SENATOR PHILIP:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. Senate Bill 820 amends the Illinois Insurance Code
29. regarding health service plans. It would allow a person who
30. has dental insurance to select the dentist of their choice.
31. Under the law today, if a municipality has a...a dental pro-
32. gram, you have to use the dentist that the insurance company
33. provides. It happens to be a problem with one of the municipalities

1. in my district where some of the policemen and firemen came
2. to me and said, you know what, we'd like to use...we like
3. the dental insurance, but we'd like to pick our own dentist.
4. And all this bill merely does...would allow that employee to
5. choose his own dentist, get his dental service and present
6. that bill to the insurance company. I'll be happy to
7. answer any questions.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Is there discussion? The question
10. is, shall Senate Bill 820 pass. Those in favor vote Aye.
11. Those opposed vote Nay. The voting is open. Have all voted
12. who wish? Have all voted who wish? Have all voted who wish?
13. Take the record. On that question, the Ayes are 51, the Nays
14. are 3, none Voting Present. Senate Bill 820 having received
15. the required constitutional majority is declared passed. 822,
16. Senator Egan. Read the bill, Mr. Secretary, please.

17. SECRETARY:

18. Senate Bill 822.

19. (Secretary reads title of bill)*

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Egan.

23. SENATOR EGAN:

24. Thank you, Mr. President and members of the Senate.
25. Very simple. It allows the Supreme Court clerk and the five appellate
26. court clerks into the Judicial Pension System. I might point
27. out for the benefit of Senator Berning, I'm sure, that when...
28. the actuary wrote his report he was...under the impression
29. that there were several clerks. And I don't know what number
30. he had in mind, but his figures are incorrect and he has ad-
31. mitted that. This...only applies to six people. The cost
32. impact is negligible. There is a...a...a small vocal...
33. opposition from the...from the Trustees Board of the Pension

1. System, but I think precedent is...is there for...the passage
2. of the bill and I urge your favorable consideration.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Is there discussion? The question
5. ...Senator Simms.

6. SENATOR SIMMS:

7. Mr. President and Ladies and Gentlemen of the Senate,...
8. I rise in opposition to this bill, although we're talking
9. about a very small number of people. I think what we do
10. with pension legislation, as I have seen in the past, we
11. set precedents. The next thing we'll know, we'll want to
12. see that the clerks of the circuit courts will be placed in
13. the Judicial Pension System for the downstate or the upstate
14. judges. I think the precedent that we are setting is
15. a poor precedent that we're allowing people into the Judicial
16. Retirement System that are not judges. Now, if the Legislature
17. wants to set that precedent and open up the floodgates to
18. other type of...individuals, I guess that's a decision that
19. the Assembly has to make, but I think whatever we do here,
20. we're setting a very bad precedent for the future for allowing
21. clerks of the circuit court to...to eventually go under the
22. Judicial Retirement Plan and I'm going to vote No.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Berning.

25. SENATOR BERNING:

26. Yes, thank you, Mr. President. I...dislike having to...
27. oppose my colleague on the other side. Normally we are in
28. complete agreement on the pension legislation, which is...
29. confronts...which confronts the General Assembly and has been
30. reviewed by the Pension Laws Commission. There is, admittedly,
31. very little in the way of cost here, but it just is a question
32. of philosophy. This Judicial System is the Judicial System
33. and is for elected individuals. The clerks are appointed

1. individuals and while they work for the Judicial System, they
2. are not really a part of the elected Judiciary. And for that
3. reason, as well as the precedent, which has been mentioned
4. before, I think that this is ill-advised. These people are
5. already a part of the Employees Pension System and are
6. adequately provided for. It does not seem to me justified to
7. give to them the benefits of the Judicial System and I would
8. suggest that the proper vote is a No vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Egan may close. Oh, I'm
11. sorry, Senator Grotberg. Senator Grotberg.

12. SENATOR GROTBORG:

13. Thank you. A question of the sponsor. To either
14. Senator Berning or to the sponsor, I have a question. Are the
15. Secretary and Assistant Secretary of the Senate in the Legis-
16. lative Retirement Program?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Egan.

19. SENATOR EGAN:

20. Not yet.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. You have two votes from the Secretary and Assistant Secre-
23. tary to do that, so. Further discussion? Senator Egan may
24. close.

25. SENATOR EGAN:

26. Well, thank you, Mr. President and members of the Senate.
27. I...I certainly respect that...attitude, Senator Berning,
28. however, because of the small number of participants and because
29. of the fact that they have a job...that they will contribute
30. over a great number of years into the system,...they certainly
31. do not burden the system getting in and...there is...there is
32. a legitimate precedent. I urge your favorable consideration.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is, shall Senate Bill 822 pass. Those in
2. favor vote Aye. Those opposed vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish? Have all
4. voted who wish? Have all voted who wish? Take the record.
5. On that question, the Ayes are 28, the Nays are 29, none
6. Voting Present. Senate Bill 822 having failed to receive
7. a constitutional majority is declared lost. Senate Bill 823
8. is on the Tentative Agreed List. 826, Senator Bloom. Alright,
9. that will be recalled. Senate Bill 827 is on the Tentative
10. Agreed. 828, Senator Berning. Read the bill, Mr. Secretary,
11. please.

12. SECRETARY:

13. Senate Bill 828.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President and members of the Senate. This
20. is the annual effort to embark on an adequate program of
21. funding our various pension systems to the point of reaching
22. what is considered actuarially sound. You will recall, per-
23. haps, that last Session we passed a bill providing a flat
24. one-half percent across the board Line Item appropriation
25. based on salary for each of the pension systems. The Governor,
26. in vetoing the bill, indicated that because of the various
27. levels of underfunding by the various systems that a flat
28. across the board appropriation requirement was unrealistic.
29. That probably was a good argument. The current bill, now
30. before you, provides for varying percentages of contribution
31. ranging from a quarter percent for the General Assembly to
32. as high as two percent for the judges. The reason being,
33. the judge's system is funded right now in the very low thirties

1. percent. This has a price tag of twenty-four plus million
2. dollars. A huge item, but, Ladies and Gentlemen of the
3. Senate, our total unfunded obligation for our five State
4. supported systems is approaching seven billion dollars. If
5. we start with this kind of increased funding, it is still
6. going to take us from thirty to forty years to get our
7. systems into the condition of funding, which is considered
8. safe. I would attempt to answer questions. On the other
9. hand, I think it's incumbent upon us to realistically
10. vote for funding, since the unfunding level is...is the
11. direct responsibility of actions taken by the General Assembly
12. over the years and I would urge a...an Aye vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Would the sponsor yield to a question?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates he will yield. Senator,...let me just inter-
19. rupt. The Illinois Realtors Association asked leave to film
20. for a documentary. Whoever is going to film, let's just
21. make that for about ten minutes. Alright? And if you need
22. more time...so, from now until noon, it'll give you twelve
23. minutes. Is there leave? Leave is granted. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Senator Berning,...if I understand you correctly, this
26. would include, also, the teachers' fund, which has been deficient
27. in its funding. Is that correct?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Berning.

30. SENATOR BERNING:

31. That's correct.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Geo-Karis.

SENATOR GEO-KARIS:

1. And under your bill then, what you're proposing to do is
2. to try and bring in enough money in the next thirty or forty
3. years to make up the deficiencies? Is that correct?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning.

6. SENATOR BERNING:

7. That is correct.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. Mr. President and Ladies and Gentlemen of the Senate, I
12. think this is a very good bill. We tried to do this several
13. years ago and it never got through over a gubernatorial veto
14. in 1975. I think it's high time that we do fund adequately
15. the pensions that we are responsible for and I certainly
16. speak in favor of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Egan.

19. SENATOR EGAN:

20. Thank you, Mr. President and members of the Senate. I...
21. I likewise rise in...solid support of...Senate Bill 828. We
22. ...we have been attempting to strengthen the position of our
23. State supported pension system so that neither do they go
24. broke nor do they face the possibility and they're perilously
25. close to that state now. It's essential that we reverse that
26. trend. This is the Governor's, himself's, recommendation. I
27. can see that...it's his idea. This is the way he wanted us
28. to structure it. We've been working hard at...at the...the
29. ultimate goal of...in this respect and I urge your favorable
30. consideration.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Buzbee.

33. SENATOR BUZBEE:

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

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates he will yield. Senator Buzbee.

3. SENATOR BUZBEE:

4. It's my understanding that...that the percentage figures
5. that are used for the various systems vary. Is that based
6. on the...accrued unfunded liability of the various systems?
7. Is that why you...you use a different percentage for each
8. system of increase?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berning.

11. SENATOR BERNING:

12. That is correct. All of the systems are not at the same
13. level of underfunding. As I mentioned, the Judicial System is
14. somewhere in the low thirties and goes from there on up to...
15. nearly the low fifties in one or two other cases. So, we are
16. using from a quarter percent to as high as two percent.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. The price tag is twenty-four
21. million dollars plus. As Senator Geo-Karis indicated, we did
22. at one time make an attempt at this,...then Governor vetoed it.
23. The problem, of course, is that any Governor or for that matter
24. any General Assembly knows that they are not going to be
25. around when the problem hits the fan...forty years from now
26. or so and...it's kind of like...the Scarlett O'Hara approach,
27. I'll...I'll worry about that tomorrow. It seems to me that
28. the time has come for us to start to do something about this,
29. even though it's infinitesimally small...compared to...to
30. what is needed to be done. The price tag is twenty-four
31. million dollars this year of...of...fiscal austerity of
32. funding problems everywhere. I think probably the approach
33. we ought to use is...just to sit down and cut out another

1. twenty-four million dollars out of...out of the budget some-
2. place so that we can start...to make this approach. Because
3. if we don't do it this year, then next year there will be
4. other reasons why it can't be done, and the following year
5. other reasons and so forth and so on. It's high time that
6. some Governor sometime start saying, yes, I am going to
7. approach the problem, I'm going to start to correct it even
8. though it will take thirty-five or forty years to correct
9. it. But at least when those young teachers and those young
10. State employees,...who are now in their late twenties, when
11. they reach retirement age there will be sufficient funds
12. for them to get incremental increases percentage wise and
13. ...in benefits and that their...their pension will be there.
14. It is a provision of the Illinois Constitution that...that
15. ...that pensions are guaranteed by the full faith and credit
16. of the State of Illinois. By the year 2000 or 2010, if we
17. don't start doing something about it now, the whole State
18. budget is going to be nothing but pensions by that year...
19. those years if...if we don't start addressing the question
20. now and it seems to me that this is a good approach. We
21. need to cut another twenty-four million dollars out of
22. the budget somewhere, which I think we can probably achieve
23. ...by...by funding this very small, very miniscule approach
24. to a...to a giant problem that's been building the last
25. fifty or sixty years.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. Just a question of the sponsor.
30. Senator Berning, I've heard it by inference, but for the record,
31. is it or is it not in the Governor's budget?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berning.

1. SENATOR BERNING:

2. It is not.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Grotberg. Alright. Further discussion? Senator
5. Berning may close.

6. SENATOR BERNING:

7. Thank you, Mr. President and members of the Senate. I
8. merely echo the comments of the other speakers, all of whom
9. seek to impress upon the Body that we have been, over the
10. years, granting benefits which have contributed to the unfunding
11. ...percentage of our pension systems and the State has been
12. derelict in its contributions. We are at the point where it
13. is necessary for us to bring our...start to bring our systems
14. up to the level of funding and as one additional justification
15. our first step in this direction will be a further insulation
16. of the State of Illinois from Federal regulations. I would
17. urge an Aye vote, Mr. President.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall 828 pass. Those in favor will
20. vote Aye. Those opposed vote Nay. The voting is open. Have
21. all voted who wish? Have all voted who wish? Have all
22. voted who wish? Take the record. On that question, the
23. Ayes are 58, the Nays are none, none Voting Present. Senate
24. Bill 828 having received the constitutional majority is de-
25. clared passed. 829 is on the Tentative Agreed List. 832,
26. Senator Marovitz.

27. SECRETARY:

28. Senate...

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 832.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Marovitz.

3. SENATOR MAROVITZ:

4. Mr. President, I'm rather surprised this is not on the
5. Agreed Bill List. I thought this was...agreed to by every-
6. body, but since it's not on the Agreed Bill List there's
7. an amendment that's being prepared by Caterpillar Tractor
8. and...some of the...companies around the State. I'd
9. rather pass it at this time and take it out of the record
10. and come back to it.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Take it out of the record. Senate Bill 835, Senator
13. Taylor. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 835.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Taylor.

20. SENATOR TAYLOR:

21. Thank you, Mr. President and members of the Senate.
22. Senate Bill 835 amends the unlawful possession of firearms to
23. provide that the person possessing it is under the age of
24. thirty now eighteen with certain exceptions. Those exceptions
25. being law enforcement official and security guards and so
26. forth. This bill is not intended to put persons in jail.
27. What it is intended to do is to try to deter some of the
28. crimes they use with firearms in my community and throughout
29. the State of Illinois. The statistics that I have today is
30. horrible and most of them are for persons under the age of
31. thirty years old. And I would like for you to take time and
32. just bear with me a minute and listen to some of the different
33. statistics that I have in dealing with firearms in my community

1. and throughout the State of Illinois. In the 1976 there were
2. five hundred and eighty-one persons die with handguns in
3. Illinois, fifty-one percent. The national average was only
4. forty-nine percent. In 1977 there was five hundred and fifty-
5. one die with firearms, forty-nine percent. The national average
6. was only forty-eight percent. In 1978 six hundred and twenty-
7. seven died with firearms, fifty five percent. The national
8. average was forty-nine percent. In 1979 six hundred and
9. sixty-four died with firearms, fifty-six percent. The national
10. average was fifty percent. And here are statistics dealing
11. with forcible rape. In 1976 thirty-five used firearms, '77
12. fifty-three, in '78 thirty-one, in 1979 twenty-eight. Armed
13. robbery, in 1976 seven hundred and forty-six used firearms,
14. in 1977 seven hundred and forty-one used firearms, 1978 seven
15. hundred and seventy-eight, in 1979 six hundred and forty-nine.
16. Aggravated battery, in 1976 two hundred and fifty-eight used
17. firearms, 1979 two hundred and sixty-nine, 1978 three hundred
18. and seventeen, and in 1979 three hundred and ninety-six.
19. Aggravated assault, in 1976 five hundred and seventy-one, 1977
20. six hundred and fourteen, 1978 six hundred and eighty-even,
21. 1979 seven hundred and sixty and the average for 1980 could
22. not be computed at this time, but I'm certain that it's much
23. higher. I say to you that enough is enough and the time has come that
24. we ought to do something about the use of firearms. I don't
25. think anyone can really be against a person owning a fire-
26. arm for his protection in his home. The only thing that I
27. say a person that...caught with a firearm on his person or
28. in his car, that person should get a minimum of two years
29. sentence and that should be a mandatory sentence. And I'm
30. certain that that would be one of the ways that we can
31. alleviate some of the problems that we are having today with
32. firearms. I solicit your support for Senate Bill 835.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? If not, the...Senator Bruce.

2. SENATOR BRUCE:

3. Well, I rise in opposition to this bill. First of all,
4. I'm not sure why we want to do to thirty year olds and under,
5. Senate Bill 87 revisited. But I would just alert everyone
6. on the Floor that shopkeepers and businessmen presently
7. have this right and you are saying to liquor store owners
8. and others under the age of thirty that they have no right
9. to carry or possess a firearm in their business. You are
10. also saying to every homeowner under the age of thirty, who
11. presently can have a handgun on their property for their
12. personal defense, that they, in fact, cannot have a firearm.
13. You are also saying to all farmers who have the legal right
14. to possess and keep a firearm concealed upon their person...
15. upon their own property...that they cannot have a firearm
16. if they're under the age of thirty. Why the age of thirty
17. is any magical number, I do not know, but we presently have
18. the right to...carry a concealed weapon in your home, at
19. your place of business, or upon your property if you're a
20. farmer and this bill says if you're under the age of thirty
21. you have none of those rights. I do not see why any...one
22. would support this legislation. The age of thirty is...
23. a distinction without a meaning.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Netsch.

26. SENATOR NETSCH:

27. A question to the sponsor. My notes indicate that the
28. ...the...when the bill was presented in committee, it was
29. indicated that it would be amended when it reached the Floor
30. because there was some concern raised about the thirty year
31. old division line. What happened to the amendment that was
32. going to be put on the bill so that it would have made it
33. ...as I recall, it was going to be...turned into an increased

1. penalty but with the age line removed.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Taylor.

4. SENATOR TAYLOR:

5. Your notes are correct, but I talked to the chairman of the
6. committee and we had suggested that it would be better that
7. my bill go as it is. We feel that it's a pretty good bill.
8. I feel that it's a good bill and to Senator Bruce, who says
9. that...it will stop any person from the age of thirty from
10. having a gun in his home, my bill does not read that way.
11. If it is, it does not intend it. As for a person that has
12. it on his possession or in an automobile...something of
13. that sort is the only reason that I would suggest that the
14. thirty year age...be suggested. And for thirty years...old,
15. you go out to any of the...county jails or municipal jails
16. in any part of this State and look at the ages of the...
17. young person that you see that's convicted there of having
18. the armed weapon. And that's one of the reasons that I chose
19. that magic number of thirty so that if he do happen to be
20. one of those persons that is caught that...we would be able
21. to give him some time and be able to stop some of the problems
22. that we have. I'm not intending to hurt the farmers or...or
23. anyone from having a gun in their home or in their place of
24. business. I said on their person, if they're caught in the
25. street with it. That's the gist of my bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Netsch, do you wish to continue? Senator...
28. Bowers.

29. SENATOR BOWERS:

30. Would the sponsor yield to a question?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. He indicates he will.

33. SENATOR BOWERS:

1. Senator Taylor, there's some concern on our side of the
2. aisle. I wasn't present when this bill was heard in committee,
3. but as minority spokesman, I guess it's my job to ask you.
4. It appears from our records that there was an agreement that
5. this bill would be amended on...on 2nd reading and for that
6. reason the Republican members did not vote. Had they voted
7. No, the bill would not have gotten out of committee. Now,
8. my question, Sir, is, was there an agreement and if there
9. was, what happened to it?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Taylor.

12. SENATOR TAYLOR:

13. Senator Bowers, there was an agreement that we would
14. consider our amendment. I talked with the chairman of the
15. committee on the day that it came up on 2nd reading, you
16. were not here, I wanted to speak with you about it. It was
17. here at that particular time and I told him that I would
18. like for my bill to go as it was and he agreed to let it go.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Well,...I'm informed that it was not an agreement that
23. an amendment would be considered, it was a flat out agree-
24. ment that the bill was going to be amended. And it just
25. seems to me, and I wasn't there, but if that agreement was
26. made we ought to keep it and you ought to pull it back to 2nd
27. and put the amendment on. Otherwise, I would think you
28. should get no support from this side of the aisle because
29. the agreement was made with the members of this side of the
30. aisle as well as others, as I understand it.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Sangmeister.

33. SENATOR SANGMEISTER:

1. Well, for the edification of Senator Bowers and the
2. other members, what you are saying, Senator, is correct.
3. There was an agreement the bill would be amended. If you
4. recall, Senator D'Arco was sitting in committee and was
5. handling it on behalf of Senator Taylor at that time. We
6. then got into a position here as we weren't quite sure what
7. kind of amendment was going to be put on it and, frankly, I
8. came to the decision that this bill is going to go down so
9. damn badly whether it's amended or not anyway,...you know,
10. let him handle it the way he wants it. That's the conclusion
11. we came to. Plain and simple.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. The...as I understood it, the...the agreement was among
16. the...Democratic members only, because the Republican mem-
17. bers never voted for any of our bills in committee so we
18. excluded them from any agreement. It was just...it was
19. just an agreement between us Democrats. So,...and...so,
20. there's no problem with this bill. It's a good bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Collins.

23. SENATOR COLLINS:

24. I...I guess the first question I should ask, will the
25. Republicans vote for this bill if he takes the thirty years
26. off?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. They indicate no, Senator.

29. SENATOR COLLINS:

30. No. But...but...no, it is true that there's some con-
31. fusions in reference to...the debate here. This bill does
32. not deal with...in the homes. It deals specifically with
33. concealing a weapon on the streets or in your car. On the

1. person. It does not have anything to do with business. Now,
2. I agree that the thirty...with the thirty year thing is a
3. bit unfair and...and quite frankly, Senator,...I don't know
4. if you can legally, there's a question of whether or not a
5. businessman twenty-five year old could transport his gun
6. to his business can't and a thirty year old can. See,
7. you have to...I think we need to look at that. I would
8. be willing to support the bill...under the conditions,
9. however, that...that at some point you take the thirty
10. off and maybe we can pass it out of here. And let me just
11. say, this is not a bad bill. Granted that there were much
12. stronger bills on gun control that was defeated, but I
13. think that this is the last bill that we have on gun
14. control and at least we can pass this one and feel that
15. we have done something. The thirty years, I don't think,
16. have any direct effect on the validity of this law one way
17. or another. So, I ask for a favorable vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Coffey.

20. SENATOR COFFEY:

21. Yes, Mr. President and members of the Senate, I rise in
22. opposition of this bill, even though my good friend, I'm sure,
23. has put this bill in good...with good intentions, but this
24. is just another move to remove handguns from all the people.
25. And I, like Senator Bruce, don't know what the magic number
26. is at age thirty, but there is many business people under
27. that age that do use that for their own...well-being while
28. either having and handling many dollars in their place of
29. business. I'd ask this side of the aisle, as well as the other
30. side, to oppose this bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator...Senator Geo-Karis.

33. SENATOR GEO-KARIS:

1. Will the sponsor yield for a question?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. He indicates he will.

4. SENATOR GEO-KARIS:

5. Does your bill prohibit a law abiding citizen to...

6. maintain a gun in his home in order to protect his family?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Taylor.

9. SENATOR TAYLOR:

10. Senator Geo-Karis, would you repeat your statement?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. Does your bill prohibit a law...a law abiding citizen

15. for...from...carrying a gun to protect himself or his

16. family?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Taylor.

19. SENATOR TAYLOR:

20. It did not permit...permit a law abiding citizen from

21. carrying a gun that was over thirty years of age. What

22. my gun...my bill distinctly stated was that for a person

23. that was carrying a concealed weapon on his person or in

24. his car would be convicted if he were caught with that. And

25. that is...a serious thing today, Senator Geo-Karis.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Geo-Karis.

28. SENATOR GEO-KARIS:

29. Mr. President and Ladies and Gentlemen of the Senate,

30. as much as I have the highest regard for the sponsor, I'm

31. afraid that this bill does the same thing that Senate Bill

32. 87 did. It would prohibit law abiding citizens...from...

33. adequately protecting themselves, while criminals can

SB 836
3rd Reading

1. go out and get guns. And, regretfully, I cannot support it
2. because I thought your bill was going to be amended on the
3. Floor to provide that those people committing felonies with
4. a gun would get a higher...would get a higher penalty. So,
5. regretfully, I cannot support the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Johns.

8. SENATOR JOHNS:

9. Thank you, Mr. President. Anyway you cut it, anyway
10. you wash it, anyway you hang it out, it's handgun control.
11. We've argued this up and down for many, many years and
12. all I can tell you, Senator Taylor, is that if you want
13. to stop crime with handguns, you make it mandatory that
14. there's a sentence for illegal use of handguns and you've
15. got the bill. So, I'm against it from the start to the
16. finish.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? If not, Senator Taylor
19. may close debate.

20. SENATOR TAYLOR:

21. Mr. President, I know that...Senator Johns is against it
22. from whichever way I do it, but I'll tell you what, I'd like
23. to take it out of the record at this particular time, move
24. it back to 2nd reading and have an amendment put on. I
25. have the amendment there. It's in the...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Take it out of the record.

28. SENATOR TAYLOR:

29. Okay.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senate Bill 836, Senator Keats. Read the bill, Mr. Secre-
32. tary.

33. END OF REEL

1. ACTING SECRETARY: (MR. FERNANDES)

2. Senate Bill 836.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Keats.

7. SENATOR KEATS:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. Senate Bill 836 is sponsored by myself and Senator
10. Sangmeister. What it does is it raises the maximum volume of
11. the annual sales for eligibility under...as a small business.
12. This is consistent with, and actually slightly smaller than the
13. Federal guidelines. These...this bill has passed through the
14. Senate in the past. What we're talking about is changing the
15. proposed levels for both the wholesaler, retailer, and construction
16. business to a more reasonable level. It still keeps ...as a very
17. small business, but presently we're at the point now where most
18. contractors, I mean virtually no one fits into the small business
19. category anymore. If there are any questions, I'd be more than
20. happy to answer them. The bill came out of committee 8 to nothing
21. through Finance and Credit Regulations.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? If not, the question is, shall
24. Senate Bill 836 pass. Those in favor will vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish? Have
26. all voted who wish? Take the record. On that question, the Ayes
27. are 56, the Nays are none, none Voting Present. Senate Bill 836,
28. having received the constitutional majority is declared passed.
29. Senate Bill 837 is on the Tentative Agreed Bill List. Senate
30. Bill 839, Senator Maitland. Senate Bill 841, 842, 844, 845,
31. and 848 are on Tentative Agreed Bill List. Senate Bill 849, Senator
32. Maitland. Read the bill, Mr. Secretary.

33. ACTING SECRETARY: (MR. FERNANDES)

1. Senate Bill 849.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Maitland.

6. SENATOR MAITLAND:

7. Thank you, Mr. President, and Ladies and Gentlemen of the
8. Senate. Senate Bill 849 is, again, another Driver's Education
9. Bill and this legislation increases the first time fee for driver's
10. license permits and driver's license to twenty dollars. As the
11. bill is currently drafted, it would raise approximately 1.4
12. million dollars. We have agreed with the Secretary of State's
13. Office, that when the bill reaches the House the increase in the
14. first time driver's license will be deleted from the legislation.
15. The purpose of that, and this was discussed in committee, is the
16. fact that mechanically it would be very difficult for them to
17. ...to separate these first time driver's license increases out.
18. So, the net effect of the legislation with that change will be
19. roughly one million dollars to the Driver's Education Fund.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If not, the question is, shall
22. Senate Bill 849 pass. Those in favor will vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question, the Ayes are 28, the Nays are 11,
26. 4 Voting Present. Senate Bill...the sponsor seeks that
27. Senate Bill 849 be postponed. Ladies and Gentlemen, we seem
28. to have had a error here, Senate Bill 837 was taken off the
29. Agreed Bill List it wasn't on the Tentative Agreed Bill List.
30. Senate Bill 841 and 842 are still on the Tentative Agreed Bill
31. List. Senate Bill 844, 845, and 848 are not on the Tentative
32. Agreed Bill List. So, we will...Senator Berman, for what purpose
33. do you arise?

1. SENATOR BERMAN:

2. Is there another list besides the one entitled May 27th,
3. '81?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator, what had happened there were red circles and black
6. circles on this list, and a list of numerical numbers, and the
7. Chair just read all the bills that were circled assuming that
8. those were on the Tentative Agreed Bill List. Evidently it
9. was another code. And this is the third Tentative Agreed Bill
10. List, it's dated 5/27/81. A new list will be distributed in a
11. few minutes. So...all right, on the Order of Senate Bills 3rd
12. reading, on page 17, Senate Bill 837, Senator Gitz. Read the
13. bill, Mr. Secretary. Read the bill, Mr. Secretary.

14. ACTING SECRETARY: (MR. FERNANDES)

15. Senate Bill 837.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Gitz.

20. SENATOR GITZ:

21. Thank you, Mr. President, and members of the Senate. Since
22. late last week, there's been an amendment filed on this bill. And
23. the amendment would exempt...or make the local sales tax exemption
24. optional. It would also take care of RTA. I am calling this bill
25. today, because of the difficulty in getting back to this ...into
26. the Calendar, and it is my intention, should this bill pass, to
27. make sure that that amendment is added to the bill, which would
28. remove it from the State Mandates Act. I'd like to point out, that
29. this legislation has been before us, frankly with nearly un-
30. animous consent last year, in the form of House Bill 1221 which
31. was sent to the Governor. At that time, the House and the Senate
32. agreed, that we ought to promote alternative energy systems. And
33. I would also like to bring to your attention a memoranda by the

1. Illinois Energy Resources Commission, in which they indicated that from
2. 1981 to 1985, Illinois could potentially save three hundred and
3. twenty-nine billion BTU's of energy on an annual average. And
4. the results in a yearly average, of over thirteen million dollars
5. saved or displaced energy costs for Illinois citizens. That's
6. thirteen million dollars that could be recycled back into the
7. economy. Now, the difficulty with the way Illinois treats its
8. present domain, is that many times conventional energy systems
9. have to be added to a solar system. So, in effect, the idea that
10. we will make a property tax valuation and the lesser of those
11. two values doesn't seem to work very well in practice. In ad-
12. dition, some forty-four states have recognized that if we're going
13. to get serious in this country about energy independence, that
14. we ought to promote the acquisition of this kind of energy forms.
15. This is for active solar systems for alternative energy. Now,
16. finally I would bring to your attention, that the Olin Corporation
17. which is actively considering expanding their facilities in the
18. City of Alton for solar collectors, has looked with great interest
19. upon this legislation in deciding whether they're going to expand
20. in Illinois or not. I think it is favorable legislation. I
21. think we should send it back to the Governor and allow him to
22. take a second look at this bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator...McMillan. Senator Grotberg.

25. SENATOR GROTBORG:

26. Thank you, Mr. President. Senator Gitz, I passed this bill
27. six years ago and it's law. What are we doing with it now?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Gitz.

30. SENATOR GITZ:

31. Well, if you passed this identical bill, Senator Grotberg,
32. then somebody forgot to put it in the Statutes, because this
33. legislation is not presently in the Statutes.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. This is to exempt solar energy devices from real estate tax,
5. is that correct?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Gitz.
8. SENATOR GITZ:
9. From real estate taxes and from the sales tax, for the
10. initial purchase of that collector. And the difficulty,
11. Senator Grotberg, is that the present Statutes in the Revenue
12. Code say that you can value it as a solar energy system or as
13. a conventional system. And you take one of those two values.
14. This removes it completely.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Grotberg.
17. SENATOR GROTBORG:
18. Yes, the...the existing law that you just referred to is
19. my original legislation. And I thought perhaps that this did
20. the same thing over again. This exempts from taxes rather than
21. evaluate as existing or alternative. Thank you.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Further discussion? Senator Nimrod.
24. SENATOR NIMROD:
25. Yes, thank you, Mr. President. A question of the sponsor.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Indicates he will yield. Senator Nimrod.
28. SENATOR NIMROD:
29. Yes, Senator Gitz, is...do I understand that on this basis
30. that there would be no tax at all on the purchase, and what
31. happens when the equipment is then installed?
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Gitz.

1. SENATOR GITZ:

2. Well, once the equipment is installed you would not have
3. a property tax valuation directly traceable to that system. Now,
4. that would not remove the fact that if you have a conventional heating
5. system, that you could conceivably pay taxes on that. But most
6. of these solar installations have both the conventional system
7. as a backup plus the active solar system. Our intention is to
8. remove the penalty, in effect, for being energy efficient by this
9. legislation.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Do you...do you have a date...how...this would go on for the
14. next twenty or thirty years...shouldn't your bill have some time
15. limit as to the amount of this kind of incentives which are offered
16. in order to incorporate the alternate energies?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Gitz.

19. SENATOR GITZ:

20. The present date in the bill is an immediate effective date.
21. There is no phase-out. I recall your discussion in committee, and
22. if we can agree on some reasonable sunset legislation, I'd be
23. willing to put that in, in the House.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Nimrod. Senator McMillan.

26. SENATOR MCMILLAN:

27. Mr. President, and members of the Senate. I rise in opposition
28. to Senate Bill 837. I do understand the...the good intent of the
29. sponsor to deal with the problems in the bill later, but, in fact,
30. as we are looking at the bill, and as we would be called upon to
31. vote Yes or No, it does not...has not yet dealt with the problems
32. of the State mandates. It seems to me, that whatever merit this
33. particular proposal has, it is something that we simply can't afford
at this time. We're sitting in this Body contemplating putting

1. an end to tax relief in some areas that we have already voted.
2. If we're going to be called upon to consider that, this is simply
3. not the time for us to be taking this kind of additional act. And
4. I would seek a No vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Gitz may close.

7. SENATOR GITZ:

8. Very briefly, Mr. President. I would like to remind the
9. members of the Senate, that you can't lose what you don't have.
10. The fact is, is that many states like Michigan offer an income
11. tax credit, a sales tax credit, and a property tax credit, even
12. these enlightened bastions like Oklahoma have tried to do this.
13. Now, either you're serious about energy independence and promoting
14. alternative and clean renewable systems or you're going to continue
15. a present system which makes them very expensive to begin with,
16. and on top of that, you also increase their property taxes and
17. charge them a sales tax. If you can take in an annual basis and
18. save thirteen million dollars which is cranked into our present
19. systems, and recycle that in the Illinois economy, I suggest to you
20. that this legislation, far from working against the State Treasury,
21. will actually help the State Treasury. Now, we have discussed
22. this before, this Body made a commitment before to this leg-
23. islation, and I think it is a very prudent and sensible way to
24. go about promoting solar energy systems, which everybody agrees
25. in their...ideal concept is going to be good. Now, the only reason
26. that I have not put the amendment on, to Senator McMillan, is
27. very frankly, the matter of time. That amendment has been filed
28. from last Thursday, and should that amendment for some reason not
29. go on in the House, I will move personally, to Table this bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall Senate Bill 837 pass. Those in favor
32. vote Aye. Those opposed vote Nay. The voting is open. Have
33. all voted who wish? Have all voted who wish? Have all voted

1. who wish? Take the record. On that question, the Ayes are
2. 31, the Nays are 27, none Voting Present. Senate Bill 837,
3. having received the required constitutional majority is declared
4. passed.

5. PRESIDENT:

6. Ladies and Gentlemen, if I can have your attention. I would
7. ask the Doorkeepers to please keep the doors closed, and I'd ask
8. the members to please remain in their seats. We are pleased today,
9. to have with us a number of distinguished guests. As I'm sure
10. everyone is aware, we all participated on Monday in our respective
11. communities in a Memorial Day Service, and Senator Shapiro and
12. I thought it only appropriate that we ought to have, even in the
13. midst of the controversy and everything else, that we ought to take
14. a few moments, and it will be a very brief few moments to remember
15. those who have done so much for us. And I would like now, the
16. Senate to be in order, and I will...please keep the doors closed
17. and ask the Gentlemen in the hallways to remove themselves. I
18. will now yield to the Chairman of the Committee that handles
19. Veterans Affairs, Senator Sam Vadalabene.

20. SENATOR VADALABENE:

21. In just a few...few short minutes, as they get the flags ready
22. for the presentation of the colors, we'll start the program. We're
23. about three minutes early, so sort of be at ease. We'll get this
24. ...underway in just a brief moment or two. When you're ready
25. just give me the high sign, and we'll...all right, we will now, if you'll
26. have the presentation of the colors by the Combined Armed Forces
27. Color Guard. Would you please rise. Pledge of Allegiance by
28. Senator Keats.

29. SENATOR KEATS:

30. (Senator Keats leads Pledge of Allegiance)

31. SENATOR VADALABENE:

32. The opening prayer by Senator Kenneth Hall.

33. SENATOR HALL:

1. (Prayer given by Senator Hall)

2. SENATOR VADALABENE:

3. Please be seated. We will now recognize Senator Laura Kent
4. for the poem in Flander's Fields.

5. SENATOR KENT:

6. (Senator Kent reads poem)

7. SENATOR VADALABENE:

8. Introduction of our guests, Senator William Mahar.

9. SENATOR MAHAR:

10. Thank you, it's my honor to introduce the honored guests on
11. the rostrum, we have Brigadier General Ralph A. Bush, Assistant
12. Adjutant General of the Air is General Phipps, Rear Admiral
13. Alban Weber, U. S. Navy Retired Commander of the Illinois
14. Naval Militia. Captain George Dutton, U. S. Navy Retired Commander
15. of the Naval Order of the United States. Lieutenant Colonel
16. Carl O. Johnson, Director of Public Affairs, also the Adjutant
17. General. Staff Sergeant Cindy Stover, Army National Guard from
18. Camp Lincoln. Tech-Sergeant Roy Jason, Air National Guard,
19. Springfield. Tech-Sergeant Roger Allen, Air National Guard,
20. Springfield. Staff Sergeant John Calcari, Army National Guard,
21. Camp Lincoln. And Staff Sergeant Ronald Coventry, Army National
22. Guard, Camp Lincoln. It's my real pleasure to introduce a Gentleman
23. who's going to say a few words to us, a man who is recently retired
24. from the United States Army who commanded the Green Berets in
25. Vietnam, a native of Illinois, a native Chicago. Major General
26. Michael Healy, U. S. Army Retired. General Healy.

27. ADMIRAL LEVERT:

28. (Remarks by Admiral Levert)

29. MAJOR GENERAL MICHAEL HEALY:

30. (Remarks by General Healy)

31. SENATOR VADALABENE:

32. Thank you, very much, Major General Healy for your inspiring
33. remarks. I think we needed that. There are three more introductions

1. ...four more introductions that I'd like to make at this time.
2. The Honorable David V. Hardwick, Director of the Illinois Depart-
3. ment of Veterans Affairs. The Honorable George E. Bailey, Assistant
4. Director of the Illinois Department of Veterans Affairs. And
5. Frank Rice, our former State Commander in the Legislative Liaison
6. for the VFW, Frank Rice. And last but not least, our own Senator,
7. Bob Mitchler. We will now join Senator Adeline Geo-Karis, Senator
8. Gene Johns, and Senator John Grotberg in God Bless America.

9. (Senators Geo-Karis, Johns, and Grotberg lead song)

10. SENATOR VADALABENE:

11. Would you please remain standing. The closing prayer by
12. Senator Philip J. Rock, our President.

13. SENATOR ROCK:

14. (Prayer given by Senator Rock)

15. SENATOR VADALABENE:

16. The sounding of the Taps was by Roger Eilts, our bugler.
17. Would you retire the colors, please. That completes our program.
18. Thank you, very, very much.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 839 is on the recall list. 841 and 842 on the Tentative
21. Agreed Bill List. 844, Senator Demuzio. Hold. 845, Senator
22. Demuzio. Read the bill, Mr. Secretary, please.

23. SECRETARY:

24. Senate Bill 845.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Yes, thank you, Mr. President, and Ladies and Gentlemen of
31. the Senate. Senate Bill 845 provides funding for the Office of
32. Consumer Financial Affairs to be established at the University of
33. Illinois. I put forth this specific concept two years ago, and it simply

1. is not a new concept, it has been around for some time. Funding
2. for this needed consumer research entity would be provided by an
3. annual fifty dollar fee that would be collected from the Illinois
4. Financial Institutions which include banks, savings and loan:
5. associations, finance companies, and credit unions. The fee would
6. be paid to the regulating agency for the deposit into the Consumer
7. Financial Research Fund created by this legislation. And the
8. money for the fund would be annually appropriated to the University
9. of Illinois. The university would utilize this money to conduct
10. research, issue reports, and provide information on the many
11. complex financial issues that have come before the General Assembly
12. that have a substantial and daily impact on the lives of all
13. Illinois consumers. Unlike most matters that come before this
14. Legislature, there is no one single organized, centralized group,
15. university, or organization that provides information on financial
16. issues from a consumer's perspective. In fact, during the past
17. four years, I can only think of three occasions in which any
18. quasi-consumer group presented testimony on legislation before
19. the Senate Finance and Regulations Committee. Instead, the
20. General Assembly, our only source of financial information
21. on issues affecting the financial community comes from the
22. financial institutions and the trade associations that they
23. represent, and they represent those very same interests. Another
24. point of this legislation is the introduction, most legislation,
25. again, that is introduced that comes from the financial industry
26. without any input whatsoever from consumer groups. The fact
27. is clear that the day to day...our only day to day source of
28. financial information comes...information to consumers comes
29. from the industry. It's not that the information is benevolent
30. rather that is generated from a special interest protecting its
31. own position. In this legislation...Legislative Session, we are
32. considering legislation that will remove all interest rate ceilings
33. from loans made by financial institutions, legislation that will

1. determine what exemptions a bankrupt consumer may claim in order
2. to begin a fresh start, and legislation that will dramatically
3. alter the structure of Illinois banking in this...in...banking
4. industry in Illinois. The impact of these bills are widespread
5. and will affect each and every citizen of this State, and I suggest
6. to you, that most consumers do not understand the complex financial
7. issues. And that their interests have gone unrepresented in the
8. aspects of providing input into these subjects. And I think that
9. this bill would help to bridge this gap. I have personally met
10. with several different professors of the University of Illinois,
11. with qualifications that I consider to be beyond reproach. Some
12. individuals who have worked for the Federal Reserve Board, the
13. Comptroller of the Currency, and on...even Presidential Economic
14. Commissions. And they certainly have the potential, at least,
15. in my judgment to conduct studies into those issues and provide
16. balanced information. Now, I've heard some arguments that each
17. ...that this entity, if it was to be created, would become a sort
18. of a Nader's Raiders type of organization, and I can assure you,
19. in fact, that it is not a valid argument, and it is highly unfounded
20. at this point. In the event of any occurrence of such, certainly
21. the annual appropriations to the university would certainly be
22. addressed by this Legislature. I want to point out that in...
23. I think it was two years ago, when Senate Bills 905 and 906,
24. the electronic funds transfer bills were passed out of this
25. legislation and became law, we turned to the University of
26. Wisconsin's Consumer Affairs Center, in which reviewed the
27. Consumer Protection Provisions which are now a matter of Statute
28. in Illinois. And I submit to you that we...it is not necessary
29. for us with the expertise that we do have in Illinois, it is
30. not necessary for us to turn to other states to provide...for this
31. information. The conclusion is that this type of entity is...
32. is needed more so today than ever before, when one takes an
33. honest look at the current economic situation. Where do wise...

1. an Illinois consumer turn to in...in these...in these difficult times?
2. And I want to point out that there's no public tax money involved
3. in this legislation. And that it is similar to a bill that is
4. being sponsored by the realtors that is in the House currently.
5. And I would respectfully ask for your favorable consideration in
6. this legislation.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further...further discussion? Senator Bloom.

9. SENATOR BLOOM:

10. Well, I somewhat reluctantly rise in opposition to this bill.
11. It is...first it was in...before committee, had had a continuing
12. appropriation, but I understand that most objectionable feature
13. was removed, but here's the problem, this only gets State chartered
14. financial institutions, and they're footing the bill for the...the
15. whole show. If...if you're going to do this kind of thing, and
16. the amounts levied are not particularly onerous, fifty dollars an
17. institution, but if you're going to do this thing, you really
18. ought to be evenhanded. And only State chartered institutions
19. would pay the increased fees to fund this new office, we never heard
20. from the University of Illinois, whether they'll support the program
21. or if, you know, they have...they have any kind...anything in place
22. to do this program. This is one of these proposals that has a
23. very, very attractive label, but once you open the package, you
24. find that there isn't a great deal there. I urge opposition.
25. Thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Keats.

28. SENATOR KEATS:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. I just rise in opposition, but only to raise one point.
31. That being, we're saying that this group should represent consumer
32. what do you think the Legislature is getting paid to do? We
33. are the consumer advocates. To hire somebody to do our job

1. for us, it seems to me, is an abrogation of our responsibility.
2. I can't see where...I can't say whether the consumers in your
3. district are being represented, but I know the consumers in my
4. district are being represented quite well. You may have your
5. own opinion of how the consumers in your district are being repre-
6. sented, but what I'm saying is, we are here to represent the
7. consumers, in other words, the electorate of Illinois and to simply
8. tax in one group to pay some group to run around underfoot and
9. cause trouble for all, because someone feels we aren't doing our
10. job, then let them vote us out of office if we're failing to
11. represent the consumers. Don't simply come up with more money
12. and a new program to do it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Further discussion? Senator Demuzio may
15. close.

16. SENATOR DEMUZIO:

17. Yes, thank you, Mr. President, and Ladies and Gentlemen of
18. the Senate. If the Gentleman's previous argument were valid we
19. wouldn't need AMB, ICBI, and all of the other financial institution
20. lobbyist groups, we wouldn't need the nurses and the railroads,
21. and chambers of commerce, and et cetera, and so forth. Let me
22. just point out to another speaker that...that this measure allegedly
23. will be unfair, in that it does not tap the Federally chartered
24. financial institutions that are located in...in Illinois. The
25. argument has some validity as I pointed out in committee, but I
26. would suggest that the fifty dollars would not...not adversely
27. affect our State chartered institutions, in fact, in addition to
28. providing another tax write-off, this bill could be used as a
29. marketinggimmick by those institutions from the perspective
30. that they can claim that their businesses care enough about their
31. customers to pay fifty dollars per year to an entity that is
32. mandated to look out in their best interest. I certainly think
33. it is a concept that needs to be explored. I think it is a good

SB 848
3rd Reading

1. one, and I would respectfully solicit your favorable support on
2. Senate Bill 845.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is, shall Senate Bill 845 pass. Those in favor
5. vote Aye. Those opposed vote Nay. The voting is open. Have all
6. voted who wish? Have all voted who wish? Have all voted who
7. wish? Have all voted who wish? Take the record. On that question,
8. the Ayes are 29, the Nays are 25, 2 Voting Present. Senate Bill
9. 845, having failed to receive a constitutional majority is declared
10. lost. 848, Senator Nash. Read the bill, Mr. Secretary, please.

11. SECRETARY:

12. Senate Bill 848.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Nash.

17. SENATOR NASH:

18. Mr. President, and Ladies and Gentlemen of the Senate. This
19. bill establishes a job search training in the work program with
20. public and private organizations through the Department of
21. Public Aid. There should be no opposition to this bill. Public
22. Aid, right now, has a pilot program going on in the City of Chicago
23. that's received very good support. And I urge your Aye vote on
24. this bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Is there discussion? The question is,
27. shall Senate Bill 848 pass. Those in favor vote Aye. Those opposed
28. vote Nay. The voting is open. Have all voted who wish? Have
29. all voted who wish? Have all voted who wish? Take the record.
30. On that question, the Ayes are 56, the Nays are none, none Voting
31. Present. Senate Bill 848, having received the required constitutional
32. majority is declared passed. Senate Bill 851 is on the Tentative
33. Agreed List. 852, Senator Degnan. No. 853, is on the Tentative

1. List, Senator Coffey...Agreed List. 854, Senator Rock. For
2. what purpose does Senator Rock arise? It didn't make the Agreed
3. List, Senator.

4. SENATOR ROCK:

5. I rather thought 854 through 859 would have been on the
6. Agreed List, but since they're not let me represent to the Body
7. that obviously the State of Illinois faces a crisis. I have been
8. in conference with the Governor and with the Republican Leader-
9. ship. On Friday of last week, most of yesterday, and again today,
10. and I would ask leave of this Body to come back to these bills
11. probably tomorrow about midday to afford. I'm told the Republican
12. task force will be meeting later this afternoon and hopefully
13. we will have an opportunity to meet in the morning. I think
14. there is some movement, at least, I hope there is, and I will
15. be prepared to call these bills or call any bills or amend any
16. bills that will solve the problem that confronts us. But I think
17. a good faith effort is being made, and I would ask leave of
18. the Body to come back to these tomorrow about midday.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there leave? Leave is granted. Senate Bill...that would
21. relate to 854, 55, 56, 57, 58, and 59. 860, Senator Chew. Senator
22. Chew on the Floor? For what purpose does Senator Geo-Karis arise?

23. SENATOR GEO-KARIS:

24. Mr. President, and Ladies and Gentlemen of the Senate. I
25. was called for a long distance call in the telephone booth, and I
26. missed voting for Senate Bill 848, and I want the record to reflect
27. the fact that if I were here I would have voted for Senate Bill
28. 848.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right, the tape will indicate. 860, Senator Chew. All
31. right. 861 is on the Tentative Agreed List. 862, Senator Newhouse.
32. Is Senator Newhouse...phone booth. Senate Bill 863. 864 is on
33. the Tentative Agreed. 865, Senator Thomas. Senator Thomas, did

Do 867
3rd Reading

1. ...did you wish it read, Senator, or do you want to recall it?

2. SENATOR THOMAS:

3. I would like it recalled, please.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right, we'll have to add it...that bill will be recalled
6. then tomorrow. 867, Senator Geo-Karis. Senator, do you wish it
7. called? Read the bill, Mr. Secretary, please.

8. SECRETARY:

9. Senate Bill 867.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr. President, and Ladies and Gentlemen of the Senate. Senate
16. Bill 867 permits a criminal defendant to be found guilty by mentally
17. ill rather than not guilty by reason of insanity where the defense
18. of insanity has been raised. A guilty but mentally ill defendant
19. can be...sentenced exactly as a healthy defendant charged with
20. the same crime except that his sentence must include psychiatric
21. and psychological treatment or counseling. The bill eliminates
22. the current advantage to be gained by feigning and faking an insanity
23. defense when all other evidence and facts point to guilt. I
24. might tell you, that the Illinois Psychiatric Institute that had
25. been against the bill has since withdrawn its opposition because
26. they came through with a definition for a mental illness which I
27. think is even better than...the State of Michigan's definition of mental
28. illness. I might also tell you, this definition says,"that for
29. the purposes of this bill, mental illness or mentally ill means a
30. substantial disorder of thought, mood or behavior which afflicted a
31. person at the time of the commission of the offense and which impaired
32. that person's judgment, but not to the extent that he is unable to
33. appreciate the wrongfulness of his behavior or...or is unable to
conform his conduct to the requirements of law." I have passed

1. out to you a number of things, and...which indicated how easy
2. it's been for many of these people who know what they're doing
3. but...are not really...not thoroughly insane but go ahead and
4. perpetrate vicious crimes upon people and get by with it, get
5. by with murder, get by with rape. It's high time that we
6. protected the people of this State. I might also tell you, that
7. when we had the testimony on Senate Bill 867, in the committee,
8. a Gentleman testified who has a relative in his own family who's
9. gotten by because the...he's been getting treatment for psychiatric
10. disorders, gets released back into society and recently murdered
11. someone, and his case is pending. I've gotten a letter from this
12. Gentleman, I circulated it around to all of you, so you can read
13. it, but I left his name out because he asked me to keep his name
14. out. Although he did testify before the committee, committee
15. members remember it. My co-sponsor, my hyphenated co-sponsor on
16. this bill is Senator Sangmeister. And I'm here to answer any
17. questions you have.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Keats.

20. SENATOR KEATS:

21. Will the sponsor yield for a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates she will yield.

24. SENATOR KEATS:

25. Thank you. I know you accepted an amendment on this bill,
26. is it not true that the new definition you have makes it so wide
27. open this bill doesn't do one doggone thing, it defeats the
28. entire purpose of the bill? A concept all of us are strongly in
29. favor of, and many of us have introduced bills in favor of, but
30. it's been explained to me, that your definition makes this bill
31. such garbage that it isn't worth having.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. Well, thank you, Mr. President, and members of the Senate.
3. I would say to Senator Keats, that that is not at all true. I
4. think what the Body has to understand is, that we are not eliminating
5. the finding or the plea of not guilty by reason of insanity, that
6. is still preserved in the law. What we, of course, are adding, as
7. Senator Geo-Karis has indicated, is a guilty but mentally ill, which
8. can be handled by way of a plea before a judge, it can be found
9. in a trial by the judge, or it can be found by a jury. And the
10. difference is, of course, that to be found mentally ill, Senator
11. Keats, the definition is not that broad, and...it's as best as
12. you can do in the area. It's a substantial disorder of thought,
13. mood, or behavior, which afflicted a person at the time of the
14. commission of the offense, and which impaired that person's
15. judgment, but not to the extent that he is unable to appreciate
16. the wrongfulness of his behavior or is unable to conform his conduct
17. to the requirements of the law. What we are saying in this regard
18. is simply that there is another category. If a person is insane
19. and cannot understand his acts, then he ought to be found not
20. guilty by reason of insanity, but we have those people who are
21. not completely insane, and this has been worked over with the
22. psychiatrists, and this is the definition that we came up with of
23. mentally ill. And I think it fits very well. And I might say to
24. the members of the Senate, this law is patterned after what is
25. presently operating in Michigan, and as I understand it, is operating
26. fairly well.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Collins.

29.
30.
31. (END OF REEL)
32.
33.

2. For what purpose does Senator Keats arise? Well, the
3. sponsor is Senator Geo-Karis. I...Senator, did you ask...
4. that's what I thought, Senator Sangmeister asked no question
5. of the sponsor. All right, we'll get you at second round,
6. Senator. All...you asked no question, you made a state-
7. ment about the legislation and then concluded. Senator
8. Collins.

9. SENATOR COLLINS:

10. Question of the sponsors. And...and let me say, I
11. apologize...I...for not...reading the bill as it...the
12. amendments. But are you setting up two categories here,
13. guilty by reason of insanity and then guilty...but mentally
14. ill? Are...are you going with two or one?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Geo-Karis.

17. SENATOR GEO-KARIS:

18. We...we have not eliminated the plea of not guilty by
19. reason of insanity. We simply have added another plea of
20. guilty but mentally ill. And also there's another form of
21. verdict where a jury or a judge, if someone does plead not
22. guilty by reason of insanity and it isn't thoroughly justified,
23. a judge or a jury can find them guilty, but mentally ill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Collins.

26. SENATOR COLLINS:

27. I...I'm confused. Let me give you an example then, maybe
28. ...and I want you to please answer my question, Senator Geo-Karis.
29. You know, I support this concept and I think when I first came
30. to the Legislature, I started working on a bill to do that
31. and there are several states that have already done the same.
32. However, now, I want to hear this...want you to hear me clearly.
33. Do you have two possible verdicts in this bill?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Yes, we have, actually more than two, we have one, not
5. guilty, we have one, not guilty by reason of insanity and
6. then we have another form of verdict which this bill will
7. provide, of guilty but mentally ill. Either one, and you
8. also have the fourth form of guilty, a verdict which is
9. guilty. There's four forms.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Collins.

12. SENATOR COLLINS:

13. I...I...I'm only concerned about insanity and mentally...
14. mentally ill, okay. Please don't answer, because I want to
15. say something before you answer. What is the difference
16. between...guilt...not guilty by reasons of insanity or
17. guilty, but mentally ill? Will that person who is found
18. guilty by reason of insanity not be submitted to a mental
19. institution as well as the person who is guilty but mentally
20. ill? What's the difference?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Geo-Karis.

23. SENATOR GEO-KARIS:

24. If...a...a plea is not guilty by reason of insanity
25. and he is thoroughly insane, that is insanity and that plea
26. can be sustained. If he is...the difference, if I may give it
27. to you...but a guilty but mentally ill defendant, for example,
28. can be...sentenced exactly as a healthy defendant charged
29. with the same crime, except that his sentence, either to
30. probation, periodic imprisonment, or to the penitentiary,
31. must include psychiatric and psychological treatment or
32. counseling. The difference is...that...and he can be
33. accountable for his acts when he's guilty but not mentally

1. ill. But if he's guilty by not...by...if he's not guilty
2. by reason of insanity, it means that he's not thoroughly
3. accountable for his acts.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Collins.

6. SENATOR COLLINS:

7. That is absolutely impossible for...for anybody to
8. follow. This...you...you said it. I don't even...do you
9. realize what you're saying?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. When a person is not guilty by...by reason of insanity
14. and is really insane, no amount of psychiatric treatment
15. will change his status. But in a case of guilty, but mentally
16. ill, this party, at the time...if he's found that at the
17. time of the commission of the offense, he is found that his
18. judgment has been impaired, but not to the extent that he
19. is unable to...to appreciate the wrongfulness of his
20. behavior or is unable to conform his conduct to the require-
21. ments of law.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. He is mentally disturbed, but not to the same extent
26. as thorough insanity. As legal insanity, that's what I'm
27. trying to explain to you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Okay, Senator Collins, your time has expired. If you
30. need additional time, we'll catch you the second round. Further
31. discussion? Senator...we got a lot of speakers, Senator
32. Grotberg.

33. SENATOR GROTEBERG:

1. I just rise to move the previous question.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. I have Senators Keats, Collins and Sangmeister, who
4. have sought recognition. Senator Sangmeister. Senator Keats,
5. you were...Senator Sangmeister.

6. SENATOR SANGMEISTER:

7. Well, I just wanted to explain to Senator Collins,
8. that when a person who is charged with a crime is found to
9. be insane or pleads not guilty by reason of insanity, that
10. means that person had no idea what they were doing, are
11. completely under our law...immm because he couldn't comprehend
12. the acts that were going on, just had no idea what they were
13. doing, it was...they were totally out of it, okay. Under
14. mentally..guilty but mentally ill, that person is not completely
15. out of it, as it is described, they have a substantial disorder
16. of thought, mood or behavior, that person knew what they were
17. doing when they committed that crime. They might have had
18. a mental disturbance, but they were not totally out of it.
19. That's about as clear as I can put it. The difference being
20. is, not guilty by reason of insanity, that person takes a
21. walk. Under this particular bill, if you're found guilty,
22. but mentally ill, or you plead that way, you're going to
23. get the same sentence as if you were found guilty. You're
24. not going to go back out on the street, that's the difference,
25. you're going to get committed to the Department of Mental
26. Health and then you're going to come back after you're
27. cured to serve out the rest of your sentence. That's the
28. meat and the guts of the bill and that apparently is what
29. the people of this State want.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Keats.

32. SENATOR KEATS:

33. Thank you, Mr. President. As everyone's aware, we've
34. been talking here, I intend to vote for this bill because it

1. is an improvement over existing law. The existing law today
2. is a complete sellout to anyone who has been supported. In
3. terms of the definition, this thing is so broad, if you
4. can't drive a truck through it, it's 'cause you're blind.
5. And to give you a feel for how firm it is, you notice the
6. Trial Lawyer's Association is not opposing the bill. So you
7. know if they aren't unhappy with it, you know this has got
8. loopholes so wide that it probably won't work, but it
9. can't be worse than existing law, so for that reason I'm
10. voting for it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Collins.

13. SENATOR COLLINS:

14. Well, I thought maybe Senator Sangmeister would answer
15. my question, but he didn't so...I...I give up.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. All right. Senator Geo-Karis may close. May we have
18. some order, please. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

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

21. I might tell you that also the State of Indiana has similar
22. legislation on its books. It's high time we protected
23. the people who have been attacked, whose families have been
24. disrupted because their loved ones have been...murdered,
25. raped and then the defendants take the issue of not guilty
26. by reason of insanity, when they're fully aware of what they
27. did, but try to get out of it. And I think it's high time
28. we do something about it. Just four days before the Reagan
29. shooting, one of the Senators of the U. S. Senate, called
30. for a revision of the Federal Law to make even mentally
31. ill persons responsible for crimes they intended to commit.
32. "He said, this amendment would end the insanity charade that
33. has demeaned the Federal Courts for too long. Critics complain

1. that defendants acquitted under insanity pleas spend less time
2. in mental institutions than those sent to prisons for
3. similar crimes." I...I think this is a good bill, I think
4. it's a necessary bill for...bill for the people of Illinois
5. and it's high time we protect the victims instead of the
6. victimizers and I ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is shall Senate Bill 867 pass. Those
9. in favor vote Aye. Those opposed vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Ayes are 55, the
12. Nays are none, 1 Voting Present. Senate Bill 867, having
13. received the required constitutional majority is declared
14. passed. If I might have the attention of the membership.
15. Our electronic marvel is having a slight problem if you
16. vote real late. And so when we say, take the record, if
17. you will try to vote as early in the roll call as possible,
18. we are having roll calls that are not necessarily lining
19. up and it's making the Secretary's Office have some concern.
20. So, if you're going to vote, if you can vote early, we'll
21. try to get everybody on...the roll calls are correct, it
22. just makes the machine have a slight headache. It's
23. the last minute switches which are...vote early and vote
24. often, yes. So, I mean if you can keep that in mind, the
25. electronic marvel is having a slight headache. Senate
26. Bill 868 is on the Tentative Agreed List, 875 is
27. on the Tentative Agreed, 879 is on the Tentative Agreed.
28. 882, Senator Geo-Karis. Read the bill, Mr. Secretary,
29. please.

30. SECRETARY:

31. Senate Bill 882.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Mr. President, Ladies and Gentlemen of the Senate. What
5. ...Senate Bill 882 does, it amends the Mental Health Develop-
6. mental Disabilities...Confidentiality Act, provides that
7. a therapist may disclose a record or communications without
8. consent to any agency or institution having valid...custody
9. of the mental health services recipient. It seems there's
10. been some cases where, of course, this has not been done,
11. and some of the patients have been far more dangerous
12. than they thought, that the institution thought they were
13. and it created quite a bit of damage and...and injury. I
14. respectfully ask for your favorable consideration.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Is there discussion? The question
17. is shall Senate Bill 882 pass. Those in favor vote Aye. Those
18. opposed vote Nay. The voting is open. Have all voted who
19. wish? Have all voted who wish? Have all voted who wish?
20. Take the record. On that question the Ayes are 39, the
21. Nays are 7, 4 Voting Present. Senate Bill 882 having received
22. the required constitutional majority is declared passed. 883,
23. Senator Geo-Karis. Mental health records. Yes, Senator.
24. Read the bill, Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 883.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. Mr. President, Ladies and Gentlemen of the Senate. This
33. bill amends various acts to authorize the disclosure of...a

1. defendant's medical and mental health records to the department,
2. agency, institution or facility which has custody of the
3. defendant. This bill amends the Unified Code of Corrections
4. to authorize...said disclosure. Because when individuals
5. are incarcerated by county facilities, in many instances,
6. they are given a physical and mental examinations by these
7. entities. I might say that the representative of Cook
8. County was at the hearing on this bill, they had no objection
9. to it and I would...request a favorable consideration.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Is there discussion? The question
12. is shall Senate Bill 883 pass. Those in favor vote Aye.
13. Those opposed vote Nay. The voting is open. Have all
14. voted who wish? Have all voted who wish? Take the record.
15. On that question the Ayes are 55, the Nays are none, none
16. Voting Present. Senate Bill 883, having received the
17. required constitutional majority is declared passed. The
18. bills, remaining bills on that page, 885 through 898 are
19. all on the Tentative Agreed List. 902...for what purpose
20. does Senator Kenneth Hall rise?

21. SENATOR HALL:

22. Yes, I understood there was another list. ...Is
23. it...where is it, we would like to know where it is?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. We have had a printout established and it has been
26. sent around, just to list the numbers at this time. We
27. now have the Agreed Bill List, a Tentative Agreed Bill
28. List, we must tell you that there are bills being removed
29. from this list as of today. And so this is tentative,
30. if you have a list...if you have a particularly objectionable
31. bill, now would be the time to alert myself or Senator
32. Weaver. For what purpose does Senator Demuzio arise?

33. SENATOR DEMUZIO:

1. Well, just a point of clarification. The...the list that
2. was passed out this morning is not the same as the printed
3. copies that were passed out.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. No, there was a second list that was put together and
6. they are additions to the first list we passed out and
7. the printout includes all bills that are being considered
8. to being...placed on the Agreed Bill List.

9. SENATOR DEMUZIO:

10. All right, includes both lists, in the printout.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. That's right. The printout is the maximum. We will
13. not add any more bills to that list today.

14. SENATOR DEMUZIO:

15. Well, that's been referred to as one list. I think
16. everybody's looking for a second bill list like this.
17. Pitch this, keep this.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. That's right. Senate Bill 903, Senator Coffey.
20. Defacing railroad signs. Read the bill, Mr. Secretary,
21. please.

22. SECRETARY:

23. Senate Bill 903.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Coffey.

28. SENATOR COFFEY:

29. Yes, Mr. President and members of the Senate. Senate
30. Bill 903 amends the Public Utilities Act to increase penalties
31. for removing and defacing of signs. It increases a fine not
32. less than fifteen dollars, which is now ten dollars, no more
33. than two hundred dollars, which is now one hundred dollars,
34. for each offense. In addition guilty persons may be directed

1. to make restitution for the cost and repairs of replacement or
2. both. I'd ask for a favorable roll call and be glad to answer
3. any questions.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Is there discussion? The question
6. is shall Senate Bill 903 pass. Those in favor vote Aye.
7. Those opposed vote Nay. The voting is open. Have all
8. voted who wish? Have all voted who wish? Take the record.
9. On that question the Ayes are 55, the Nays are none, none
10. Voting Present. Senate Bill 903, having received the
11. constitutional majority is declared passed. 904 is on
12. the Tentative Agreed List. 905, Senator Shapiro and Philip.
13. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 905.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Philip.

20. SENATOR PHILIP:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. Under the existing law, when a county becomes
23. over five hundred thousand, they have the right to license
24. and regulate food service establishment. What Senate Bill
25. 905 does, is raise that population to one million. In
26. other words, our county board does not intend nor want
27. to regulate food service establishments. I'll be happy
28. to answer any questions.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there any discussion? Senator Hall.

31. SENATOR HALL:

32. Would the sponsor yield for a question?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. He indicates he'll yield.

2. SENATOR HALL:

3. Senator...what is the purpose of it just applying
4. to cities of five hundred thousand or a million? Can you
5. tell me the...the genesis of that, just why do they?

6. In other words, if it's good for this, why wouldn't
7. it be good for...those that are smaller?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Philip.

10. SENATOR PHILIP:

11. ...In the first place, Senator, it would only apply
12. to one county in the State of Illinois and that would be
13. DuPage County. Under...under the present law, when a
14. county becomes over five hundred thousand, which we just
15. became, we're seven hundred and some thousand, then our
16. county board has the right to regulate food establishments.
17. Our county board does not want to regulate food establishments.
18. All we're doing is raising the population so the County
19. Health Department would regulate those, which they do
20. now. It affects no other county, I know of no opposition.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Bruce.

23. SENATOR BRUCE:

24. The question is, why does this bill even exist?
25. Because if it's five hundred thousand or more, and
26. you may regulate, what difference does it make whether
27. we pass this law or not. If...if we pass it, you may,
28. if we don't pass it, you may, but in any event we
29. are committing an nullity.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Philip.

32. SENATOR PHILIP:

33. Thank you, Mr. President. We want to be exempt by

1. population. Then we'll be the same as Cook County, exactly.
2. And that's exactly what we're trying to do. We just don't
3. want the county board regulating. The president of the
4. county board has communicated that to me, the Department
5. of Public Health in my county has communicated that with
6. me. The State Department is in favor of it. I don't know
7. of any opposition.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Rock.

10. SENATOR ROCK:

11. Well...it does in fact, it's permissive only. I...I'm
12. ...I'm frankly, a little baffled, Senator Philip. If it's
13. only permissive, are we only permitting Cook County to
14. license and regulate?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Philip.

17. SENATOR PHILIP:

18. They do now, Senator.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Rock.

21. SENATOR ROCK:

22. If they so choose.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rock, I mean Senator Philip.

25. SENATOR PHILIP:

26. Yes, that is correct. We choose not to, Senator.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Rock.

29. SENATOR ROCK:

30. And under the current law, you are perfectly within
31. your rights.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Philip.

1. SENATOR PHILIP:

2. I'm going to try again. We don't want the authority.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Rock.

5. SENATOR ROCK:

6. Well, we have been trying to mold DuPage into the
7. image and likeness of Cook. Because we are so progressive
8. and we wish you nothing but well and I urge a No vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

12. SENATOR PHILIP:

13. Well, thank you, Mr. President and...Senator Rock,
14. I don't think we're quite ready. We may be getting closer
15. and closer, but I don't think we're quite ready now.

16. And it's simply that my local authority, the president
17. of the county board, our health department, everybody's
18. in agreement and if they don't want to license, that's
19. fine with me. We have too many regulations anyway. I
20. would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is shall Senate Bill 905 pass. Those
23. in favor will vote Aye. Those opposed will vote Nay. The
24. voting is open. Have all voted who wish? Have all voted
25. who wish? Have all voted who wish? Take the record. On
26. that question the Ayes are 29, the Nays are 23, none Voting
27. Present. Senate Bill 905, having failed to receive a
28. constitutional majority is declared lost. Senate Bill 906,
29. Senator Geo-Karis. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 906.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

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

5. Senate Bill 906 as presented is the result of intensive
6. discussions between the Department of Labor and the private
7. employment industry. And they have worked together to arrive
8. at this bill which provides some relief to the agencies
9. regarding current...record keeping requirements and these
10. attempts to lessen regulation of internal record keeping
11. requirement will not reduce the effectiveness of the law
12. and its protection of job applicants and employers. And
13. the...because of budget considerations, the Department of
14. Labor is in support of this bill and asked...we
15. ask your favorable endorsement of it.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Further discussion? Senator Keats.

18. SENATOR KEATS:

19. Thank you, Mr. President, Ladies and Gentlemen of
20. the Senate. Senate Bill 906 came to the Senate Labor
21. and Commerce Committee. It passed out 11 to nothing. It's
22. not particularly controversial. It's one of those bills,
23. you shake your head and say why was this thing ever introduced,
24. there's absolutely no need for it. I can't tell you why to
25. vote against it, I just can't tell you why to vote for it.
26. We voted for it in committee, I guess I'm going to vote for
27. it now, but there's no rational reason for it.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Marovitz.

30. SENATOR MAROVITZ:

31. Well, maybe we ought to try and find a rational reason.
32. The...the Calendar, I assume, must be totally incorrect. It
33. says that it raises the amount of employment agencies required
34. to pay management recruiters from fifteen thousand to twenty-

1. five thousand. Is that totally incorrect and was that deleted
2. when...did you delete everything after the enacting clause
3. by amendment and make a whole new bill out of this?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. You are right, the...the description on the bill in
8. the Calendar is wrong. What the bill does, there are...eight
9. ...basic changes. You may...file an affidavit as proof of
10. good character. You may open an additional office by notifying
11. the department that you intend to do so. Currently you have the
12. office of...completely...ready and waiting inspection. Only
13. the phone number of the general manager or partner will not
14. be required on the license. Other partners...will be listed
15. by name and address. The required bond may be renewed with
16. the license rather than obtaining a new bond with each license
17. renewed. An agency license will be renewed by an automatic
18. renewal system similar to your driver's license. An
19. agency may promote people from...from within the agency
20. without department approval except for the position of general
21. manager. And an agent must...an agency must verify all
22. of the...job orders, but will not be breaking the law if these
23. orders are not numbered consecutively. I mean, these are fine
24. points in the law that have made record keeping very rigorous.
25. As you can see, the bill has been changed. The amendment is
26. the bill, Senator Marovitz.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Marovitz.

29. SENATOR MAROVITZ:

30. Well, in view of...in view of the...the move toward deregulation
31. why do we regulate these...these people in the first place?
32. And why are we...

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR MAROVITZ:

3. ...why are we adding regulations or...or fine tuning
4. regulations...by this legislation?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. We're easing the regulations that don't affect the
9. basic concept and need for good operation of these employment
10. agencies. And I might say, your Democrat staff has reviewed
11. it also and...it has no problem with it...as amended. Remember
12. the amendment is the bill, it's not the bill originally.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. I would just like, frankly, some explanation of a
18. provision contained in Amendment No. 2 found at Page 9.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. Amendment No. 2 permits reasonable business entertainment
23. expenses or...distributing without charge items of reasonable
24. value for promotional or advertising purposes, that's what
25. it does. As long as it's not contingent upon the use of
26. the services of the employment agency.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Rock.

29. SENATOR ROCK:

30. Might I ask where this amendment came from, because
31. the...you...you are correct, that is the specific provision
32. about which I'm a little concerned. Because it says, provided
33. however that nothing herein contained shall prohibit any

1. licensee, that is a licensee, I guess, of the Department of
2. Labor, from reasonable business entertainment expenses or
3. distributing without charge, items of reasonable value for
4. promotional or advertisement purposes. What does that mean?
5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Senator Rock, the department even still...will be
9. regulating this...these items and I might tell you where
10. I got the bill, I got the bill from the Department of Labor
11. and from the Governor's Office. The Department of Labor
12. has...I don't know whether that's good or bad, but that's
13. the truth.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Rock.

16. SENATOR ROCK:

17. Well, it seems to me we go to a lot of trouble to
18. regulate these folks and all of a sudden, you're saying...by
19. Statute, that they can do pretty near what they want to do,
20. in terms of giving away things or...that kind of thing. It
21. just doesn't seem right to me.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. The abuses that take place in private employment...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator, is there further discussion?

28. SENATOR GEO-KARIS:

29. ...pardon?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator, that was a statement, not a question and if
32. there's no further discussion you may close debate.

33. SENATOR GEO-KARIS:

1. Mr. President, Ladies and Gentlemen of the Senate. This
2. bill has been delivered to me on behalf of the Department of
3. Labor. It does not eliminate correcting any of the abuses
4. that might be performed by any of these employment agencies
5. and that's been set forth in prior legislation that's now
6. law on the books. All it does, is ease up on some of the
7. things that are making it rigorous to operate the businesses
8. in order to encourage more business and thus encourage more
9. taxation to come to the State of Illinois. I think it's a
10. good bill, as amended and I urge your favorable consideration.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is shall Senate Bill 906 pass. Those in
13. favor will vote Aye. Those opposed will vote Nay. The voting
14. is open. ...Have all voted who wish? Have all voted who wish?
15. Have all voted who wish? Take the record. Senator Geo-Karis
16. asks leave to put Senate Bill 906 on the Order of Postponed
17. Consideration. Is leave granted? Leave is granted. Senate
18. Bill 908 is on the Tentative Agreed Bill List. Senate Bill
19. 910, Senator Geo-Karis. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 910.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Mr. President, Ladies and Gentlemen of the Senate.
28. Senate Bill 910 amends the Mental Health and Developmental
29. Disabilities...Confidentiality Act to require the Director
30. of a Mental Health or Developmental Disabilities Facility to
31. report any criminal act which has occurred in the facility
32. and...and the identity of individuals with knowledge of
33. the incident. This bill was amended by...on Page 2 of that

1. bill...and on Page 2 in line 24, to provide that the facility
2. director may report the incident and the identity of the
3. individuals with personal knowledge of the facts relating to
4. such incident to the appropriate law enforcement investigating
5. agencies. And I request favorable consideration of this bill.
6. There have been some incidents in the past three years where
7. information about...dangerously mentally ill patients have
8. been withheld from law enforcement officers...officials, rather,
9. because of the Mental Health Confidentiality Act. This legislation
10. clarifies what information should be made available to law
11. enforcement investigators.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? Senator Buzbee.

14. SENATOR BUZBEE:

15. Question of the sponsor, Mr. President.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. She indicates she'll yield.

18. SENATOR BUZBEE:

19. It's my understanding that you're saying that...that the
20. administrator of a mental health facility, in the event of
21. some act of violence by one of his patients, now, may, report
22. that act of violence to the local law enforcement officials.
23. But what's the difference in...in may, and it seems to me
24. that any...any director of a mental health facility would
25. want to report an...an act of violence to...to the law enforce-
26. ment officials. And why do we say, may report it, why don't
27. we...if...if it's necessary that there be Statutory language,
28. which I find difficult to believe that it is necessary, but
29. ...but if it is necessary, why don't we compel them to
30. report it to the local law enforcement officials?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis.

33. SENATOR GEO-KARIS:

1. By putting it may, Senator Buzbee, we're giving the
2. discretion to the facility, to the director to report...which
3. incidents he feels are the strongest ones. I might add, also,
4. that the Employer's Union also requested this type of an amend-
5. ment to the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, I guess that's supposed to be a buzzword, that
10. means all Democrats are therefore supposed to vote for it,
11. but I'm not going to vote for it...'cause it doesn't make
12. any sense to me. If there's an act of violence committed
13. in a criminal...in...in a mental institution, the director
14. presently, should report that...to...to the...to the local
15. law enforcement officials. And again, if you think that
16. he doesn't have that kind of authority, you ought to compel
17. him to...with...with the language, shall report it, not
18. may report it. We're just again passing bills to be passing
19. bills. I think it's a bad bill, ought to be killed.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Ozinga.

22. SENATOR OZINGA:

23. This bill is going to create confusion. Now, by saying
24. may, you are putting into the Statute exactly what some of
25. the...local institutions where they are within a municipality
26. and I'm thinking particularly of Tinley Park. We've had
27. confusion there because it isn't in the Statute and
28. this is just going to put in more confusion by adding the
29. word, may. They have defended themselves under the...

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Geo-Karis...Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. Rather than cause any more confusion, I would like

SB 912
3rd Reading

- 1. to get this taken out of the record so we can...
- 2. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 3. Take it out of the record. Senate Bill 912, Senator
- 4. Rupp. Read the bill, Mr. Secretary.
- 5. SECRETARY:
- 6. Senate Bill 912.
- 7. (Secretary reads title of bill)
- 8. 3rd reading of the bill.
- 9. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 10. Senator Rupp.
- 11. SENATOR RUPP:
- 12. Thank you, Mr. President. Insurance policies, life
- 13. and life endowment and annuity benefit certificates all
- 14. are required to contain certain minimum standards. Last
- 15. year the Federal basis was changed and since the Illinois
- 16. rules and regulations did not have in there the requirement
- 17. for a free ten day look, that's what this bill does, it
- 18. adds that in. And thus it permits the Illinois companies
- 19. to submit forms in Illinois and not have to go through a
- 20. Federal process with it. I ask for a favorable roll call.
- 21. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 22. Is there any discussion? If not, the question is
- 23. shall Senate Bill 912 pass. Those in favor will vote Aye.
- 24. Those opposed vote Nay. The voting is open. Have all
- 25. voted who wish? Have all voted who wish? Have all voted
- 26. who wish? Take the record. On that question the Ayes are
- 27. 54, the Nays are 1, and 1 Voting Present. Senate Bill 912,
- 28. having received the constitutional majority is declared
- 29. passed. Senate Bill 913 and 915 are on the Tentative Agreed
- 30. Bill List. Senate Bill 916, Senator Gitz. Senator Gitz.
- 31. SENATOR GITZ:
- 32. Thank you, Mr. President and members of the Senate.
- 33. We did some research as a result of the savings and loans
- 34. arguments in terms of the impact in the secondary mortgage

1. market and it turns out that those arguments were, indeed,
2. quite valid and there are some significant problems with this
3. legislation. And for that reason, I move at this time to
4. recommit it to the Finance Committee, since the chairman has
5. assured me that we will have proper hearings and look at
6. this issue with the detail that it deserves.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. You've heard the motion. All those in favor indicate
9. by saying Aye. Those opposed? The Ayes have it. Senate
10. Bill 916 is recommitted to the Finance Committee. Senate
11. Bill 919 is on the Tentative Agreed Bill List. Senate Bill
12. 920, Senator Berman. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 920.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. President and Ladies and Gentlemen of
21. the Senate. Senate Bill 920 and the next four bills after
22. that, are the product of the health...the...the Commission
23. on Critical Health Issues that was created in the last
24. Session of the General Assembly. In this Body, Senator
25. Newhouse, Senator Becker and myself served on that commission.
26. We held hearings to determine the extent and possible solutions,
27. legislatively, to the nursing shortage that exists throughout
28. the State of Illinois. A report was issued in January and
29. many of the things that we found as a result of our hearings,
30. was that a lot of the problems regarding nurse shortage could
31. not be addressed through legislative action and were more
32. things that could be addressed through the bargaining table
33. as to wages and status and recognition of nurses' abilities.

1. These five bills, however, are the recommendation of that
2. commission. The first bill, Senate Bill 920, is an amendment
3. to a bill that was passed about eight years ago, but which
4. was never funded. This bill amends that and Senate Bill
5. 921 is the funding for it. What this provides, this bill
6. provides a system of loans for living expenses and tuition
7. for persons who are going to enter the nursing field. It
8. covers all three areas of nurse education, which would
9. include the associate degrees, the diploma schools, which
10. are the nursing schools and the baccalaureate degrees. The
11. provisions in the bill, as amended, would provide up to a
12. thousand dollars a year for living expenses, up to twenty-
13. five hundred dollars a year to cover tuition. Those loans
14. would provide for a forgiveness over a four year period
15. after the student entered into the nursing profession and
16. if they practice nursing for four years, the extent of
17. these loans would be forgiven. It's twenty-five percent
18. per year. If they do not practice, they'd have to pay
19. back the loan at twelve percent interest. The...the...
20. purpose of this is to encourage persons and to make...make
21. it easier for them to get into the nursing profession.
22. I'd be glad to respond to any questions on Senate Bill 920.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? Senator Bowers.

25. SENATOR BOWERS:

26. Sponsor yield to a question?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Indicates he'll yield.

29. SENATOR BOWERS:

30. Who will actually have the funds to...to administer this?
31. I see the...by the amendment, it's transferred out of the Scholarship
32. Commission. There is an indication in our notes that the
33. appropriation is still to the Scholarship Commission. How do

1. we...how...how was that finally resolved?
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. While we're waiting for that answer...for what purpose
4. does Senator Buzbee arise?
5. SENATOR BUZBEE:
6. Thank you, Mr. President. On a point of personal
7. privilege. In the Gallery behind the Republican side of
8. the aisle, the Millstat School is here and I would like
9. to have them recognized by the Senate from the 58th District.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Would they stand and be recognized. Senator Berman.
12. SENATOR BERMAN:
13. It will be the Department of Public Health and I believe
14. that that...921 was recalled the other day and was amended to
15. reflect that transfer.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Senator Bowers.
18. SENATOR BOWERS:
19. Is this additional nonbudgeted funds or is this contained
20. in the Governor's Budget?
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Berman.
23. SENATOR BERMAN:
24. They are additional nonbudgeted funds.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Bowers.
27. SENATOR BOWERS:
28. And what is the amount, our notes say eight hundred
29. thousand, is that accurate?
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Berman.
32. SENATOR BERMAN:
33. No, that was amended down in the Appropriations Committee

1. to three hundred thousand dollars. That's...that's 921, is
2. the appropriation bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, the question is
5. shall Senate Bill 920 pass. Those in favor will vote Aye.
6. Those opposed vote Nay. The voting is open. Have all voted
7. who wish? Have all voted who wish? Have all voted who
8. wish? Take the record. On that question the Ayes are
9. 46, the Nays are 5, 1 Voting Present. Senate Bill 920, having
10. received the constitutional majority is declared passed.
11. Senate Bill 922, Senator Berman. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 922.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berman.

18. SENATOR BERMAN:

19. Thank you, Mr. President. One of the areas that we
20. determined in our hearings of the Commission on Critical
21. Health Issues was a lack of coordination in the areas of
22. higher education to allow nurses who gather certain
23. credits in their education to utilize those credits to
24. attain higher degrees. The purpose of this commission
25. is to coordinate the...resources of the different
26. areas of higher education through the uses of...of members
27. appointed by the Governor, the...Board of Higher Education,
28. the Department of Public Health, Director of R and E and
29. ...and public members to coordinate the process of accreditation
30. for courses that nurses take in their training to allow these
31. courses to be given credit for upward mobility. Be glad to
32. ...respond to any questions. I solicit your Aye vote.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? Senator McMillan.

2. SENATOR McMILLAN:

3. Mr. President and members of the Senate. I don't deny
4. that the question of whether or not we have an adequate
5. supply of nurses and whether or not we're doing an adequate
6. job of training nurses, probably merits consideration. But
7. this is clearly not a time when this State or the Legislature
8. can afford another commission. If we don't have some other
9. commission appointed in all the myriad of commissions we've
10. got running around that can...consider this issue, then it
11. either ought to be done by the Board of Higher Education or
12. we ought to tackle it as a legislative body and we simply
13. cannot afford to throw more money at...at commissions. And
14. I would oppose this bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? If not...Senator Collins.

17. SENATOR COLLINS:

18. Thank you, Mr. President. Senator Berman, I wholeheartedly
19. support all of the bills that the commission, the Study
20. Commission on the nurses' shortages and...and the problems
21. that you've outlined or attempted to address in all...all
22. of the other bills. But in all honesty...I can't see the
23. need for that commission. In other words, because you
24. had to reduce the appropriation that would be going for
25. the scholarships, it's going to cost something for the
26. commission to operate even if it's no more than the cost
27. of reimbursements for their meetings. I think that money
28. would probably be best spent and...and back into the...the
29. appropriations for...scholarships to allow more students
30. to enroll in nursing schools.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Berman.

33. SENATOR BERMAN:

1. In answer to your question, let me point out that I
2. believe the appropriation for this...part of the problem
3. that we found in the commission hearings is that we were
4. not able in the limited time that we had, to properly
5. address and to coordinate the problems of long range planning
6. and coordination of efforts for...to encourage...potential
7. nursing student population. As I'm sure you're all aware,
8. you get involved in the intramural battles between the
9. colleges, nursing schools, the Board of Higher Education,
10. the three supervising agencies of the universities and
11. you come away scratching your head. The reason for this
12. commission and the reason I cannot suggest or...accept
13. the recommendation of Senator Maitland, that we don't
14. need this now, is that we have the nurse shortage now.
15. That...that shortage is in every part of this State and
16. it is critical. We can't wait for two years or four
17. years or six years. Now, what we have done with this,
18. the appropriation is...is nominal, I think it's either
19. ten or thirty thousand dollars. But what we're trying
20. to do is to address a method, which is complicated, which
21. even the commission in...in the four months of hearings
22. that we held, wasn't able to figure out, how do we
23. coordinate these different branches of government with
24. R and E, Public Health, the universities, the nursing
25. schools, how do we put them in line to get the job done
26. to bring more nurses on track. That's the purpose of
27. this commission. It is needed now. The amount of money
28. is nominal, but the need is great. I think the commission
29. is worthwhile.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator...Channel 7 seeks leave to film from the
32. President's Gallery. Is leave granted? Leave is granted.
33. Senator McMillan.

1. SENATOR McMILLAN:

2. Just very briefly, I would point out, I certainly
3. don't mind being called Senator Maitland, but Senator
4. Maitland and his wife probably would be offended by
5. your thinking that a balding grey headed person is Senator
6. Maitland. So I would just point out that it was not
7. Senator Maitland who objected.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Berning.

10. SENATOR BERNING:

11. Just one quick question. Is there a self-destruct
12. date on this or is this then to become a permanent commission,
13. Senator?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Berman.

16. SENATOR BERMAN:

17. Thank you, Senator Berning. This has a self-repealer
18. of October 1, '83. We're talking about two years for this
19. commission and that's the time that it should be able to
20. do its job and not go any longer than that. But the need
21. is now.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Mr. President and Ladies and Gentlemen of the Senate.
26. I speak in favor of this bill because there has been a
27. problem about the needs of...the nursing needs of the future.
28. I know we've had many nursing needs in our area. I think
29. that this is a good bill and I think perhaps we can reach
30. a comfortable solution to please both the nurses and the
31. hospitals and...in helping...the hospitals realize the
32. needs of the nurses and the nurses needs to the hospitals
33. all the more. And I speak for the bill.

SB 92A
3rd Reading
5-27-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. If there's no further discussion, Senator Berman may
3. close debate.

4. SENATOR BERMAN:

5. I apologize to Senator McMillan and Senator Maitland,
6. all you good looking guys get me confused. I've said
7. before and I said it now, the...the need to get more
8. nurses on track is evident throughout the State of Illinois.
9. This is a necessary step to dig through all of the bureaucracy
10. that's holding them back. I urge your vote for this commission.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is shall Senate Bill 922 pass. Those
13. in favor will vote Aye. Those opposed vote Nay. The
14. voting is open. Have all voted who wish? Have all voted
15. who wish? Have all voted who wish? Take the record. On
16. that question the Ayes are 45, the Nays are 5, none Voting
17. Present. Senate Bill 922, having received the constitutional
18. majority is declared passed. Senate Bill 924, Senator Berman.
19. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 924.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Berman.

26. SENATOR BERMAN:

27. Thank you. This bill does two things in relation to
28. the nurse shortage. First it codifies the practice that
29. the Department of R...Registration and Education has followed
30. in the past and that is to allow persons who take the
31. nursing exam and are awaiting the results of those exams,
32. up to six months to practice nursing while awaiting the
33. results of those examinations. The second part is the

1. bill that we passed out of the Senate last year. And it
2. allows the Department of Registration and Education to license
3. nurses that have passed the Canadian Nurse Association Testing
4. Examination in the English language, provided that the Depart-
5. ment of Registration and Education determines that their other
6. qualifications are consistent with the requirements imposed
7. upon Illinois nurses. I solicit your Aye vote.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there any discussion? Senator Hall.

10. SENATOR HALL:

11. Will the sponsor yield for a question?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. He indicates he will yield.

14. SENATOR HALL:

15. Senator, I know you had this last year and I've gotten
16. a lot of requests from nurses in my area, they are...why are
17. you just picking Canadian nurses? Why do we discriminate against
18. others?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Berman.

21. SENATOR BERMAN:

22. The reason that we have addressed the problem or the
23. issue of only Canadian nurses is that first of all, there
24. is a supply of Canadian nurses, both in Canada and in other
25. states of the United States, that Illinois would like to
26. reach out to. Other states, some other states, do...license
27. by endorsement, nurses who pass the Canadian examination.
28. One of the reasons that we've picked them out is because
29. they are a readily...a readily available source, they
30. are easily...their...their training is comparable, their
31. approach to patients is comparable. I think if we went
32. beyond that, we'd be...raising a lot of other questions,
33. but this is a readily available source that is qualified

1. that the Department of Registration and Education would have to approve as
2. to their capabilities and could be plugged into our needs
3. relatively quickly.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Hall.

6. SENATOR HALL:

7. The last time that I was contacted by the Nurses
8. Association, they were opposed to this. Are they still
9. opposed to it?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Yes, the Illinois Nurses Association feels that this
14. is a...infringement upon their...membership. I think that
15. their membership, which represents approximately nine
16. thousand of the eighty thousand plus licensed nurses in
17. this...State. I can understand their position. I think,
18. however, that it is a turf situation. I think that the
19. needs of the patients in Illinois, in this situation,
20. reluctant as I am to pursue it, does require us to go
21. beyond the needs of a single association to reach out
22. for adequate nurse care.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Hall.

25. SENATOR HALL:

26. Well, I've been supportive of all your bills down to
27. now, Senator. I'm going to have to oppose you on this
28. one. Number one, the Philippino nurses, last time they
29. said the reason for using Canadian nurses...because they
30. spoke English. I talked to some Philippino nurses, they
31. say they spoke...they speak English also. So why should
32. they be denied this chance. The next thing is, I've
33. been very supportive of the Hospital Association, but
34. they have told me that the reason that some of the nurses

1. ...shortage is that...is because of the pay. I know you've
2. worked very hard on this and I know that you have been trying
3. to do things to bring this in line, but I still think that
4. if we're going to allow anyone to come in here without taking
5. the examination...now I notice that you have some provisions
6. here. Now let me...let me ask you this on this question
7. right now. That...if they've met all the requirements
8. except passing the exam, now this is a great departure
9. from anybody completing...after once they have become
10. graduated, you going to allow them to practice nursing,
11. which I have no objection, but are they going to be..
12. where they're going to be supervised by someone who is
13. a licensed practical nurse?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Berman.

16. SENATOR BERMAN:

17. No, what we have done by this amendment, is to say,
18. that first of all...our Department of Registration and
19. Education must establish the score that is...that they
20. passed the Canadian examination with, in order to qualify.
21. That score, based upon the evaluation of our department,
22. may in fact, be higher than what they would...require
23. to practice in Canada. Secondly, the department must
24. determine that all other requirements under our Act
25. is met. So that the only difference between the Canadian
26. nurse that comes in, is that they took a test that was
27. given in Canada rather than the test that's given in
28. the United States.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Hall.

31. SENATOR HALL:

32. I...I just have one more thing. My understanding was,
33. and maybe that I'm...I thought that this test that the
34. nurses took was...was a universal test, that it was given

1. by the...by the Federal Government or drawn up by some
2. people and I...and that all that the Department of
3. Registration and Education did was they just supervised
4. in giving it. Are...are you telling me now that they're
5. going to be able to...are they going to give the tests themselves?
6. In other words, is the...questions of the test come from
7. our R and E or not or are they still going to follow the
8. universal tests they were taking?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berman.

11. SENATOR BERMAN:

12. The universal test that you're referring to is
13. a test that's given in the United States. Outside the
14. United States they take different examinations. The
15. test that's called for in here, is the test that is
16. given in Canada in English and the passing grade, in
17. order to allow that teacher...that nurse, to come in-
18. to Illinois is a grade that will be determined by
19. our Department of Registration and Education.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Simms.

22. SENATOR SIMMS:

23. Would the sponsor yield for a question?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He...

26. SENATOR SIMMS:

27. Senator Berman, is the Department of Registration and
28. Education in favor of this bill as it is now written?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. They have withdrawn their opposition. So I think that
33. it's fair to say that, you know, they are not opposed to
34. the bill. The Department of Public Health supports the bill.

1. And...we addressed the R and E's concerns with...with
2. an amendment.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Collins.

5. SENATOR COLLINS:

6. Thank you, Mr. President. I must respond to...to one
7. thing that Senator Berman said and he indicated that this
8. was more of a turf problem as it related to nurses in
9. the State of Illinois. This issue has been debated last
10. year and thoroughly this year in committee and even on
11. 2nd reading. I don't feel that this is all a turf problem,
12. it may be. It is most certainly not a turf problem as
13. it relates to my concerns. First of all, I'm not a nurse
14. and second of all many of the people who needs employment
15. that have come to me, are not nurses. One of the primary
16. objections that I had to this bill related to the fact that
17. we were recruiting people from outside of the country to
18. bring them in, when Illinois, itself, was the highest...had
19. the highest unemployment in the country. And to me that
20. was a very sad way of responding to the needs of our
21. people. However, I did make a commitment to support this
22. bill if, in fact, a sunset clause was put on that bill,
23. in addition to that, a series of programs designed to
24. correct the nurses shortages within the State of Illinois.
25. Senator Berman and that commission...committee, did, I think,
26. work on a package of bills here which will, in fact, is a
27. very...positive step toward getting qualified nurses in the
28. State of Illinois and at the same time improving the...unemploy-
29. ment situation. And for that reason, I will vote to support
30. this package of bills.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Gitz.

33. SENATOR GITZ:

1. Question of the sponsor.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. He indicates he'll yield.

4. SENATOR GITZ:

5. Senator Berman, if I recall last year, did you not
6. indicate at that time your desire for a clause to allow
7. Canadian nurses to practice in Illinois and then they
8. could take the Illinois exam at a later date?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berman.

11. SENATOR BERMAN:

12. I...the bill that we passed out last year, I think
13. was substantially the same as...as this year...as this
14. bill and that was the...the same provision, as a matter
15. of fact, this is a little tighter because it gives more
16. power to R and E. I don't think that the bill we
17. had last year required the...Canadian nurses to take
18. the Illinois exam.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Gitz.

21. SENATOR GITZ:

22. Well, what I don't understand is...is why are we going
23. to allow them to take the Canadian exam, why should they
24. not have to take the Illinois exam?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Berman.

27. SENATOR BERMAN:

28. What we are trying to address, is an immediate need
29. to get more nurses as quickly as possible into our health
30. facilities. They have been trying...hospitals and other
31. health facilities have been trying to recruit nurses, not
32. only from Canada, but from other states and throughout
33. the country...throughout the world. This bill, in this small

1. way is trying to get a readily available source of nurses,
2. namely in Canada and Canadian nurses in other states, to
3. come in and staff our facilities. They are ready and under
4. the rules...of this bill, they will be able to do the job.
5. It's a question of bringing them in and getting them to
6. work as quickly as possible.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Gitz.

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End of Reel

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33.

1. SENATOR GITZ:

2. Well, one further question, and then I wish to speak to the
3. bill. Senator, what is so complicated about the Illinois exam,
4. that somehow we're not going to allow them to play by the same
5. rules that an Illinois nurse has to play by? You know, you
6. seem to be saying, well that exam is going to be easier for them
7. to take care of and so consequently we're going to let them take
8. that exam because we've got this shortage. Now, what...what is
9. so difficult about having them take the Illinois exam?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Persons...first of all the examination at the present time
14. is not given outside of the continental United States. Secondly,
15. persons are hesitant to pick up, move to Illinois, study for the
16. exam, not be employed, shift their entire family situation on
17. the come, and that's why we're having trouble getting people, not
18. only from Canada, but from all over. They don't want to come here
19. without the relative certainty of being able to practice their
20. profession.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Gitz.

23. SENATOR GITZ:

24. Well, thank you, Mr. President. Now to the bill, I opposed
25. this a year ago, and I oppose it now. I support most of Senator
26. Berman's legislation, but there's one basic reason why there's
27. a nursing shortage, and I can go to my home community, my own
28. mother is a registered nurse for some thirty-five years. The
29. key reason people are not in the profession is the wages. It's
30. tough working conditions, and not much money. And the hospitals
31. don't do a whole lot to provide that kind of incentive. And
32. frankly, I'm kind of resentful of the fact that we've got very
33. high unemployment in Illinois, and I don't think we do enough on

1. behalf of our own Illinois citizens. Now, if people want to come
2. to Illinois on behalf of a nursing job, fine, but let them play
3. by the same rules, and take the same test as everybody else. This
4. idea that we're going to rectify the nursing shortage by basically
5. ...opening up the loopholes and recruiting the Canadians is just
6. crazy. It's one of the most ridiculous proposals that I've ever
7. seen. I'm really surprised, frankly, that a sponsor of Senator
8. Berman's stature would really put forth this legislation. I know
9. you have honorable intentions, but I think it is just a crazy
10. proposal.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Becker.

13. SENATOR BECKER:

14. Thank you, Mr. President, and members of the Senate. While
15. I agree wholeheartedly with Senator Berman's package, I must dis-
16. agree with the honorable Senator on one statement that he made, and
17. that was that R and E is in favor of this legislation. As late
18. as two days ago I spoke to the Gentleman in charge of R and E, they
19. have not changed their position on this bill, they are against
20. allowing Canadian nurses to come into this country without taking
21. the test. They claim the equivalency test in Canada is not the
22. same as the United States. And Senator, I had to stand, I was not
23. going to speak on this bill, I must stand to correct you just on
24. that one issue, and let the Senate vote on the rest.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Johns.

27. SENATOR JOHNS:

28. Senator Berman, don't you think that this would be a lessening
29. of our standards just, in a sense, to meet a need?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Berman.

32. SENATOR BERMAN:

33. No, I think the safeguards are there to protect the quality

1. of service.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Johns.

4. SENATOR JOHNS:

5. Will we, the State of Illinois, Department of R and E, will
6. they be able to scrutinize the test for the nurses, the Canadian test,
7. and make sure that it's anywhere near comparable to Illinois' test,
8. and if it is, why don't they just make a request to Illinois for
9. a application and prepare for the test, remain in Canada,
10. come over and take the exam, if it means that much to them, and
11. if they pass Illinois' exam, why, they can be admitted to Illinois.
12. It seems to me that we're dropping our guard here, and I wonder
13. if the people that would be serviced and served by these nurses
14. wouldn't be a little hesitant to have them taking care of them,
15. knowing that they might not have met the requirements of Illinois.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berman.

18. SENATOR BERMAN:

19. The level of passage of the Canadian examination will be
20. determined by our department, upon evaluation of that examination,
21. if R and E feels that a...a ninety grade or a ninety-five grade
22. is necessary to maintain the standards that we have in Illinois,
23. they have the power, under this bill, to set that level of a passing
24. grade before they can come in. Now, that is in the bill, and
25. in addition they must...the Department of Registration and Ed-
26. ucation has the power to...evaluate that every other type of
27. requirement has been fulfilled. So, we are placing in the De-
28. partment of R and E all of the power necessary to make sure that
29. we're getting quality nurses in...when we pass this bill and bring
30. in a nurse from Canada.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Johns.

33. SENATOR JOHNS:

1. Well, it's about four hundred miles or just about, from there
2. to Southern Illinois, and it's not very far across the border
3. into Canada. R and E has been known to ship people to Southern
4. Illinois to give examinations, in real estate and other fields.
5. It wouldn't be very difficult for them to determine a date certain
6. in Canada, send a person over there to give the exam, of Illinois
7. exams, and determine as to whether or not they're capable of meeting
8. Illinois standards. I can't see the need for dropping our guards,
9. our barriers, for that group when just like others have said, we've
10. got people that need the jobs, we've also been very lax in preparing
11. the funding for our junior colleges and our colleges in our
12. nursing programs, and I just wonder, is the AMA behind this, do they
13. want it?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Berman.

16. SENATOR BERMAN:

17. You mean the Medical Society? The Medical Society supports
18. these packages. This package of bills.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Berning.

21. SENATOR BERNING:

22. Just one quick question. Senator Berman, if 924 passes, is
23. then, in your opinion, there still a need for 920 and 922?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Berman.

26. SENATOR BERMAN:

27. Yes. The number of nurses that we expect to get in through
28. the Canadian approach is...is relatively small but everything will
29. help. This is just another part of a total package.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Hall for the second time. Senator Hall.

32. SENATOR HALL:

33. I want to apologize for getting up for the second time. But

1. take this into consideration, there's a fee attached to a young
2. lady or a man when they finish from nursing school, they have to
3. travel to the City of Chicago if they're from downstate to take
4. this exam. I personally know some mothers that worked hard and
5. long hours to get their children into nursing school and passed,
6. a number of them have gone up to take this exam and they've failed,
7. and they're sitting now on the sideline waiting to get a chance
8. to go back and take an exam again. But here we come along and
9. take people from Canada and bring them over here, and put them
10. to work. And because they have said that they spoke English,
11. that was the last time, and of course, he's tightened the bill up
12. some, but keep this in mind, that we have people here in the United
13. States who have taken this exam and have failed. And they would
14. be available to be working as nurses now pending an examination.
15. But here we come along and take people from Canada and bring them
16. in here, I don't know whether they're going to pay the fee, I
17. never asked that question, maybe they'd come in without even
18. paying the fee to take the examination. But they're going to
19. allow...be allowed to take...become nurses. I think it's unfair,
20. and I don't think...we should not pass this legislation.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Nega.

23. SENATOR NEGA:

24. Senator Berman, isn't it true that these nurses that are
25. coming from Canada are given only temporary permission to work
26. here for one year at a time, for a maximum of two years? They're
27. not given the permission to be here as permanent residents, it's
28. just a temporary thing, isn't that true?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. That's correct, in fact, there's a sunset on this bill for
33. June of 1983, we're talking about two years.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Collins for the second time.

3. SENATOR COLLINS:

4. I apologize, but what Senator...the issue that Senator Hall
5. raised...but under 924, Senator Berman, would not that person who
6. had met all of the requirements and had not passed the exam here
7. in Illinois, would be allowed to practice nursing under this Act?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Berman.

10. SENATOR BERMAN:

11. Yes.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Collins.

14. SENATOR COLLINS:

15. That would take care of Senator Hall's objections.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berman.

18. SENATOR BERMAN:

19. No, I think...well Senator Hall can answer that...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Hall.

22. SENATOR HALL:

23. Well, what I'm saying is this, I know a young Lady now that
24. failed the test, she's not allowed to do any nursing. Now, are
25. you telling me now, Senator, that all the people who graduate from
26. nursing school in this country or especially in the State of
27. Illinois, if they fail the test they can become nurses, are you
28. telling me that under your bill?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Carroll...Berman.

31. SENATOR BERMAN:

32. No, Senator Hall, I'm not saying that, that's not this bill,
33. it's not my intention. I am not proposing anything that in my

1. opinion or in the Department of Registration and Education's
2. opinion will lower the standards. If they flunk the test, they
3. cannot practice nursing in this State. Neither under this bill,
4. whether they flunk in Canada or whether they flunk here, we're not
5. lowering the standards.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Hall.

8. SENATOR HALL:

9. You're missing the issue, the point is we're going to bring
10. Canadian nurses over here into the State of Illinois, right? And
11. they're going to become nurses in here without any examination,
12. right?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR HALL:

16. Well, they're going to be...they're going to be able to...to
17. serve for a year or two, right?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berman.

20. SENATOR BERMAN:

21. No, Sir, they cannot come in and practice nursing unless
22. they have passed the Canadian Nurse Exam with a grade, at least,
23. as high as that set by our Department of Registration and Education.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Hall.

26. SENATOR HALL:

27. They still have not passed the Illinois test, that's what
28. I'm talking about. Well, that's the point, they have not passed
29. the Illinois test. They can come in and go to work. We've got
30. people who graduated from the school and have not passed the test
31. and cannot work. And I think it's wrong.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Collins.

1. SENATOR COLLINS:

2. Okay. Under...read in the Calendar, the...the Digest of the
3. bill, it says permit unlicensed nurses who have not...who have
4. met all requirements except passing the examination to...practice
5. nursing until such time they have passed the examination. Now,
6. that's what this bill...that's what it says.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Berman.

9. SENATOR BERMAN:

10. That description refers to the first part of the bill upon
11. which I don't think there's any controversy. We're talking...that
12. language deals with the people that have taken the exam, are waiting
13. up to six months for the results of the exam, they can practice,
14. that's not what we're debating. What Senator Hall is talking about,
15. is the second part, whether a Canadian nurse has to take the Illinois
16. exam, the answer is no, my answer to that is, no they don't have to,
17. they have to take the Canadian exam and pass with a grade set by
18. R and E.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Taylor.

21. SENATOR TAYLOR:

22. Thank...thank you, Mr. President. Would the sponsor yield
23. to a question?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Indicates he'll yield.

26. SENATOR TAYLOR:

27. Senator Berman, who would give the examination?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Berman.

30. SENATOR BERMAN:

31. The Canadian National...the Canadian Nurse Association Testing
32. Service.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Taylor.

2. SENATOR TAYLOR:

3. Senator Berman, I'm not sure I'm willing to trust their testing
4. procedures up there. I don't normally oppose your legislation,
5. but I have the Englewood Hospital in my neighborhood there, and
6. most of the nurses that are practicing in that hospital are from
7. the Philippines, and if they have to take the...required examination
8. here in order to qualify, I think that all should take that. And
9. I would not be supportive of you on this particular measure here.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Johns for the second time.

12. SENATOR JOHNS:

13. Yes, just one...Senator Nega stirred my questioning just a
14. little bit. Now, this program is just for two years, and it doesn't
15. mean that those nurses have to go back. But this program of...
16. dropping this testing is just for two years, 1983, June the 30th,
17. right? Am I right so far? Okay, then...but those nurses admitted
18. under these two years can remain here forever, can't they? They
19. don't have to go back to Canada, do they? They have to go back
20. to Canada?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, Senator Berman may
23. close debate.

24. SENATOR BERMAN:

25. Ladies and Gentlemen, when Senator Taylor tells me about the
26. nurses in his hospital, in his neighborhood, if he walks into his
27. administrator's office in that hospital, that administrator will
28. tell him that they need nurses in that hospital. It's the same
29. situation with every hospital...almost every hospital in the State
30. of Illinois. I received yesterday a report from the State Board
31. of Education, I received a few months ago a report from the Depart-
32. ment of Registration and Education, we've received reports from
33. the Illinois Hospital Association, there is a nursing shortage that

1. amounts to six thousand vacancies for nurses in all areas, hospitals,
2. long term care facilities, home health facilities, throughout the
3. State of Illinois. The question of unemployment is not relevant
4. to this debate because you can't take someone and within...within
5. a matter of six months or three months plug them in to be nurses.
6. It takes a training period, that's what the previous bills addressed.
7. This bill, this bill, is a small attempt to allow hospitals to
8. reach out to a readily available source of trained nurses, we are
9. not lowering the standards. The Department of Registration and
10. Education will set itself what the passing grade must be. They
11. must also okay and approve all of the other requirements for the
12. Canadian nurse that will...come in to practice, and we're talking
13. about practicing now. The patients of Illinois, the citizens of
14. Illinois, need nurses throughout the State of Illinois to address
15. an immediate need. This is one small but important step towards
16. that goal. I solicit your Aye vote.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is, shall Senate Bill 924 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish? Have all
21. voted who wish? Take the record. On that question, the Ayes
22. are 30, the Nays are 23, none Voting Present. Senate Bill 924,
23. having received the constitutional majority is declared passed.
24. Senate Bill 925, Senator Berman. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 925.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. This is a simple one, all it does is transfer from the Depart-
33. ment of Registration and Education to the Department of Public

1. Health the supervision of these grants. I solicit your Aye vote.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, the question is, shall
4. Senate Bill 925 pass. Those in favor will vote Aye. Those opposed
5. vote Nay. The voting is open. Have all voted who wish? Have
6. all voted who wish? Have all voted who wish? Take the record.
7. On that question, the Ayes are 49, the Nays are 1, none Voting
8. Present. Senate Bill 925, having received the constitutional
9. majority is declared passed. Senate Bill 926, Senator Berman.
10. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 926.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Berman.

17. SENATOR BERMAN:

18. Thank you, first I want to express my appreciation to all of
19. you for your support of that last package. This is on a different
20. subject, this deals with the Board of Trustees of the Chicago
21. Board of Education Retirement System. There are presently nine
22. members..six members of the Chicago Board of Education, and three
23. ...I'm sorry, three members of the board of education, and six
24. active members of the employment. This bill would add one more
25. member who would be a retired member of the fund, make it ten
26. members. I solicit your Aye vote.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? If not, the question is, shall
29. Senate Bill 926 pass. Those in favor will vote Aye. Those
30. opposed vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Have all voted who wish? Take the record.
32. On that question, the Ayes are 39, the Nays are 10, none Voting
33. Present. Senate Bill 926, having received the constitutional

SB 929
3rd reading

1. majority is declared passed. Senate Bill 928 is on the Tentative
2. Agreed Bill List. Senate Bill 929, Senator Berning. Read the
3. bill, Mr...for what purpose does Senator Berning arise?

4. SENATOR BERNING:

5. Well, Mr. President, I would very much like to call this bill,
6. the...Enrolling and Engrossing indicated that there was a letter
7. missing. It appears to me that that kind of a correction could
8. be made in the House, and if it meets with the approval of the
9. leadership, I would like to withdraw the amendment that has been
10. filed and call the bill today.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. You've heard the motion. Leave? Leave is granted. Read
13. the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 929.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. Let me emphasize that this is a
22. department bill and originally was directed solely toward the
23. insurance...Health Insurance Guarantee Fund. As amended, it now also
24. includes the Non-Profit Hospital Service Insurance Statutes. The
25. bill seeks to clarify some confused, murky areas in the Statutes,
26. involving the insolvency status particularly of unearned
27. premium claims. It makes it possible for the Director of DOI
28. to notify policyholders of a company insolvency, and it permits
29. the Guarantee Fund to gain one hundred twenty day early access
30. to insolvent companies' assets in liquidation...estate in appropriate
31. circumstances. There...there is only in the bill clarifications
32. language in order to make the job of the department easier to
33. proceed in those cases where they have not been totally sure of

1. what the language in the existing Statute provided. There was
2. no question in the committee hearing, and unless there is question
3. at this point, I would urge a favorable roll call, and urge
4. future questions should be directed to the department.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the question is, shall
7. Senate Bill 929 pass. Those in favor will vote Aye. Those opposed
8. vote Nay. The voting is open. Have all voted who wish? Have all
9. voted who wish? Have all voted who wish? Take the record. On
10. that question, the Ayes are 47, the Nays are none, 4 Voting Present.
11. Senate Bill 929, having received the constitutional majority is
12. declared passed. Senate Bill 930, Senator Berning. Read the bill,
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 930.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President, and members of the Senate. Senate
22. Bill 930 is another step in bringing our pension systems into
23. conformity with the new Federal Age Anti-Discrimination Statutes.
24. It covers IMRF, the State employees and the downstate teachers.
25. There is a small cost involved in each case, however, it is one
26. of those things that we really are required to adopt in order to
27. attempt to assure that Illinois will continue to be able to administer
28. its own pension systems without being dictated to by the Federal
29. Government in the event that PERISA is adopted and it appears
30. that we are closer and closer to the establishment of PERISA,
31. the Federal control over Public Employee Pension Systems. If
32. there's any questions, I'll attempt to answer them. The bill before
33. us has been amended to meet the suggestions of the Teacher's

1. Retirement System, so at this point, I know of no objection, and
2. I would appreciate a favorable roll call.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, the question is, shall
5. Senate Bill 930 pass. Those in favor will vote Aye. Those opposed
6. vote Nay. The voting is open. Have all voted who wish? Have
7. all voted who wish? Take the record. On that question, the Ayes
8. are 47, the Nays are none, none Voting Present. Senate Bill 930,
9. having received the constitutional majority is declared passed.
10. Senate Bill 932, Senator Jeremiah Joyce. That bill is on the
11. Tentative Consent Calendar. Senate Bill 934, Senator Lemke.
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 934.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Lemke.

19. SENATOR LEMKE:

20. What this bill does, it says that no spouse shall be liable
21. for any expense incurred by the other spouse when an abortion
22. is performed on such spouse without her...without the consent of
23. such other spouse, or unless the physician who...who performs
24. the abortion certifies that such abortion is necessary to preserve
25. the life of the spouse and...and obtains such abortion. That no
26. parent shall be liable for the expense incurred by his...his or
27. ...minor child when an abortion is performed on such minor child
28. without the consent of both parents of such child, if they both
29. have custody or the parent having custody or...legal guardian of
30. such child unless the physician who performs the abortion cer-
31. tifies that such abortion is necessary to preserve the life of
32. the minor child who obtains such abortion. I ask for a favorable
33. adoption.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is, shall
3. Senate Bill 934 pass. Those in favor will vote Aye. Those
4. opposed vote Nay. The voting is open. Have all...the voting is
5. open. Have all voted who wish? Have all voted who wish? Have
6. all voted who wish? Take the record. On that question, the Ayes
7. are 48, the Nays are 2, 2 Voting Present. Senate Bill 934,
8. having received the constitutional majority is declared passed.
9. Senate Bill 935, Senator Lemke. Read the bill, Mr. Secretary.

10. ACTING SECRETARY: (MR. FERNANDES)

11. Senate Bill 935.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Lemke.

16. SENATOR LEMKE:

17. What this bill does, it amends the Illinois Marriage and
18. Association of Marriages Acts, amends the Act to include that
19. it's a grounds for divorce...the obtaining of an abortion without
20. first having secured the written consent of the other spouse unless
21. the court finds that the abortion was necessary to preserve the
22. maternal life or that the other spouse rendered an informal
23. voluntary consent to the abortion. I ask for a favorable adoption.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any discussion? If not, the question is, shall
26. Senate Bill 935 pass. Those in favor will vote Aye...sorry,
27. Senator DeAngelis. You've got the message, Senator.

28. SENATOR DeANGELIS:

29. Lemke's working the speakers again, I can tell. Senator
30. Lemke, as I advised you prior to your moving this bill to 3rd
31. reading, this bill is technically defective. It calls for either
32. party, and I wish at this time, if you could explain to me how
33. a man can have an abortion.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Lemke, do you wish
3. to close debate? Senator Geo-Karis. Oh, was that a question?
4. Senator Lemke, would you...

5. SENATOR LEMKE:

6. Well, I...the wording of this bill, is to conform with the
7. status of women's thing, where we can't talk in masculine or
8. feminine names. So, this bill just sets it up in the...in general
9. names. And...and I think that...technically it...it applied to
10. both spouses either way and I don't see anything technically wrong
11. with it.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Further discussion? Senator DeAngelis.

14. SENATOR DeANGELIS:

15. Well, I think I belong to the Commission on the Status of
16. Women. I know of nothing that prohibits in that commission and
17. I'm not known to be the liberal member of that commission as
18. Senator Netsch is, that prohibits identifying spouses by sex.
19. A man is a husband and a wife is a woman in most cases.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any further discussion? Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Mr. President, and Ladies and Gentlemen of the Senate. Al-
24. though I and my faith are against abortion, I think we spend a lot
25. of the taxpayers' monies on bills such of this nature. First of
26. all, the woman is considered as an individual with certain equal
27. rights under the Illinois Constitution. And when you make it
28. incumbent upon her to have to obtain a consent from her spouse,
29. I think you're violating the very laws that we are living under.
30. And I do feel your...your bill is definitely unconstitutional,
31. and rather than have the taxpayers' money be spent more and more
32. taking these cases up and up all the way to the Supreme Court,
33. I, who am against abortion will vote against the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Netsch.

3. SENATOR NETSCH:

4. I was just going to suggest to Senator Lemke that there is
5. a difference and we really do recognize it, Senator Lemke.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Degnan. Senator Sommer.

8. SENATOR SOMMER:

9. Just briefly, Senator Lemke, why...why wouldn't this now
10. be covered by the law under the mental cruelty provisions?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Lemke.

13. SENATOR LEMKE:

14. Well, according to a recent case, it isn't. And...and the
15. case happened in New York in Zargoff versus Zargoff on August 4th
16. of '80. And what that court...what they said in that case,
17. the constitutional rights to abortion without the consent of the
18. husband does not automatically preclude the finding that such an
19. action is destructive of the marriage and that a refusal to
20. bear children...is grounds for a divorce. But the State Legislature
21. has not done so, and that the court may not write into the law
22. a provision which makes marriage more vulnerable. The State has
23. an interest in preserving the family unit, but as stated in...it
24. may not take any actions unless it's a mutual decision. And I
25. think a marriage, when you contract, it's like a contract. And
26. part of that when you get married you contract to have children.
27. And if you do not get the consent of the husband and he cannot
28. ...and you can get an abortion without that consent, then fine,
29. then they have dissolved the marriage, and that husband should have
30. the right or that spouse should have the right to dissolve that
31. marriage according to this case. I'm quoting the law by the U.S.
32. Supreme Court. If it's unconstitutional, then the U.S. Supreme
33. Court said something unconstitutional. And this is the way they

1. ruled, and this is the case. Now, you can talk all you want, and
2. make fun of everything else, when we talk in the Marriage and Dis-
3. solution Act about other spouses, and that's all we're doing here.
4. It's not a funny matter, if you get married and want to have a
5. family and...and your spouse does not want to bear children or
6. persistently has abortions then you should have the right to dis-
7. solve that marriage, 'cause the contract is breached, and that
8. should be your grounds, and that's what this bill does. And
9. it's just completely in regards to the case. And that's the law,
10. so when the ACLU or anybody says it's not the law, here's the law,
11. it was stated by the U.S. Supreme Court in that case.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator DeAngelis, for the
14. second time.

15. SENATOR DeANGELIS:

16. I'm sorry to be getting up on this, and I know that I've been
17. admonished in the past, that it's politically unwise to speak
18. against these bills. However, I think it's politically duplicitous
19. to deliberately pass a bill that you know is technically incorrect.
20. And Senator Lemke, if you really do want to help the cause, and
21. I happen to agree with the premise, that consent should be given,
22. then I would ask you to put your bill in proper order. But let
23. me caution you on something else, I had asked Senator Lemke to
24. hold these bills for awhile to get them in good shape. You're
25. going to see a bill that's coming up next that says if a physician
26. engages...

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator, let's speak to this bill...

29. SENATOR DeANGELIS:

30. All right, I want to address my comment to that, though. That
31. if a physician is involved in an abortion procedure, now it could
32. happen, a D and C falls in that category. Now, wait a minute...
33. wait a minute, Leroy, let me just finish, first.

SB 939
3rd Reading

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. No, Senator, you're correct. Would you speak to Senate
3. Bill 935, Senator.

4. SENATOR DeANGELIS:

5. What...what I'm going to say is that the bills when taken
6. separately cantradiect each other. And if there's an honest effort
7. to really resolve the problem of abortion, why can't it be done
8. on a systematic basis that would produce significant and meaningful
9. laws. The next bill will create a problem with this very bill.
10. That's all I'm saying.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? Senator Lemke may close debate.

13. SENATOR LEMKE:

14. I can only say that the lawyers that have gone over this,
15. have worked on the constitutional...and have won many constitutional
16. cases on this thing, have...went over the wording of this bill
17. and this is the wording they believe is constitutional for the
18. U.S. Supreme Court in conforming to that case. So, I ask for an
19. Aye vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is, shall Senate Bill 935 pass. Those in favor
22. will vote Aye. Those opposed vote Nay. The...the voting is open.
23. Have all voted who wish? Have all voted who wish? Have all voted
24. who wish? Take the record. On that question, the Ayes are 42,
25. the Nays are 12, 1 Voting Present. Senate Bill 935, having received
26. the constitutional majority is declared passed. Senate Bill 939,
27. Senator Lemke. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 939.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Lemke.

1. SENATOR LEMKE:

2. This bill has been amended with agreements with the Medical
3. Society. It applies only to willful and wanton conduct, and this
4. is conduct where the physician knows or should have known that
5. the woman was not pregnant. This is what we have discovered in
6. regards to the cases in the abortion mill problems in the clinics.
7. Doctors were performing abortions, a day later the exams came out
8. and the girl was not, or the lady was not pregnant, and what this
9. bill does is just makes it the law. It says, if a physician willful
10. and wantonly performs an abortion, he...he...he makes a violation
11. and he...he is removed from the Public Aid list of vendors, and
12. he...he suffers to be prosecuted for guilt of a Class 2 Felony.
13. It takes out any provision about the automatic revocation, and
14. gives him the right to a hearing before R and E. I think it's
15. a good bill, and I think it will stop some of this silliness by
16. clinics that are performing abortions on people just to get the
17. money, and then later finding out that person...that person later
18. finds out they weren't even pregnant. And I think this is a good
19. bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

22. SENATOR GEO-KARIS:

23. Will the sponsor yield for a question?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Indicates he will.

26. SENATOR GEO-KARIS:

27. Is your bill in the same posture as Senate Bill 939, your
28. bill as set forth in the Digest where it simply says where any physician
29. performs an abortion procedure upon a woman who is not pregnant,
30. shall have his license automatically revoked? Then what have
31. you changed in it?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Lemke.

1. SENATOR LEMKE:

2. We have gone over this with the Illinois Medical Society,
3. we have an amendment where it says willful and wantonly, in
4. other words from willful and wantonly, that's where you should
5. have known that the woman was not pregnant. That's where you
6. perform the abortion before the test results are in.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President, and Ladies and Gentlemen of the Senate. I
11. am going to support this bill, because it makes sense. And it
12. won't cost the taxpayers the money that the other bills will
13. cost.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Netsch.

16. SENATOR NETSCH:

17. A question of the sponsor. Why is it that you provide for
18. these kinds of penalties only in the case where a doctor has per-
19. formed an abortion which presumably didn't do any harm to anyone
20. if the woman was not pregnant to begin with? Why don't you
21. provide that anytime that a...any member of the medical profession
22. or anyone involved in health care performs an act which is in
23. violation of their basic standards that...that it results in the
24. same penalties? I don't see the difference, I mean, is it any
25. better if a doctor performs an appendectomy and the appendix is
26. not there?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Senator Netsch, I am not in that field, I'm...I keep my...
31. I limit my field to one issue, and that issue is abortion. I
32. worked on the clinics, and these are the things we found. We
33. didn't get investigated in anything else even if there was other

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1. things involved by these...these clinics, like performing plastic
2. surgery on a lot of people. That wasn't our mission, the
3. sub-committee was set up to investigate the abortion bills. These
4. are bills to cure that problem. And the problem is, why should
5. an abortion procedure be performed on a woman who is not pregnant?
6. And where the guy knowingly or willful and wantonly should have
7. known that she was not pregnant. And that's what we're trying to
8. do here, and I think this is a good bill, and I think it does
9. justice and gets rid of the phonies that are in the profession.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, Senator Lemke may close
12. debate.

13. SENATOR LEMKE:

14. I ask for a favorable vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is, shall Senate Bill 939 pass. Those in favor
17. will vote Aye. Those opposed vote Nay. The voting is open. Have
18. all voted who wish? Have all voted who wish? Have all voted who
19. wish? Take the record. On that question, the Ayes are 50,
20. the Nays are 1, 3 Voting Present. Senate Bill 939, having received
21. the constitutional majority is declared passed. Senate Bill 940,
22. Senator Lemke. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 940.

25. (Secretary reads title of Bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Lemke.

29. SENATOR LEMKE:

30. What this bill does, amends the abortion law, provides that
31. civil damages for an attempt to perform an abortion on a woman who
32. was not pregnant, equal to three times the amount proven. There
33. is an amendment put on there with the Medical Society and their

1. agreements, it applies only to willful and wanton conduct. And
2. I think this is a good bill, and I think any doctor that performs
3. an abortion should also be civilly liable if that...if that woman
4. is not pregnant.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, the question is, shall
7. Senate Bill 940 pass. Those in favor vote Aye. Those opposed
8. vote Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Have all voted who wish? Take the record.
10. On that question, the Ayes are 50, the Nays are 1, 2 Voting Present.
11. Senate Bill 940, having received the constitutional
12. majority is declared passed. Senate Bill 941, Senator Lemke.
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 941.

16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Lemke.

20. SENATOR LEMKE:

21. What this bill does, is it amends the Abortion Act, it sets
22. out a procedure as to parental consent, if there's no consent the
23. court procedure...to protect the minor. It also cuts down the
24. period of twenty-four hours to ninety minutes, in other words
25. you have to wait, at least, ninety minutes before the abortion is
26. performed. It provides certain other exceptions in regards to
27. this thing. I think it's a good bill. It also states that no
28. second trimester abortion...that they have to be performed in a
29. hospital. I think this bill...I passed out literature, you've
30. got both sides of the issue. We gave you the 'Right to Life side
31. first, the ACLU gave you a brochure against the bill. I gave you
32. another one that had constitutional lawyers...have one case is
33. consistently...to give you the case law and the procedures in the...

1. in the U.S. Supreme Court. I think this is a good bill, and I
2. think it's necessary, and I think the bill is constitutional.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President, and Ladies and Gentlemen of the
7. Senate. Senator Lemke's description of the bill was not that
8. bad, he just left out a couple of provisions that perhaps I should
9. mention are in it. We won't bother to talk about the constitutional
10. side, cost of litigation, we're all aware of that sort of thing.
11. Let me bounce a couple of things off you, one, the parental consent
12. requirement, forget whether you're for or against parental consent,
13. the requirements in this section fail to comply with the recent
14. Supreme Court rulings, and the authors of this bill are perfectly
15. aware that this does not meet the Supreme Court rulings, and in
16. order to show that they know it, they put within the bill a contingency
17. plan in case these...these particular rules are held unconstitutional.
18. I mean they're accepting in their own bill that their provisions
19. are unconstitutional. Under the description of what a fetus
20. is, this exact definition has already been declared unconstitutional
21. by the U. S. Court of Appeals. Then they set the physicians
22. standard of care provisions, this is constantly and repeatedly
23. been declared unconstitutional in the Federal Courts in this
24. circuit. The previous provisions of this type have been invalidated
25. on the grounds that they are too vague, too complicated, they
26. don't fit constitutional requirements of narrowness, et cetera.
27. The physicians standard of care provisions in here are
28. just plain outrageous. Now, here's a good one for the attorneys
29. in the group. The criminal penalty for Judicial orders, a judge
30. can be incarcerated for performing his duty. Now, I want to tell
31. you, there are a lot of times I'd like to jail some judges for the
32. things they've done, but you know, that isn't very constitutional,
33. and yet that is in this bill. There are criminal penalties for

1. Judicial action, and judges can actually be sentenced for doing
2. it. And then they have injunctions against crimes. Now, not
3. to be cynical, but if there is one thing in case law that's
4. very difficult to have an injunction against a crime that's not
5. committed in advance. I mean that has always been an accepted
6. principle. And this bill flies in the face of that sort of
7. legal doctrine. So, I conclude by saying, if you would like
8. to restrict abortion, and I would not say that you should or
9. should not, I personally am opposed to some of the restrictions
10. we've been putting out. Senate Bill 941 goes so far beyond any-
11. thing that's reasonable, that this bill will just make a complete
12. mess out of existing case law. Now, some of these other bills, and
13. I have voted for several of the previous bills, while I may not
14. have been in complete agreement, they were not unreasonable. But
15. this particular bill, number one, could never be enforced. Number
16. two, the points I mentioned just plain show that it is so impractical
17. that we probably cannot deal with it. So, what I say to you is,
18. fine, you voted for a series of bills, many of which are pretty
19. decent pieces of legislation, some are questionable, but this
20. one is a disaster waiting to happen, and I've already stressed
21. one of the internal problems. Many of you I've already spoken
22. to about this bill, and this is the one I was referring to, and
23. the information I've given you dealt with this specific bill. I
24. thank you for your attention, and I request a No vote.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? Senator Netsch.

27. SENATOR NETSCH:

28. Thank you, Mr. President. I incorporate by reference the
29. comments and points that Senator Keats has just made. But my
30. particular point is to raise a parliamentary inquiry. Given the roll
31. calls on the last few bills, it probably is an academic question.
32. But I would nevertheless like a ruling from the Chair with
33. respect to the number of votes required to pass Senate Bill 941.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion?

3. SENATOR NETSCH:

4. ...no...you weren't listening, Senator Savickas.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. You're right, Senator. That was an inquiry. Senator Lemke.

7. SENATOR NETSCH:

8. No...it's a parliamentary inquiry directed to you, Senator
9. Savickas.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Would you repeat the inquiry, Senator.

12. SENATOR NETSCH:

13. The question is, what vote is required to pass Senate Bill
14. 941 in view of the fact that it preempts home rule units in various
15. parts of Section 13?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator, as you know, the Chair always rules that if it
18. preempts, it would require thirty-six votes. And you are correct,
19. the Chair will rule that in Section 13, that it does preempt
20. home rule, and states no abortion shall be subsidized by any State
21. or local governmental agency including any home rule unit. So,
22. I would suggest at this time, the Chair will rule that it takes
23. thirty-six votes to pass this bill.

24. SENATOR NETSCH:

25. If I might just add, I think in this case, for the first
26. time in the last several days, you are absolutely correct in your
27. ruling, this is literally a preemption.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. For those in the gallery, this is the first time I sat in
30. the Chair and ruled this way. Is there further discussion? Senator
31. Lemke may close debate.

32. SENATOR LEMKE:

33. I only can say that I passed out the notes, had constitutional

1. lawyers review all these opinions. They gave you the opinions,
2. the wording in the bill, they felt is constitutional, since they
3. have been winning the cases, I would suggest that the Americans
4. United for Life in that legal defense must know what they're
5. doing, because the ACLU is losing them, so these...they must
6. know what's constitutional and what isn't. So, I ask for a
7. favorable vote.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. The question is, shall Senate Bill 941 pass. Those in favor
10. will vote Aye. Those opposed vote Nay. The voting is open. Have
11. all voted who wish? Have all voted who wish? Have all voted who
12. wish? Take the record. On that question, the Ayes are 41, the
13. Nays are 10, 3 Voting Present. Senate Bill 941, having received
14. the constitutional majority is declared passed. Senate Bill 94...
15. Senator Sangmeister, for what purpose do you arise?

16. SENATOR SANGMEISTER:

17. Mr. President, seeing as we're between bills, I would like
18. to, at this point, to indicate that from transitless Will County,
19. we have another school district down here, Laraway which I would
20. like to have them rise in the gallery and be presented to the
21. Senate.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Would they please rise and be recognized. Senator Egan,
24. Senate Bill 945. Read the bill, Mr. Secretary. For what purpose
25. does Senator Egan arise? Egan.

26. SENATOR EGAN:

27. To ask if you would put Senate Bills 945 and 946 on the recall
28. list?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. You've heard the motion. Is leave granted? Leave is granted.
31. Senate Bill 948, Senator Vadalabene. Senator Egan. Senator Egan.
32. Senator Egan, for what purpose do you wish to have them recalled?

33. SENATOR EGAN:

1. I want them on the recall list when it's called to amend
2. them.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Thank you. Senate Bill 948, Senator Vadalabene. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 948.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, thank you, Mr. President, and members of the Senate.
14. This is the last of the series of the railroad bills that did
15. not make the Agreed List. However, I thought seriously that one or
16. two of the others should have passed. This one here I believe
17. should be given more serious consideration than the other two.
18. The bill was amended on the Floor on an agreement in committee,
19. so that the Amendment to...No. 1 to Senate Bill 948 is actually
20. the bill. And what it does, is reduces from six to three the
21. number of weekly track inspections required by this bill. And a
22. track motorcar or by-railcar being used for inspections shall not
23. be operated at more than five miles per hour when passing over
24. track crossings or a highway crossing or switches. And the
25. monthly walking inspection shall include checking all switches,
26. switch points, and switch rods for loose or missing bolts, guard
27. rails, and frogs, and proper function, fit and alignment. Checking
28. all crossings for loose planking, and obstructed flange ways,
29. checking all rails to determine that it is properly spiked and
30. anchored, and checking for alignment of track and cross level
31. track gauge loose ties, and broken or missing bolts, rails, and
32. angle bars. And I'm sure that many of you who have parked your
33. car while the train has gone by a grade have seen these planks
raise up, spikes fly in all directions, and sometimes you back

1. your car up hoping that it doesn't jump...the tracks at the grade
2. crossing. I think this is a serious bill, I think it's one of
3. the most important of the package. And I would appreciate a
4. favorable vote.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Maitland.

7. SENATOR MAITLAND:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. The sponsor is correct, he did make an attempt to make
10. this, Senate Bill 948, a bit more acceptable. However, I still
11. have to rise in...in opposition. Presently,4... Class 4 tracks
12. in Illinois, and that's the kind of track that most passenger
13. trains travel upon, it is necessary that they be inspected, at
14. least, twice a week. These are Federal guidelines, and it seems
15. that that is an adequate amount of time to be...to be utilized
16. ...to be spent observing the track. My concern, Senator Vadalabene,
17. is the fact that, quite frankly, what we...the Federal Government
18. no doubt will preempt this anyway and we'll just have a long
19. series of suits, and we're going to get back to where we are
20. presently. I think that the inspection that is now provided
21. is adequate, and therefore, I think we should defeat Senate Bill
22. 948.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not, Senator Vadalabene
25. may close debate.

26. SENATOR VADALABENE:

27. Yes, thank you, Mr. President, and members of the Senate.
28. I would like your attention on this because Senator Maitland has
29. brought up the subject of preemption. Now, Federal Railroad
30. Administration and other Federal Railroad Safety Laws provide
31. that any State can pass a law on railroad safety that is more
32. stringent than Federal standards, as long as it does not impede
33. inter-State commerce. And Senate Bill 948, does not impede inter-
State commerce. And the present safety standards provide a

1. minimum of two inspections a week on Class No. 5 and 6 tracks
2. that are used by passenger trains. Senate Bill 948, provides
3. a minimum of three inspections per week. This is a tougher bill
4. than the Federal Administration, it does not preempt them, and
5. I would appreciate a favorable vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 948 pass. Those in favor
8. vote Aye. Those opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Have all voted who
10. wish? Take the record. On that question, the Ayes are 26, the
11. Nays are 22, none Voting Present. Senate Bill 948, having...
12. Senator. 948, having failed to receive a constitutional majority
13. is declared lost. Senate Bill 951 is on the Tentative Agreed
14. Bill List, 953 also. 954, Senator Davidson. Read the bill,
15. Mr. Secretary, please.

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(END OF REEL)

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1. SECRETARY:

2. Senate Bill 954.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, this is the
9. School Formula Bill and most of you recognize it as such.
10. The...there's two amendments been put on. The first amend-
11. ment changes the level for school children from the present
12. fourteen sixty-three to fifteen hundred sixty-six dollars
13. and ninety-seven cents...or ninety-four cents. It changes
14. the Title I weighting and it does, what we think from the
15. School Problems Commission, a job to equally distribute the
16. money as equitable as possible throughout the State. The
17. second amendment that went on extends the adult education
18. program for another eighteen months. All of you had, passed
19. out on your desks, a printout from the State Board of Education
20. from Senator Berman and myself. It gives you how your district
21. would fare under this. Appreciate a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? Senator Berman.

24. SENATOR BERMAN:

25. Thank you, Mr. President. I rise in support of this
26. bill. This is probably just the opening volley in...our
27. annual debate regarding school aid formulas. We think this
28. is a fair approach. It does put in more money than...than
29. the Governor's level, but we think it's a...an...an amount
30. of money that can be negotiated and can be achieved before...
31. June 30th. It also...does some things that...for my school
32. districts...I don't agree with, but I think overall, as is
33. oftentime the case with the School Aid Formula, it is a compromise

1. situation when we take into consideration the amounts of
2. money and the...needs of the schools. I solicit an Aye
3. vote at this time on this bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Schaffer.

6. SENATOR SCHAFFER:

7. Mr. President, there are portions of this bill that...
8. do, frankly, appeal to me. I think most of us that have...
9. been here a number of years realize that the School Formula
10. is a evolving creature. It's subject to change every time
11. ...these two chambers are filled with bodies. I am personally
12. distressed though. There are three basic components,...the
13. unit districts, the high school districts, and the elementary
14. districts. I am personally distressed to the degree that the
15. elementary districts have been virtually shut out of the pro-
16. cess and have clearly become the low man on the totem pole.
17. As I look at the committees and the groups that...influence
18. this formula, it's obvious to me that the elementary districts
19. have virtually no input. They can come to the meetings and
20. explain their financial problems, but,...frankly, their
21. pleas have fallen on deaf ears. Frankly,...I understand
22. someone who represents a district that is almost exclusively
23. unit that...you...would not be terribly interested in problems
24. of the elementary districts. But one of the things that I
25. have observed and...we see it in other areas in this State is that when
26. one portion of the State becomes totally...unresponsive to
27. the needs of another portion or section of the State eventually,
28. as Cecil Partee used to say, "what goes around, comes around."
29. I think...this formula should be changed to provide some form
30. of relief for the elementary districts. We are in the pro-
31. cess of financially starving and very seriously impacting on
32. a serious section of our education system in this State and we
33. have sat back and done little or nothing, except acknowledge

1. in private that those folks do have a problem. They do have
2. a problem and...I'm very disappointed that the process which
3. is generally responsive has for some reason just tuned out
4. the cries of this section of the education community, who,
5. unlike others, make a very legitimate case for assistance,
6. and as a result I'm personally not going to vote for this
7. bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The Chair has Senators Hall, Berning,
10. Geo-Karis, and DeAngelis. Senator Hall.

11. SENATOR HALL:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. In line with what Senator Schaffer just said,...I
14. happen to have both elementary and unit districts in my...
15. in my...Senatorial district, but somewhere along the line
16. we're going to have to do something for the elementary
17. districts. I promised those people that...I would be here
18. fighting in the trenches for them. I'm going to support
19. this bill, Senator Davidson...Senator Davidson, I see you
20. taking a big hunk out of me over there. Now, somewhere,
21. sometime I want you to help me take care of those people. I'm
22. going to vote for this bill, but...I'm not talking about
23. bistate, I'm talking about schools. So,...but I wanted to
24. tell you and I just want you to keep that in mind.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. I have a question that...
29. really belongs for Senator Berman, as Chairman of the
30. Education Committee. I was given to understand that all
31. formula bills were going to be put in subcommittee. I have
32. one very fine formula of modification bill that's in your
33. subcommittee. So, my question is, how does this one get

1. out?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Well, Senator Berman, briefly. Well, because you're
4. not the sponsor and it...

5. SENATOR BERMAN:

6. No, you may have misunderstood me. We put all the formula
7. bills into a subcommittee. We held a hearing on those. I
8. think you were there the night that all those bills were
9. heard and we voted this bill out. That's what the procedure
10. was. We just didn't hear them as they were posted. They...
11. we...we posted all the formula bills in a subcommittee hearing.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator DeAngelis.

14. SENATOR DEANGELIS:

15. Thank you, Mr. President and members of the Senate. I
16. rise in opposition of this bill for several reasons. First
17. of all, if we had left the foundation level at last year's
18. level and taking the increases and assessed valuations this
19. year and the contributions by a local effort, we could have
20. funded...we could have funded education at a hundred and
21. seventy million dollars less than last year. We are now
22. adding approximately twenty-three million dollars. So,
23. essentially what we're giving to education is a hundred and
24. ninety-three million dollars more with declining enrollment.
25. Now, the problem is not with the school districts. They're
26. going to take all the money we're going to give them. The
27. problem is because of the crazy formula under which we
28. operate and we are talking daily about the resources of the
29. State being drained. Our inability to fund programs, the
30. perilous credit rating of the State of Illinois, the need
31. to cut back on programs and here where we're spending our
32. biggest buck, we don't want to do what has been necessary
33. for the last several years. We're going to spend a hundred

1. and ninety-three million dollars more. We're not just in-
2. creasing twenty-three million dollars. A hundred and ninety-
3. three million dollars more and I think in this climate we
4. ought to be ashamed. Thank you.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Will the sponsor yield to a question?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield. Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. I have a printout sheet here for Lake County and I find
13. that under this printout sheet maybe two or three districts
14. benefit and most of them suffer big consequences. I'll re-
15. peat it. Can you hear me? I have your...a printout sheet,
16. ...which I presume you put out, Senator Davidson, and if
17. you'll look on the...Lake County, which says...34th Lake
18. Educational Service Region, you will find that the schools
19. in my district, in my county are suffering an awful lot
20. under this bill. What I'm asking you is this,...what
21. advantage do you feel that this bill has over the existing
22. situation or formula?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Well, Senator Geo-Karis, you need to look at the right-
27. hand column, which is what the money those school districts
28. would receive if we do not change the formula. Look at the
29. right-hand column and then look at the middle and I think you'll
30. find that every one of your school districts are benefiting to
31. some small degree and some of them a fair good degree under
32. the proposed change. Now, if you compare what you...they
33. are receiving this year, which is the first column, the

1. left-hand column against the middle, yes, there's going to
2. be less because every school district that had a drop in
3. enrollment and an increase in their assessed valuation
4. received less money from the State. You got to compare
5. the last...the middle and the far right. The first column
6. is only there for information as to what they would...what
7. they received for this year.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. I can tell you the first two school districts that
12. are right on the top of the page are going to lose money
13. and further down most of them will lose more money than...they
14. were getting. And looking at the far right column you
15. said. Is that correct?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Davidson.

18. SENATOR DAVIDSON:

19. The far right column shows you what the district would
20. receive if there's no change in the formula presently. And
21. they are most...without exception, your school districts
22. are going to get less money this coming year if we change
23. nothing than if we do. Now, they're going to get less
24. money in some instances with...with the change. But vice
25. versa most places in your districts, as I look at them, are
26. going to receive more money if we change it than if we do
27. not change it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. One...one last question. With your proposed change
32. are the figures reflected in the...far right column? Where
33. are your figures reflected with your proposed change?

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3rd Reading

1. SENATOR DAVIDSON:

2. The middle column. The first column is what they're
3. receiving this fiscal year, the second column is what they
4. will receive if this formula, as we propose it at fifteen
5. hundred and sixty-six dollars and ninety-four cents and
6. the change in the weighting effect, become law, the last
7. column, the far right column, is what they would receive
8. at the level if there's no change in the formula.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Davidson may close.

11. SENATOR DAVIDSON:

12. Just ask for an Aye vote. This is a, as Senator Berman
13. said, this is probably the opening round of the School
14. Funding Formula, which we usually have up several times for
15. discussion between now and June 30th. Ask for an Aye vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall Senate Bill 954 pass. Those in
18. favor vote Aye. Those opposed vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish? Have all
20. voted who wish? Take the record. On that question, the Ayes
21. are 46, the Nays are 11, none Voting Present. Senate Bill 954
22. having received the required constitutional majority is de-
23. clared passed. Senate Bill 955 is on the Tentative Agreed
24. List. 956 is an appropriation bill. We'll hold those until
25. we...are we going to call those all at one time, Senator?
26. Alright. 957, Senator Bowers. Read the bill, Mr. Secretary,
27. please.

28. ACTING SECRETARY: (MR. FERNANDES)

29. Senate Bill 957.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bowers.

1. SENATOR BOWERS:

2. Mr. President, before I start...Mr. President...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Bowers.

5. SENATOR BOWERS:

6. Before I...start on explaining this particular bill,...

7. I made an error on 941. I was working on the Agreed Bill

8. List, as a matter of fact, and punched a green light and

9. intended to punch a red and I'd like the Journal to so

10. show.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Our electronic tape will so indicate.

13. SENATOR BOWERS:

14. Now, with respect to the bill. Senate Bill 957...seeks

15. to pay interest on tax objection money that is held by

16. local governmental units or...or actually held by the

17. Treasurer for the benefit of local governmental units, during

18. the tax protest period. Under Illinois law, if you want to...

19. contest real estate taxes, you have to pay the tax under

20. protest then file your protest. The resolution of that may

21. take two to three to four years, depending upon what juris-

22. diction you're in. Some of them may be somewhat less. And

23. under the law...there is no way for the taxpayer, if the

24. taxpayer wins, to obtain any interest on their funds. Now,

25. I had distributed to the membership an editorial from the

26. Chicago Tribune commenting on an Illinois...or a United States

27. Supreme Court case where all the Justices were critical of

28. the Illinois system, although they did hold in a split

29. decision, that the Federal Injunctive Act did not apply. But

30. under the circumstances it seems equitable that a taxpayer

31. ought to get interest on the funds during this period of

32. time and I would ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr....thank you, Mr. President. I rise in
4. support of this bill also. Senator Bowers is quite correct
5. that it is responsive to an inequity that was pointed out by
6. the United States Supreme Court and should have been evident
7. to everyone, even without the court decision. It is not
8. fair that people, whose money is tied up for that period of
9. time, receive no interest at all. Senator Bowers' bill
10. would correct that and it is indeed an equitable approach.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, Mr. President and members of the Senate, Senator
15. Netsch did touch on a very important point. The problem
16. though is that you will find that many people will be paying
17. under protest and I doubt if there would be anybody that
18. would just let their...pay their bills without being paid under
19. protest if they have any chance at all of receiving the
20. interest on it. Paying under protest would put a burden
21. on our local units of government, whether they are the
22. school districts, the park districts,...museum districts,
23. because this money would not be available for them to use
24. and they'd have to go out and sell bonds and whatnot to
25. pay for it. I...I think the idea is credible, but the
26. practical application would really harm our local units of
27. government. I would suggest that...we...bring this bill
28. back for further study,...find some way that we can accommodate
29. the concerns of Senator Netsch, but also not hamper our
30. units of local government and burden them with...with the
31. financial responsibility then of buying more bonds...selling
32. more bonds to pay for operation while these things are under
33. protest. This will be an added burden. A tax increase would

1. be necessary. The savings that would be saved...or the
2. revenue produced for the...the individual that pays under
3. protest in getting interest on his taxes would be deleted
4. by the interest that would have to be paid for the bonds.
5. I would suggest that this bill be defeated.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Mahar.

8. SENATOR MAHAR:

9. Thank you, Mr. President and members of the Senate. I
10. rise in support of this bill. I've found several cases in
11. my area in which people found their taxes was...several
12. hundred dollars more than they really should have paid.
13. And the real problem here is it takes up to two years by
14. the time it goes...to...Judge Dempsey's court in Cook
15. County and then goes back to the Treasurer's Office for
16. payment. In the meantime, some of these people are people
17. who...right now are out of work,...having problems and they
18. find that if...their home is mortgaged their mortgage
19. payments are increased and it's a real problem. I think
20. it's about time that...that when it's acknowledged that...
21. there's an overpayment that they ought to get interest
22. on their payment and I would ask for a favorable vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Berning.

25. SENATOR BERNING:

26. A question of the sponsor please. Refresh my memory
27. because admittedly there may be Statutory provisions now
28. that did not apply when I was county treasurer. At that
29. time, admittedly, that's outside Cook County we distributed
30. all tax payments under protest. Is that now prohibited or
31. do you know?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bowers.

1. SENATOR BOWERS:

2. I thought it had always been prohibited. I don't know
3. how you could distribute money that is paid under protest...
4. until the protestor has lost. As a practical matter,...
5. there's no way of getting it back once you distributed it
6. and unless you save some back...now, I, frankly, don't know
7. how you did it. As...my understanding of the law is this, that
8. if I want to follow the protest there's a certain...percentage
9. of that protested money that has to remain within the Treasurer's
10. ...purview because otherwise if he doesn't keep it...and the
11. protestor wins,...he has no way of getting it back from the
12. taxing district. So, as far as I know, in answer to your
13. question, no, he cannot distribute it if it's paid under
14. protest and is actively being followed.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. Well, that may...may be technically correct, but I
19. submit that...those tax dollars paid under protest are not
20. always resolved as far as the issue is concerned until after
21. the next taxing period or two, the money is always coming
22. in and is available for...for...repayment, in the event
23. of a decision in favor of the protestor. But I guess more
24. appropriate to this particular issue is, are you suggesting
25. that all tax dollars paid under protest, regardless of the
26. percentage of those dollars which will ultimately be dis-
27. tributed to the taxing district and in most instances that
28. is a substantial portion of the tax dollars,...are they all
29. going to earn interest then which will accrue to the benefit
30. of...the individual who paid under protest? That doesn't
31. seem to be quite proper either.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Kenneth Hall...Senator Bowers.

1. SENATOR BOWERS:

2. In answer to the question, Senator Berning, no. If
3. the taxpayer loses, the interest goes to the taxing body,
4. but if the taxpayer wins then...it's obvious that he over-
5. paid his taxes and that the government, if you will, has
6. been holding his money...during that period of time...
7. during the protest procedure. So that the bill provides
8. that on those dollars that he wins back, which is, in
9. effect, the dollars he overpaid, he gets interest. It's
10. that simple.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berning.

13. SENATOR BERNING:

14. Well, for the average taxpayer that's liable to amount
15. to a dollar and thirty-seven cents. I think this...may be
16. a good noble gesture that's going to be more of an adminis-
17. trative burden than the benefits can possibly be to the
18. taxpayer.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Kenneth Hall.

21. SENATOR HALL:

22. Will the sponsor yield to a question?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Indicates he will yield. Senator Kenneth Hall.

25. SENATOR HALL:

26. Senator Bowers, I have...Senate Bill 263, which...
27. established the amount of real estate taxes paid under
28. protest that should be held for distribution by the collector.
29. Now, they've been doing that already for years down in my
30. county. I mean,...why do we need a bill now to do that?
31. That's...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bowers.

1. SENATOR BOWERS:

2. The bill addresses itself to the question of interest on
3. those funds if the taxpayer wins. Under the present law there
4. is no method for the taxpayer to recover any interest on
5. the funds that are, in fact, his and were an overpayment on
6. his taxes. When he wins and gets his money back, he gets...
7. he gets interest under this bill and that does not exist
8. under Illinois law today.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Kenneth Hall.

11. SENATOR HALL:

12. Well, I'm not asking for the interest. I'm just asking
13. for...that they could use portions of it. Okay. I see where
14. your bill differs.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Further discussion? Senator Bowers
17. may close.

18. SENATOR BOWERS:

19. Well, I just want to comment to Senator Berning and
20. others that...the Illinois system...has been...very seriously
21. criticized by the Supreme Court. Even the majority. Now,
22. Justice Blackman, and this was a split decision,...Justice
23. Blackman joined the majority and he commented that Illinois
24. may have little reason to be proud of the system and he ex-
25. pressed a quote, "forlorn hope" that Illinois procedure
26. will be improved so that uncomfortable and distressing
27. litigation like this need not be pursued. I might also
28. add and this is quoted in the Tribune editorial that I passed out
29. to you, that Justice John Paul Stevens and the Tribune
30. rightfully points out he's from...practiced law in Chicago
31. for a number of years, he understands the system and he
32. dissented in this and said, "year after year Cook County
33. requires the woman to pay a tax that is three times as

1. great as the amount actually due and then after a two year
2. delay the county refunds the overassessment without interest."
3. So, that all we're asking for is fair equity for the tax-
4. payer. In other words, if the taxpayer wins, it was his money
5. all along and he ought to have interest for the period of
6. time the government has kept and used his money. I, there-
7. fore, ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 957 pass. Those
10. in favor vote Aye. Those opposed vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 39, the Nays are 8, 1 Voting Present. Senate
14. Bill 957 having received a constitutional majority is de-
15. clared passed. 960, Senator Gitz. For what purpose does
16. Senator Collins arise?

17. SENATOR COLLINS:

18. A point of personal privilege.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. State your point.

21. SENATOR COLLINS:

22. In the President's gallery we are honored today with
23. two senior citizens that I feel have made some of the most
24. outstanding contributions in the State. And, as a matter
25. of fact, one of the persons throughout the country in the area of
26. youth...programs for youth and also programs for senior
27. citizens and programs in the whole area and the struggle of
28. civil rights. And that is the Reverend Carter and Mrs.
29. Georgia Day. Two people, I think, that have played a very
30. significant role in my life because I met both of them
31. when I was about the age of seventeen on the west side of
32. Chicago. I got involved in my first community activity with
33. Mrs. Day under the Lawndale Youth Commission and they're in

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4/18/81
5-27-81
11/26/81

1. the President's gallery now. I would ask that they stand and
2. be recognized by the Senate.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Would our guests please stand and be recognized by the
5. Senate? Senate Bill 964, hold. 65, hold. 66 on the Tentative
6. Agreed List. 968, Senator Carroll. Read the bill, Mr.
7. Secretary, please.

8. SECRETARY:

9. Senate Bill 968.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. Senate Bill 968 was offered as an alternative to the
17. plan that emanated from the second floor and the Bureau of
18. the Budget in order to save some money for the State of
19. Illinois in the area of public aid. As the Governor indicated
20. in his State of the State and Budget Messages, it is his
21. obligation to propose and ours to dispose and once in a
22. while he admitted we come up with a better idea. We believe
23. this to be a better idea. This idea says, instead of, in
24. effect, pulling the plug based on a cash register or, in
25. other words, limiting the amount of money that you can
26. spend on a person while in the hospital, this one says,
27. instead of denying the less expensive form of services
28. to people truly in need, this one says in lieu thereof,
29. create a limit on the number of days stay in a hospital as
30. other states do. The Department of Public Aid has provided
31. us with guesstimates to indicate we would save in State
32. dollars alone one hundred and sixty-four million dollars.
33. The amendment to this bill provides, not only for that

1. limitation, but provides as the utilization review, the head
2. of the Department of Public Aid, who will serve as the chair-
3. man. He is...advised by the head of the Department of Public
4. Health, the head of the Bureau of the Budget, the Chairman
5. of the State Medical Advisory Committee on Public Aid, the
6. Chairman of the Medical Determination Board of the Department
7. of Public Health, a hospital administrator and three physicians.
8. They will not only review those stays over fifteen days to
9. see which are allowable and the figure I quoted provides for
10. a substantial allowance in over fifteen days, but they will
11. also be allowed to review the number of days the people
12. currently are staying in hospitals under the fifteen days.
13. And were that to prove, as we think it does, that there are
14. some areas there that can be cut down where the savings
15. will be far in excess of the hundred and sixty-four million.
16. This is obviously not only a much more humane way to go.
17. It obviously says that utilization review will be had at
18. the beginning and dollars will, in fact, be saved. It
19. also saves substantially more State dollars than the other
20. approach, which would have denied very needed services and
21. I would ask for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? Senator Grotberg. Senator
24. Schaffer.

25. SENATOR SCHAFFER:

26. Mr. President and members of the Senate, I rise in
27. opposition to this bill and I guess I'm talking primarily
28. to the downstaters and the suburbanites. There are two al-
29. ternatives here and I think we ought to discuss both
30. the alternatives. The one alternative as presented here
31. as a fifteen day ceiling or limit on public aid patients.
32. The other...and I might add with an Exemption Committee that
33. will meet and decide...who should...go beyond fifteen days

1. and who shouldn't. By the way, the cost of that Exemption
2. Committee is another hundred thousand smacks for a new
3. commission for all you commission lovers. The implications
4. are, though, that...the only way that that Exemption Committee
5. can...operate...and by the way, Senator Carroll, I get my
6. figures from the Department of Public Aid. You can judge
7. their value accordingly. But I suspect that a committee
8. that will have to meet as often as this one will, will cost
9. some dollars. The only way this Exemption Committee is
10. going to be able to function is to set up some blanket
11. exemptions. Regrettably in the last month my father was
12. hospitalized with a cancer operation and...not on public
13. aid, but there was no way he was going to get out of the
14. hospital in less than a month. If he'd been in perfect
15. health, he'd still been in just about that time. When
16. these blanket exemptions are passed, there go the savings
17. and without it, the committee has to meet round-the-clock
18. on an individual by individual basis. Department of Public
19. Aid predicts...this could save as little as zero. The
20. other exemption...the other plan that...we would...pre-
21. sumably shelve on the basis of this plan, is a four
22. hundred dollar a day cap, as proposed by the Department
23. of Public Aid. Now, let me suggest to you what the...
24. department is saying, what the Bureau of the Budget is saying
25. and what the Governor's Office is saying is, we can no longer
26. afford Cadillac hospitals. We have various types of hospitals.
27. We have hospitals in my district that are a couple of hundred
28. dollars a day, we have hospitals that are teaching hospitals
29. in Chicago that run thirteen, fourteen hundred dollars a day,
30. I'm told. What we're saying is, we can't afford the Cadillac
31. hospitals for the public aid program anymore and we're going
32. to have to ask our...our public aid patients and clients to
33. go to the...to the Chevy hospitals. We aren't telling them

1. they have to go to any Toyota hospitals...just the Chevy
2. hospitals. The Chevy hospitals I would describe as the
3. places that you and I go when we get sick or when members
4. of our families get sick. We don't go to hospitals that
5. charge fourteen hundred dollars a day unless we have a
6. real acute situation. But for the day to day medical problems,
7. the four hundred dollar cap makes a lot more sense than this
8. proposal and if we are, in fact, interested in cutting the
9. public aid budget, that's the way to go. That and some of
10. the other cuts, which are going to be bitter medicine. I
11. would suggest to those of you, particularly on this side
12. who are interested in wetting down...or holding down the
13. public aid budget, that we'll find ourselves here next year
14. if this, in fact, is the plan working on a supplemental,
15. because we'll find that the Exemption Committee hasn't
16. been able to hold anything down. We'll have a whipping
17. boy, we can...we can beat on the department because they
18. exempted too many people. Of course on the other hand,
19. they could get rigid and then all these people could
20. appeal to us when their...relatives are put out on the
21. street at the end of fifteen days when medically there's
22. no justification for it. I don't think this is a sound
23. proposal. I think the Governor's approach...makes a lot
24. more sense. Let's say fine, don't go to the fancy,
25. north shore...lake shore teaching hospitals. Go to the
26. ones where you and I send our families. It's a...this
27. is not the way to go and I urge everybody who is interested
28. in holding the line on the public aid budget to oppose this
29. bill and get back to, if you will, a plan that will, in
30. fact, hold the line on the Medicaid Line Item in our budget.
31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Grotberg.

33. SENATOR GROTBORG:

1. Thank you, Mr. President and members of the Senate.
2. I would like to speak to two different aspects of the bill
3. in relationship to the Legislative Advisory Committee on
4. Public Aid, who is conducting extensive hearings and on a
5. monthly basis trying to get together with the hospital
6. organizations...on the public aid reimbursement problem.
7. And at this point in time that conversation is hovering
8. around the four hundred dollar per...for a day upper rate
9. for any and all services. And I would like to see that
10. dialogue continued before we jump off the high dive with
11. a bill like this that actually does not recognize the
12. humanity differentials that come through hospitals. A
13. hundred dollar a day board to review...four hundred dollar
14. a day rates across this State...probably hundreds of people
15. getting admitted everyday. It's just a silly layer and I
16. liken it to a bill we had the other day where we're going
17. to create another layer of committee people to evaluate
18. whether children were properly placed. Now we're getting
19. into hospitals seeing if they're properly placed. I
20. think that hospitals can engineer their own intake and out-
21. take within the framework of what we're doing now and...the
22. passage of this bill would just incumber the situation,
23. Senator Carroll. I admire your tenacity on the approach
24. to the problem, but it is the wrong approach. And...there's
25. just no way that it'll work any better than what we have
26. now. One of the most inefficient approaches that I can think
27. of and I recommend a No vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator...I have Senators Collins, Buzbee and Newhouse. Senator Collins.

30. SENATOR COLLINS:

31. Thank you, Mr. President and members of the Senate. I
32. rise in support of Senate Bill 968. As one of our speakers
33. indicated that if we want to save money...cut down money

1. in the Department of Public Aid Medicare Program that the
2. Governor's proposal was the way to go. But I don't think
3. that those of us on this side of the aisle are more concerned
4. with how much money we have in the public aid budget as we
5. are with the kind of care and the quality of care that the
6. ...people of Illinois deserve to have. Particularly those
7. who cannot afford health care on their own. This bill
8. attempts to accomplish the same thing as it relates to the
9. amount of dollars we have as the Governor's proposal. But
10. I think this is a more realistic approach because there's
11. no question that in many cases that senior citizens and
12. other people on aid are in hospitals and are...under very
13. careless conditions and stay in hospitals longer than it
14. is necessary for them to stay. One of the speakers said
15. that this was a blanket proposal to cut off the person's
16. hospital stay at fifteen days and gave reference to the fact
17. that someone had an operation for cancer. This is not a
18. blanket proposal. No one is crazy enough to say that if a
19. person cannot be discharged from a hospital into lesser care
20. that that person should, after a serious operation, be removed
21. from that hospital within fifteen days. That is not the intent
22. of this legislation. It is...this is a more practical, a more
23. realistic approach, a more humane approach than to taking
24. away essential and vital services to those people who cannot
25. afford it. I...and I urge an Aye vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. I rise in support of this
30. bill. This is a much more viable alternative to the Governor's
31. approach to the...reduction of the public aid budget. The
32. Governor has advocated that public aid recipients not be
33. allowed to receive such traditional medical services that

1. this State has always provided, such as hospital out-patient
2. care. The Governor says he doesn't want public aid patients
3. to be able to go to clinics, the Governor says he doesn't
4. want...public aid patients to be able to get appliances,
5. the Governor says he doesn't want non-emergency dental care
6. to be available to public aid patients, the Governor says
7. he does not want public aid recipients to receive podiatry
8. care, the Governor says he does not want public aid recipients
9. to receive chiropractic care, the Governor says he does not
10. want public aid recipients to receive optometric care, and
11. the Governor says that he does not want public aid recipients
12. to receive other medical services. We don't think that is a very
13. viable alternative to reducing the budget. The Governor
14. says he wants to pull the plug on public aid patients when
15. their cost runs over four hundred dollars a day for hospital
16. care. We don't think that's acceptable public policy. We
17. think a more viable alternative...a more viable, a more
18. acceptable public aid policy is to say to those public aid
19. recipients that go into the hospital and want to take a
20. vacation, sorry you're out after fifteen days, unless...
21. unless you have a...a...medical emergency or a medical cause
22. that would...necessitate your staying longer than fifteen
23. days. In that case, this committee...this peer review com-
24. mittee would have the option of saying, "yes, that patient
25. needs to stay longer than fifteen days." Now, I've heard
26. it said that the one hundred and sixty-eight million dollars
27. that we have identified as being savings to the taxpayers
28. of the State of Illinois, and by the way that is strictly
29. State taxpayer dollars. There's also approximately a hundred
30. and fifty to a hundred and sixty million of Federal taxpayer
31. dollars which would also be saved with our plan, but we get
32. those figures not from a Democratic staff, not from research
33. that we have done, not from any of those traditional places

1. that we go for information, we got them from the Governor's
2. Department of Public Aid. The Governor's Department of
3. Public Aid says, that with...by limiting hospital stays to
4. fifteen days, you would save one hundred and sixty-eight
5. million dollars. This is a very good alternative. It is
6. being used in other states at the present time. It is
7. being used in some states, as a matter of fact, with no
8. exceptions, saying at fifteen days you are out. We don't
9. say that. We say it's fifteen days maximum, unless you
10. have a medical necessity of the type that would allow...
11. that would...that would require you to stay longer than
12. fifteen days. I would submit to you that you ought to
13. say no to the Governor when he wants to deny public aid
14. recipients hospital out-patient care, clinics, appliances,
15. non-emergency dental care, podiatry care, chiropractic
16. care, optometric care and other medical services...
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Excuse me. May we have some order please? If we
19. could take our conferences off the Floor, clear the aisles.
20. Senator Buzbee.

21. SENATOR BUZBEE:

22. ...I'm...I'm...I'm leaving right now, Senator Weaver,
23. if you'll vote Aye why I'll just shut-up right now and not
24. say another word. But I'm saying to you that our alternative
25. is a much, much better alternative than the Governor. It
26. saves more money and it provides more medical services. You
27. got the best of all worlds. Vote Aye, vote Democratic.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Thank you, Mr. President and Senators. Mr. President,...
32. I...I think we've got, in a sense, a difference of perspective
33. here 'cause I certainly disagree...I agree, rather, with some

1. of the proposals advanced by some of my colleagues on the
2. other side of the aisle and particularly to that which
3. says, let's have more people go to Chevrolet treatment,
4. I believe it was, than Cadillac treatment. There's a serious
5. problem here and the problem is that the people that we're
6. talking about have neither Cadillacs nor Chevrolets. And if
7. you look back at the...if we look back at what's really
8. happening, we might find that the other dirty word applies.
9. We're talking about CTA patients. Now, the history of the
10. hospitals on...on...in Chicago are these, that none of the
11. hospitals wanted to treat poor people so we created the Cook
12. County Hospital and all poor people went to the Cook County
13. Hospital. Then there was some give and there were two or
14. three teaching institutions which then took the place...
15. could I have a little order?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Gentlemen, if we might have some order, it's now ten
18. minutes until four. We've got about another hour and ten
19. minutes to work before we take a dinner break. If we could
20. take our conferences off the Floor, we'll be able to...to
21. conclude our work in a...in an orderly fashion. Senator
22. Newhouse.

23. SENATOR NEWHOUSE:

24. The teaching institutions then took the...the dregs,
25. that is took the trade that the...other hospitals simply
26. didn't want so that you had, for example, if we talk about
27. the south side of the City of Chicago, we talk about Michael
28. Reese and we talk about the University of Chicago in
29. Osteopathic, all of whom serve my district, as serving
30. probably the bulk of all the public aid patients on the
31. south side of the City of Chicago and probably some from the
32. north side. So, traditionally what has happened is, that
33. these "Cadillac hospitals" have preserved both ends of the

1. spectrum, both those who have Cadillacs and those who couldn't
2. afford to ride the CTA. If Michael Reese and if the University
3. of Chicago were removed from the south side of the City of
4. Chicago, the southeast side, which is known as a medically
5. underserved area, there would be no way...no way for most of
6. those patients on the south side to get hospitalization care.
7. So, it isn't a question of people attending Cadillac hospitals
8. because they want Cadillac treatment, it's a case of going
9. to what's open, what's available and what has been a welcoming
10. source in the past. It's as simple as that. I don't stand
11. for the proposition that the costs ought to be out of
12. sight, they ought to be reduced, no question about that.
13. But until...until we have those hospitals of the second
14. category, however you categorize them,...until we have
15. those in place then patients are going to go to the insti-
16. tutions that serve them. I submit to you that those serving
17. them now are the teaching institutions and while we have
18. some problems that need to be worked out, certainly at
19. this stage in order to provide quality medical care for all
20. people, this bill is essential and I would move its adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator...further discussion?
23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, pardon me for speaking a second time. I can just
26. only...restate...and I...Senator Carroll, you'll have to for-
27. give me for depending on the Department of Public Aid's figures.
28. You recall, I...did ask you for your methodology in establishing
29. your figures and...okay, I'm sorry, they just alerted me
30. that somebody back here did have them. I haven't seen it.
31. But simply put...this bill simply puts into Statute what is
32. current Department of Public Aid and I believe one of the
33. Senators mentioned that this will prevent the public aid

1. recipients from taking vacations in hospitals. I don't think
2. anybody wants to take a vacation in a hospital. A hospital
3. isn't a fun place to take a vacation. Simply put what this
4. is, is a method to scrap the Governor's cost control method,
5. which is to, if you will, shut down or take the public aid
6. business away from the Cadillac hospitals. Admittedly,
7. all the Cadillac hospitals virtually all are in Chicago.
8. I'm reluctant to describe Cook County Hospital as a Cadillac
9. hospital, but as far as the cost per day, it's certainly
10. a Cadillac hospital. I think that's a Cadillac you might
11. buy from honest John, the...used car dealer. Simply put,
12. though, this is a step to put the skids to a real cost
13. containment program and let's face it, guys and gals,
14. cutting costs in public aid isn't fun. We pass this bill
15. and this becomes a program, we'll be back here next year
16. with a supplemental and for those of us who really believe
17. in cutting...putting a lid on this system,...I don't see
18. how we can allow this bill to go forward, because, frankly,
19. it's a smoke screen to prevent, in my opinion at least, real
20. meaningful cuts. And I think some of us came down here
21. with the idea that we were going to slow down the growth
22. of public aid and, obviously, the area that has to be slowed
23. down the most is in the medicaid area. Let's stay with the
24. program that really works. I'm sorry it does get at some
25. of those Cadillac hospitals in Chicago, but, hey, cutting the
26. size of government isn't fun and we all knew that when we came
27. down here in January.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Totten.

30. SENATOR TOTTEN:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. I rise maybe as a lone voice on our side of the aisle,
33. but it appears to me that...a good idea should not necessarily

1. be partisan. The idea of capping...medicaid at four hundred
2. dollars is just as good as limiting the length of stay in
3. a hospital is and it appears to me that both ideas have...
4. have merit. To disregard or reject one because another
5. exists...does not reflect on the merits of the measure that
6. is before us. This has been tried in other states, it has
7. worked in other states. There's no reason why, if we are
8. honestly going to try and limit...the costs of this pro-
9. gram,...we should not be looking at this proposal as a
10. way to do it in this State. And for that reason, I'm
11. going to support Senate Bill 968.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Nash.

14. SENATOR NASH:

15. I move the previous question.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Alright. Senator Nash, there's no one else on the...
18. call. So, the question is, shall the main question now be
19. put. On that motion, all in favor say Aye. Opposed Nay.
20. Senator Carroll to close.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of
23. the Senate. Let me just briefly answer a few of the comments
24. made. Senator Schaffer, you're wrong. You're not talking
25. about a Cadillac hospital or a Chevy, or a Toyota or even
26. bicycle. You're talking about what we would commonly even
27. say is maybe even less than a pair of shoes. You're talking
28. about allowing State Government to pull the plug on people
29. and I say that's just not the right way to go. Department
30. of Public Aid is the one we got our figures from. You've
31. seen, now, the formula. We took the midpoint, not even the
32. most advantageous financial one to the position we're taking.
33. We took the midlevel. We said thirty-seven and a half

1. percent, exactly the midpoint of what they projected of those
2. who now stay over fifteen days would, in fact, continue to
3. stay there. We've said a lot more than that though. I
4. don't know where they come up with a hundred thousand dollars,
5. unless they expect a thousand days of year of actual committee
6. meetings since the directors are not paid. You're paying
7. four people a hundred dollars a day and you're requiring them
8. to meet quarterly. That's...you're talking sixteen hundred
9. dollars a year in costs to the people of the State of Illinois.
10. And what you're telling them to do is to review the utilization
11. committees of the hospitals, put that little sword over the
12. head of those who decide how many days people can stay in
13. hospitals, less than fifteen or more than fifteen. And I
14. think you and I know that if we just got that down one day, if
15. we brought it back, in fact, to a year ago's level, they've
16. grown by over a day's average in the last year. The savings
17. will be two, three and maybe four times the hundred and sixty-
18. four million that we have talked about. But, basically, what
19. this is, is a viable alternative. An alternative that says
20. that you can take care of the child in a tertiary care insti-
21. tution. You can take care of the person who has been wounded in
22. a gunshot incident. You can take care of the cardiac review
23. cases. You can take care of renal dialysis and all those
24. others that cost more than four hundred dollars a day in
25. all of the hospitals of the State of Illinois. You're not
26. talking about the average person who is recuperating from
27. minor surgery where the costs may be a hundred to a hundred
28. and fifty, two hundred and fifty, depending on where you're
29. at in the State. You're talking about whether or not govern-
30. ment is going to come in and pull the plug, say I'm sorry
31. no more blood, no more penicillin, no more anything because
32. the cash register read four hundred dollars. That to me
33. is not where government should be at. We should not be

SB 982
3rd reading

1. saying the cash register is more important than life, but
2. we can say that there is a way to sit on top of these
3. utilization reviews, limit them, give them adequate service.
4. Maybe it's with a home health care person, maybe it's with
5. a skilled nursing bed at about ten percent of the cost. It's
6. a much more legitimate way to save substantial dollars and
7. still protect the people of the State of Illinois. I
8. would ask for a favorable vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 968 pass. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Have all
13. voted who wish? Take the record. On that question, the Ayes
14. are 32...33, the Nays are 21, none Voting Present. Senate
15. Bill 968 having received the required constitutional majority
16. is declared passed. 977 is on the Tentative Agreed Bill List.
17. Senator Carroll, 982. Do you wish to call that? Just for
18. the information of the membership, with that bill we've
19. now considered thirty-nine bills by roll calls today in
20. six and a half hours. We are averaging about six and a half
21. bills per hour and that should...warn you that if your bill
22. is called today and not considered, at this pace we will be
23. hard pressed to ever get back. So, we're running about six
24. and a half bills per hour, thirty-nine bills in six and a
25. half hours. Senator Carroll. Read the bill, Mr. Secretary,
26. please.

27. SECRETARY:

28. Senate Bill 982.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. I hope this won't take as much time as the last one.
3. This is a result of some court decisions dealing with the area
4. of annexation. Senator Mahar and others have amended this
5. legislation to meet some of their needs in...in their particular
6. areas. The problem became...the court said when you're annexing
7. a lot of little parcels of land adjoining a municipality that
8. you had to buy the first piece, go through the whole process,
9. wait, then start on the next parcel. That's not, in fact,
10. the way any municipality annexes land. They take an area
11. together and do it all at one time. The court said no, that
12. that creates a problem and...this bill codifies what had
13. always been the case law before, that that type of defect,
14. the fact that you take all the parcels at once, is not a
15. defect to the annexation. I would ask for a favorable roll
16. call and answer any questions.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Is there discussion? Senator
19. Nedza.

20. SENATOR NEDZA:

21. Yes, thank you, Mr. President and Ladies and Gentlemen of
22. the Senate. In other words, the bill merely incorporates
23. language which legitimizes what has been considered a common
24. practice. The bill was amended in committee and gained...the
25. support of the Illinois Municipal League and I would urge
26. your support for the bill also.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further discussion? The question
29. is, shall Senate Bill 982 pass. Those in favor vote Aye.
30. Those opposed vote Nay. The voting is open. Have all voted
31. who wish? Have all voted who wish? Take the record. On that
32. question, the Ayes are 56, the Nays are none, 1 Voting Present.
33. Senate Bill 982 having received the required constitutional

1. majority is declared passed. Senate...Senator...Senate Bill
2. 994, Senator Coffey. 983, 989, and 992 are on the Tentative
3. Agreed Bill List. Is Senator Coffey on the Floor? On 994.
4. Alright. 995, Senator McMillan. Read the bill, Mr. Secre-
5. tary, please. 995.

6. SECRETARY:

7. Senate Bill 995.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator McMillan.

12. SENATOR MCMILLAN:

13. Mr. President and members of the Senate, Senate Bill 995
14. is the Truth in Taxation Bill. The bill has been around for
15. a couple of years. I think...most people realize what's in
16. it. I'll be glad to explain it, but I would like to...run
17. with it and let it fly if it's going to and if it's not...
18. get it out of our way. What this does is, say that any local
19. unit of government thirty days prior to fixing its tax levy...
20. will need to come up with a stated amount, which is the
21. amount of money that it expects to raise in taxation from
22. property taxpayers during the next year. If that...amount
23. will be...in excess of the amount that they raised the
24. previous year by taxation, they will be required to publish
25. a notification of that in a newspaper and in that same notice
26. provide the date for a public hearing, which...shall be...
27. seven days after that particular notice. At that particular
28. notice individual taxpayers and citizens in the district will
29. have an opportunity to appear to state their opinions and
30. objections and then after such notice and after such hearing,
31. if the local unit of government wishes to...approve the budget,
32. which would...allow whatever amount of taxes they previously
33. advertised they were wanting to raise them, they can go ahead and

1. do it. In other words, this does not place limits on the
2. amount that a local unit of government can raise or the
3. amount of taxes that they can impose. But what it does say
4. is, if they're going to raise taxes over the total amount
5. raised the previous year, they have to give notice, they
6. have to have a public hearing and let the people be heard.
7. I'd be glad to answer any questions and I would seek a
8. favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Savickas.

11. END OF REEL
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1. SENATOR SAVICKAS:

2. Mr. President, and members of the Senate. This bill does
3. more than just say that they must publish their tax levy, it not
4. only says they must publish, but it describes the type of publica-
5. tion they must use, and that they must use...publish in an eighth
6. of a page, not in a line item that says...the tax levy or that they're
7. going to increase the taxes. They have to get an eighth of a page
8. in a newspaper of general circulation, it cannot be...it cannot be
9. in a area where classified advertisements appear, or...or in the
10. legal area, they must buy an eighth of a page and have this notifica-
11. tion. I...I think this is an infringement, not only on the home
12. rule authority, but it would be an infringement on the ability
13. of the county boards, the city governments, the home rule units,
14. your local units of taxation to...to develop and have hearings.
15. It would require this constant publication, and I think that at
16. this point, Mr. President, I would ask...your ruling...the Chair's
17. ruling on a preemption of home rule on this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right, we'll...we'll get...we'll take a look at it Senator
20. Savickas, and get back to you. Further...any further comments,
21. Senator Savickas?

22. SENATOR SAVICKAS:

23. No, not at this time, Mr...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. All right, further discussion? Senator Grotberg.

26. SENATOR GROTBORG:

27. Well, thank you, Mr. President. And very briefly, I believe
28. this is called the truth in taxation concept, and is built in now
29. into the Statutes of the State of Florida, and it is so successful
30. that we're trying to make it Nation-wide. Those of you who sat
31. with us for the last nine months on the committee...Commission for
32. Financing Local Government realize that it had much hearing, and
33. much acceptance even from Cook County and Chicago, Senator Savickas.

1. A lot of us feel that there's no substitute for telling the people
2. the truth, and this merely statutory...mandates that the truth be
3. told, every time by every taxing district. We come down here and
4. get hell for high taxes when it was the sanitary district, it was
5. our park district, all over, I'm not just referring to your particular
6. district. We take all the heat for higher taxes from schools and
7. everything, the people still don't understand in total what makes
8. up their tax bill. This will put their feet to the fire, and the Truth
9. in Taxation Bill, the time has arrived, and I recommend an Aye vote.
10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Berning.
12. SENATOR BERNING:

13. Thank...thank you, Mr. President. A question of the sponsor.
14. This requirement of a one-eighth page notice in a newspaper, it
15. appears to me would be a mandate, and do you then understand that
16. this would be paid for by the State?
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator McMillan.
19. SENATOR MCMILLAN:

20. My response would be, yes. I...I understand it the way you
21. have interpreted it, and I presume that's the way it ultimately would
22. have to be interpreted.
23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Berning. Further discussion? Senator Savickas. Okay.
25. Senator Savickas, you inquired about...
26. SENATOR SAVICKAS:

27. Yes, on the preemption, and evidently, Senator Berning touched
28. on the State Madates Act. So, that applies...
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well, let...let me...yes.
31. SENATOR SAVICKAS:

32. Would the Chair rule on that so we may have an official ruling.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The Chair is prepared to rule, that, in fact, the Act is
2. preemptive, in that within the definition of taxing district
3. is included any unit of local government which would include home
4. rule cities and home rule counties, school districts and others
5. that would be involved in the levying of taxes, and states...and
6. puts upon them several things that they must, and cannot do in
7. the way of adoption of tax levies and ordinances. So that the Act
8. is preemptive. Under the State Mandates Act, in that it requires
9. publication by units of local government, it's the ruling of the
10. Chair that it is covered by the State Mandates Act, and such...
11. additional expenditure may or may not be subject to State reimburse-
12. ment. Further discussion? Senator McMillan may close.

13. SENATOR MCMILLAN:

14. Mr. President, and members of the Senate. The questions that
15. have been raised are real ones and good ones, and the answers, I
16. think, are clear. It would preempt home rule power, it would
17. require thirty-six votes, and it is a mandate. If you vote for
18. this bill, you will, in fact, be providing for the taxpayer an
19. opportunity to know about tax increases which are being imposed
20. upon him as a result of action taken by the local units of...of
21. government, which are the ones that, in fact, raise taxes. We
22. like to sock the assessors regularly, and try to change their
23. procedures and hope to get at tax increases that way. But the
24. assessors don't provide the level of taxes. We get upset at the
25. county clerk, because the county clerk is the one that calculates
26. and sends you your tax bill, but the county clerk does not raise
27. your taxes. We don't like it when we make a check out to the
28. county treasurer, but the county treasurer is not the one that
29. sets the taxes. The level of your property taxes is determined
30. by the local unit of government when it approves its budget and
31. when it sets its levy. This does not place any restrictions on
32. the amount that a local unit of government may increase the amount
33. of money that it's going to raise by taxes, but it does say, that

1. if a local unit of government is going to increase those taxes
2. any above what they took from the district in the previous year,
3. they do have to announce it publicly in ads of one-eighth page
4. size, and they do have to provide a hearing to...where they can
5. be heard and express their views one way or another. I believe
6. this is the proper way to go about giving taxpayers something to
7. say about tax increases because this is attacking the problem at
8. its source where the taxes are really increased. I would seek a
9. favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall Senate Bill 995 pass. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open. It will
13. require thirty-six affirmative votes for passage. Have all voted
14. who wish? Have all voted who wish? Take the record. On that
15. question, the Ayes are 32, the Nays are 22, 1 Voting Present.
16. Senate Bill 995, having failed to receive a constitutional
17. majority is declared lost. Senator Chew on 996. For what
18. purpose does Senator Rock arise?

19. SENATOR ROCK:

20. Thank you, Mr. President. Senator Chew indicated that he
21. did not at this time wish to call that bill. I wonder, with
22. leave of the Body, if we can go to 1023. I spoke a little
23. while ago to the Speaker of the House, they are awaiting our
24. message on this bill. It is of an emergency nature, and I wonder
25. if we could amend it, and then have intervening business and send
26. it over to them.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right, on...is there leave to go to Senate Bill 1023,
29. on page 25 of your Calendar? Leave is granted. Senate Bill 1023,
30. sponsored by Senator Rhoads. Is Senator Rhoads on the Floor? Is
31. there leave for Senator Grotberg to handle that in the absence of
32. Senator Rhoads? Leave is granted. Read the bill...Senator...
33. Grotberg asks leave of the Senate to return the bill to the Order

1. of 2nd reading for the purpose of an amendment. Is there leave?
2. Leave is granted. Do you have any amendments, Mr. Secretary?

3. SECRETARY:

4. Amendment No. 1 offered by Senator Grotberg.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. Thank you, this is the Treasurer's deficiency amount of eight
9. hundred thousand dollars to pay the...principal and interest...or
10. principal payment on May 31st, and that is the big hurry to keep
11. our Triple A Bond rating intact. I move the adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SECRETARY:

17. Amendment No. 2 by Senator Carroll.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll on Amendment No. 2.

20. SENATOR CARROLL:

21. Thank you, Mr. President, and Ladies and Gentlemen of the
22. Senate. This is to take care of a lack of funding in Personal
23. Services for the Data Information Systems Commission, they would
24. be out of money this Friday. I would move adoption of Amendment
25. No. 2.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to adopt Amendment No. 2. Discussion of the
28. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
29. Amendment No. 2 is adopted. Are there further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. Senator Rock, do you want to just go back on

AB 999
3rd Reading

1. the Calendar, and then pick up 1023 again? The next one is...
2. Senator Chew does not wish to call 996. 999, Senator Thomas.
3. Read the bill, Mr. Secretary, please.

4. SECRETARY:

5. Senate Bill 999.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Thomas.

10. SENATOR THOMAS:

11. Thank you, very much, Mr. President, and Ladies and Gentlemen
12. of the Senate. I wish that Senator Chew would have had a chance
13. to offer his testimony before me, because I was looking forward
14. to his sterling renditions on that bill. I'm going to be with
15. you on that Senator Chew. Okay. Certainly one of the most
16. talked about programs in all of State Government here in Illinois
17. is the area of public aid, with the budget hovering around the
18. three billion dollar mark, it's...it's a program that is under
19. the constant scrutiny of the General Assembly and the public at
20. large. Some of us in this room are very, very much in favor of
21. public aid, some are not so much in favor of it. One thing, I
22. think that we can agree on, is a program that large involving so many
23. thousands of people is certainly wide-open to fraudulent practices.
24. As we come into more and more problems in State Government, in
25. trying to fund the various programs we have, we find fewer dollars
26. available, and if we're going to be able to help the many people
27. who need public aid, people who can't work, boys, girls, senior
28. citizens, disabled people, we're going to find a way to fund that
29. system, then one of the ways surely could be to try to cut down
30. on some waste. Senate Bill 999 does just that, and it's not only
31. aimed at recipient fraud, but rather fraud on the part of vendors,
32. and fraud on the part of caseworkers. We think it's a good
33. bill, that it can save a tremendous amount of money to insure that

AB 1003
3rd Reading

1. in years to come, money will be available for those who truly
2. need it. And I'd be happy to answer any questions.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there debate? The question is, shall Senate Bill 999 pass.
5. Those in favor vote Aye. Those opposed vote Nay. The voting is
6. open. Have all voted who wish? Have all voted who wish? Have
7. all voted who wish? Take the record. On that question, the Ayes
8. are 57, the Nays are none, none Voting Present. Senate Bill 999,
9. having received the constitutional majority is declared passed.
10. Is there leave now to return to Senate Bill 1023? Leave is granted.
11. Senator Grotberg. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 1023.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. Yes, this bill now contains three items, a transfer for R
20. and E , the...the principal payment for the Treasurer, and the
21. twenty-one thousand dollars for the...the information system. And
22. I ask for a favorable roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is, shall Senate Bill 1023
25. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
26. is open. Have all voted who wish? Have all voted who wish? Take
27. the record. On that question, the Ayes are 54...the Ayes are 54,
28. the Nays are none, none Voting Present. Senate Bill 1023, having
29. received the required constitutional majority is declared passed.

30. PRESIDENT:

31. ...page 25, on the Order of Senate Bills 3rd reading, Senate
32. Bill 1003. Read the bill, Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 1003.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President, and members of the Senate. Senate
8. Bill 1003 was introduced after I had thought most of the hubbub had
9. blown over about our earlier organizational problems, and simply
10. states, in a...in a fashion identical to the House procedure, that
11. the presiding officer who presides over our organization operates
12. under the same rules that we had in operation when we went out
13. of business as the preceding General Assembly. There are several
14. ways that you could have approached the problem, one of which was
15. to put it in the Statutes, and say that these things have to
16. occur before you can elect a president. I did not think that that
17. was appropriate. The House procedure has been to convene with all
18. the rules that were in effect when they went out of business, as
19. being in effect, that's a Statutory reference. It seems to handle
20. a lot of problems, we would not have gotten into the difficulties
21. we had before. It seems it would be a reasonable way to get our-
22. selves out of some difficulties. I'd ask for your favorable consid-
23. eration.

24. PRESIDENT:

25. Any discussion? Senator McMillan.

26. SENATOR MCMILLAN:

27. Mr. President, and members of the Senate. I...understand
28. full well the reason why Senator Bruce has determined that it's
29. necessary to speak to this question, but I think it should be
30. clear to one and all what this bill would allow. Let's be hypo-
31. thetical and hopeful for a minute, and assume that in the year
32. 1984 the Republicans take control of the Senate, and let's assume
33. that they had been in control of the Senate up through the 1986

1. election, in other words, at that point, the Democrats might take
2. control. What this would allow, would be the Republicans sitting
3. at the very last hour of one Session to change the rules, and make
4. it next to impossible for the Democrats coming in in the next Session
5. to elect any President of the Senate. What it allows is a change
6. at the last minute with one party in power which would then, in
7. fact, have to become the rules for the operation of...of the next
8. Senate that's coming in. I believe this would cause problems far
9. in excess of the kinds of problems we had in the organization of
10. the current...Session. True, we may need to do something about
11. it, but the abuse that this would allow, is one that I think we
12. can't really put up with, and it's one that definitely should
13. receive a No vote.

14. PRESIDENT:

15. Further discussion? Senator Bowers.

16. SENATOR BOWERS:

17. Will the sponsor yield to a question?

18. PRESIDENT:

19. Indicates he'll yield. Senator Bowers.

20. SENATOR BOWERS:

21. Senator Bruce, I...I have a problem, and I know this is in
22. the Statute with respect to the House, we went through this
23. pretty carefully during that last little go around we had. And
24. ...and...yeah, that...that little...little game we played. Okay.
25. But the question I really have, and sincerely, I wonder how, by
26. Statute or any other way, a previously existing General Assembly
27. can bind a future General Assembly under the Constitution? In
28. other words, it's...it's not an ongoing Body, the Body that will
29. convene the next time around, is a totally new Body that...that
30. as far as I understand the Constitution, has the power to adopt its
31. own rules, should adopt its own rules, and until it does, it has
32. no rules. And I think that was the...was the...the thrust of...
33. of Justice Simon's opinion. And it would just seem to me that

1. this is really an unconstitutional bill, and I totally agree with
2. Senator McMillan, I think it's a problem.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Senator, you're...you're wrong in this regard. I agree with
7. Justice Simon when he says that our rules die when we go out of business,
8. absolutely. But you are not holding, I hope, that all the little
9. red lawyer books are null and void when we go home, and that is
10. what we are putting into the Statutes of the State of Illinois.
11. And no more than we can commit arson or rape or murder here be-
12. cause we happen to be in...in between Sessions, all the red lawyer
13. books are valid no matter where we are in our Session. And this
14. becomes, by incorporation by reference, part of the Statutes of
15. the State of Illinois. And...and so we are...we are as bound by
16. these laws as we are to the laws of speeding or anything else.
17. They don't disappear, and that's exactly why the House presently
18. has not adopted rules at all, because they are operating under
19. the prior rules of the prior General Assembly through incorporation
20. by reference. And that's, I think, the major distinction. Our
21. rules die, but the Statutes do not.

22. PRESIDENT:

23. Further discussion? Senator Bowers.

24. SENATOR BOWERS:

25. Well, I...you know, you say I'm wrong, and...and that's your
26. opinion. I happen to think otherwise, but...but beyond that point,
27. I simply would say to those on this side of the aisle, at least,
28. that Senator McMillan is totally right. I fully anticipate we're
29. going to control the Senate next time around and on the last day
30. of the Session a Democrat majority could, in effect, provide that
31. the rules couldn't be amended without a two-thirds vote, and we
32. would be stuck in the next Session with those rules, and I think
33. it's a bad precedent and it's one we ought to look at, and I don't

1. think it ought to get one vote on this side of the aisle. Thank
2. you.

3. PRESIDENT:

4. Any further discussion? Senator Bruce may close.

5. SENATOR BRUCE:

6. Senator Bowers, I didn't mean to say when...that you were wrong
7. that we were being disagreeable, I disagree with you. I...I...I
8. bring this bill with a...with a pure heart. And that is, I don't
9. think that we ought to go through the...rigmarole we went through
10. last year. I would say this, I know that many of you on that
11. side of the aisle will not believe it, I would be sponsoring this
12. bill if we had a Democratic Governor, and you were in the majority,
13. and we were in the minority, and it looked like we were going to
14. take over next time. I just don't think we ought to allow any
15. Executive Branch officer to come into this Body and make rulings
16. as was made this January without us having some control over that.
17. Now, you have injected partisan politics, the bill is probably...
18. obviously is not going to pass. I waited until May to put this
19. bill in because I didn't want to get all involved in politics. I
20. think as a Legislative Body, we ought not to allow the Governor,
21. whether he be a Democrat or a Republican, to walk onto that podium
22. and have nothing, nothing at all that controls what he can do except
23. the Constitution and the laws of the State of Illinois, which are
24. presently silent on what we're going to do. I'm not going to bore
25. you with any more, I put the bill in, I think it's a good one,
26. we'll see where we go with it.

27. PRESIDENT:

28. The question is, shall Senate Bill 1003 pass. Those in favor
29. will vote Aye. Those opposed will vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Have all voted
31. who wish? Take the record. On that question, the Ayes are 26,
32. the Nays are 27, none Voting Present. Senate Bill 1003, having
33. failed to receive the required constitutional majority is declared

S.B. 1007
3rd reading

1. lost. 1005, Senator Geo-Karis. On the Order of Senate Bills 3rd
2. reading, top of page 25, is Senate Bill 1005. Read the bill, Mr.
3. Secretary.

4. ACTING SECRETARY: (MR. FERNANDES)

5. Senate Bill 1005.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. Mr. President, and Ladies and Gentlemen of the Senate. This
12. bill emanated from the hearings on Senate Joint Resolution...
13. relative to reimbursement for nursinghomes, and Senator Netsch
14. and Senator Hall are my immediate co-sponsors on this bill. And
15. this bill, what it does, it amends the Illinois Public Aid Code to
16. require the Department of Public Aid to initiate a pilot project
17. to reimburse nursing home...nursing costs based on a patient...
18. assessment...methodology, which differs from the current payment
19. system. No effective date is indicated...so I believe it would
20. be January 1, 1982.

21. PRESIDENT:

22. Any discussion? The question is, shall Senate Bill 1005 pass.
23. Those in favor will vote Aye. Those opposed will vote Nay. The
24. voting is open. Have all voted who wish? Have all voted who
25. wish? Have all voted who wish? Take the record. On that question,
26. the Ayes are 40...50, the Nays are none, none Voting Present. Senate
27. Bill 1005, having received the required constitutional majority
28. is declared passed. Senator Mahar on 1007. On the Order of Senate
29. Bills 3rd reading, Senate Bill 1007. Read the bill, Mr. Secretary.

30. ACTING SECRETARY: (MR. FERNANDES)

31. House...Senate Bill 1007.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Mahar.

3. SENATOR MAHAR:

4. Thank you, Mr. President, and members of the Senate. Senate
5. Bill 1007 creates the Automobile Renting Occupation and Use Tax
6. Act. It imposes a four percent tax on the rental of automobiles
7. for the period of one year or less. It exempts the proceeds from
8. the sales of automobiles used for renting from retail occupational
9. tax and from the use tax. This exemption does not apply to mun-
10. icipal, county, metro-east transportation, or the RTA. Now, it
11. will take effect on October the 1st, '81, and it will be a four
12. percent tax on the rental of automobiles, it will go into effect
13. at that particular time. Thirty-five out of fifty states have no
14. sales tax due on the proceeds from the sales of vehicles for
15. rental car companies, but collect a tax on the rental revenues.
16. Eighty-five and ninety percent of the automobiles rented in Illinois
17. are rented by out-of-State residents. Therefore, the payment
18. of tax would be minimal to the effect on the Illinois residents.
19. The net gain to the State of Illinois, would be somewhere in the
20. vicinity of four to five million dollars. Governmental bodies,
21. charitable organizations, and educational organizations are exempt from the
22. tax. Trucks are not covered under the tax, and the period is
23. for one year or less. I'd be happy to answer any questions,
24. and urge your consideration.

25. PRESIDENT:

26. Any discussion? Senator Netsch.

27. SENATOR NETSCH:

28. Thank you, Mr. President. I would...also would rise in support
29. of the bill. I know that it seems unique around here for an industry
30. to bring in a proposed bill that, in fact, will result in additional
31. revenue for the State of Illinois, but I think that is, in fact,
32. what happened here. The bill has been carefully reviewed by the
33. Department of Revenue, and carefully worked over by the sponsors.

1. It seems to be quite clear that it is a much fairer method of
2. raising money from the rental service, both for those of us who
3. are taxpayers in Illinois, for the State Treasury, and I assume,
4. it has some benefit for the industry, although we have not quite
5. figured that out, because most of this is going to be passed on
6. directly to those who do rent the automobile. It seems to me,
7. that it is a very good approach, and it does have a net revenue
8. gain for the State Treasury. I would urge support.

9. PRESIDENT:

10. Further discussion? If not, the question is, shall Senate
11. Bill 1007 pass. Those in favor...I beg your pardon. Senator Bruce.

12. SENATOR BRUCE:

13. Mr. President, I'm just curious, as to whether or not this
14. is...is preemptive of home rule units, in that, on page 11 of
15. the bill...it is not, Senator Netsch informs me. I'm just trying
16. to read through quickly, they are given the authority to levy a
17. one percent, and then on page 12, the exception is the exemption
18. of automobiles used for automobile renting, which would seem to
19. say that they now could not. I just...curious as to where we get
20. into...page 11 it says, any municipality may tax any item of...
21. tangible personal property which is purchased outside of Illinois
22. and which is entitled...or register, so forth, not to exceed one
23. percent. And then on page 12, it goes on and says, on the ex-
24. ceptions, they cannot levy a tax and accept the exemption of automobiles
25. used for automobile renting, which seems to say they cannot. I...
26. I admit to you, I have not read this thing totally.

27. PRESIDENT:

28. Senator Netsch.

29. SENATOR NETSCH:

30. If I might...thank you, Mr. President. I am looking for the
31. language now, I did look at it at the time that we had the bill
32. in committee, I have not reviewed it recently, but my recollection
33. is that the bill clearly authorizes local units of government to

1. adopt the same form of taxation, if they so choose, it does not
2. mandate them to do it, it does not take away their right to con-
3. tinue doing what they are doing now. It just says that, if you
4. want to go this way, which we think is a better way, you may do
5. it. So that I don't think there is any element of preemption
6. in the bill, Senator Bruce.

7. PRESIDENT:

8. Further discussion? Senator Hall.

9. SENATOR HALL:

10. Will the sponsor yield to a question?

11. PRESIDENT:

12. Indicates he will yield. Senator Hall.

13. SENATOR HALL:

14. Senator, I just want to get this clear in my mind now. In
15. ...in establishing the tax on the rentals, does it exempt these
16. automobiles that are sold to renting companies not only from State
17. sales tax, but also from the county tax?

18. PRESIDENT:

19. Senator Mahar.

20. SENATOR MAHAR:

21. Just from the State sales tax. This is the four percent
22. ...State sales tax.

23. PRESIDENT:

24. Senator Hall.

25. SENATOR HALL:

26. Well...well...well, then how are we gaining money, we're losing
27. money if they...if they can get these without paying State sales
28. tax, then where are we going to be making money?

29. PRESIDENT:

30. Senator Mahar.

31. SENATOR MAHAR:

32. Well, they...they buy the cars, and they don't pay the State
33. sales tax on them. They declare they're going to be leasing cars,,

1. and leased for a period of one year or less. Then when they lease
2. the cars out, they get four cents on the dollar. If you lease a
3. car for a couple of days and you get...it's a hundred dollars, you
4. get to get a four...four percent tax on that. And that amounts
5. to much more than the amount of the sales tax on the car.

6. PRESIDENT:

7. Senator Hall.

8. SENATOR HALL:

9. Well, I just wanted to get it straight in my mind, because
10. the information I got was that it not only exempted from the State
11. sales tax, but also from the county, from the municipal, and from
12. the RTA sales tax. It doesn't do that, right?

13. PRESIDENT:

14. Senator Mahar.

15. SENATOR MAHAR:

16. Those are exempt, Senator Hall.

17. PRESIDENT:

18. Further discussion? Senator Walsh.

19. SENATOR WALSH:

20. Mr. President. I...I think Senator Bruce's point is probably
21. well-taken. As...as I understand this...this Act, it would...it
22. would prohibit municipalities from imposing a tax on vehicles
23. purchased for lease of one year or less. And to the extent it
24. would do that, I assume it would be...it would be preemptive.
25. It retains the...the language that's in the law now, that gives
26. them the authority to impose that penny, of course, which all
27. municipalities, whether they're home rule or not, has had...have
28. had for some time. And it also retains the...the one penny RTA
29. tax. So, I...I think it probably is preemptive, but I...I assume
30. the Chair will rule. I think this bill is probably going to get
31. plenty of votes, but let me just make an observation or two that
32. we'll probably be seeing it again. One of the...one of the problems
33. with it is, that in the City of Chicago, now, we have a...a six

1. percent tax on the lease of automobiles. So, people renting auto-
2. mobiles in Chicago now pay six percent, we're going to put another
3. four percent on them, so we're getting to the point where the tax
4. that's imposed on the lease of an automobile may be so high that,
5. you know, the people involved in the lease agreement might find
6. some way to...to avoid the...the payment of that tax. I think we
7. may be getting, you know, just a little bit...a little bit too high.
8. Furthermore, we are retaining in this Act, the one cent municipal
9. sales tax and the one cent RTA tax. So, the Department of Revenue
10. is going to have to continue to...to collect that two cents, one
11. cent throughout the entire State, and two cents on the...in the
12. county, and a quarter of a cent in...in the collar counties. So,
13. I...it's...it doesn't...it doesn't go all the way. I think it
14. would probably be a better bill if it...if it actually repealed
15. the...the local taxes so that there would be no tax paid by the
16. leasing companies rather than reducing it from six percent down
17. to two in Cook County. At any rate, it would...apparently would
18. raise some money. I...I have some misgivings on it, but I think
19. the Chair should rule on the preemption question.

20. PRESIDENT:

21. Any further discussion? Senator Mahar may close.

22. SENATOR MAHAR:

23. Thank you, Mr. President. I think as was mentioned by a
24. previous speaker, this is rather unique in this Session of the
25. General Assembly, in that we have legislation before us which is
26. going to provide additional revenues to...to the State of Illinois.
27. And I think that's important. We find that this is a concept that
28. is being used in...in some thirty-five out of fifty states. It's
29. a rather painless type of tax, in that our local people are basically
30. exempt from it. I think it's a good concept, and I would ask for
31. favorable consideration.

32. PRESIDENT:

33. The Chair is prepared to rule, that, in fact, the points made

SB 1008
3rd Reading

1. by Senators Bruce and Walsh are well-taken, and that it is, in
2. fact, preemptive. And under Article VII, Section 6, will require
3. a three-fifths vote. The question is, shall Senate Bill 1007 pass.
4. Those in favor will vote Aye. Those opposed will vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who wish?
6. Have all voted who wish? Take the record. On that question, the
7. Ayes are 48, the Nays are 2, 2 Voting Present. Senate Bill 1007,
8. having received the required constitutional majority is declared
9. passed. 1008, Senator Bowers. On the Order of Senate Bills 3rd
10. reading, Senate Bill 1008. Read the bill, Mr. Secretary.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 1008.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Bowers.

17. SENATOR BOWERS:

18. Thank you, Mr. President. This is a DuPage County Bill, it
19. applies only to DuPage County and it...permits the issuance of
20. bonds, it sets up a procedure for...to issue bonds for the
21. construction of a jail. Now, in this day of law and order, quite
22. frankly, we've got the same problem in DuPage County that many
23. other areas have, we don't have enough space to put the fellows
24. that we think ought to be behind bars, or this General Assembly,
25. and this society says ought to be behind bars. And we've got to
26. have some way to finance it. Now, for those of you who are concerned
27. about referendums, let me say out front, there is not a frontdoor
28. referendum in this...in this bill. There is a backdoor referendum,
29. it...as the bill was introduced, it provided for a ten percent
30. petition by amendment. I reduced that down to five percent which
31. seems to be pretty standard as far as backdoor referendums are
32. concerned. It passed out of committee ten to nothing. Up till now,
33. at least, I know of no organized opposition to it. And I would

1. appreciate a favorable roll call.

2. PRESIDENT:

3. Any discussion? If not, the question is, shall Senate Bill
4. 1008 pass. Those in favor will vote Aye. Those opposed will
5. vote Nay. The voting is open. Have all voted who wish? Have
6. all voted who wish? Have all voted who wish? Take the record.
7. On that question, the Ayes are 49, the Nays are 2, none Voting
8. Present. Senate Bill 1008, having received the required consti-
9. tutional majority is declared passed. 1010 is on the Tentative
10. Agreed List. 1012, Senator Schaffer. On the Order of Senate Bills
11. 3rd reading, Senate Bill 1012. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1012.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. This is my biggy, I've been working on this one for two years.
20. I'd like you all to remember back when we were all considerably
21. younger and I was thin and had hair, and our...my friends were
22. driving '49 Fords with the back end about four yards off the ground.
23. And I didn't know anything about the Illinois State Senate. It's
24. kind of a pleasant...kind of a sensation to think that way. Ser-
25. iously though, there are over two thousand people in Illinois who
26. have spent virtually an unbelievable amount of money to build and
27. rebuild street rods, and there's...the definition in the bill...
28. none of them have been committed that I'm aware of. We...we re-
29. ference the National Street Rod Association certificate. What
30. this bill does, and it's a product of the work of the Motor Laws
31. Vehicle Commission, for which I thank Chairman Chew and the Senate
32. Transportation Committee, for which I thank Chairman Chew and
33. the members. It simply allows a plate...a street rod plate for these

1. vehicles so certified, and they pay the same amount that you
2. would for a personalized plate. And I guess after you put fifteen
3. thousand dollars in a '51 Ford that has a fireplace in the back
4. end as the one that was brought down for the Motor Law Vehicles
5. Commission, you're willing to pop the fifty bucks for the vanity
6. plate. The Street Rod Association would appreciate this bill,
7. and I would be happy to answer any questions. I might add, we
8. have a similar plate for antique cars. Some of these cars might
9. qualify, but since they've been modified the way they are, they
10. really aren't antiques under the purest definition.

11. PRESIDENT:

12. Any discussion? Senator Johns.

13. SENATOR JOHNS:

14. Yes, I...I'd just like to add a couple of comments. These
15. street rods, as he said, are often very expensive, and many of
16. these people devote countless hours, and they keep a lot of young
17. people off the street. There's State Troopers, there's all kinds
18. of people that build these, and these go into parades, and they
19. bring a lot of great pleasure to a lot of people who see them.
20. And I would certainly support this bill.

21. PRESIDENT:

22. Further discussion? Senator Chew.

23. SENATOR CHEW:

24. Well, I see Senator Johns has just bought his way into the
25. street rod business. It's not...nothing wrong with it, it's a
26. good bill, it does just what...Senator Schaffer stated. And
27. they're paying for it, it's fifty bucks. I don't remember when
28. they were driving '49's because I wasn't born until '52, but I
29. read about it. So, Mr. President, it's...it's a good bill, so
30. you ought to say that for...everybody on this side ought to vote
31. for it.

32. PRESIDENT:

33. The question is, shall Senate Bill 1012 pass. Those in favor

1. will vote Aye. Those opposed will vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Have all voted
3. who wish? Take the record. On that question, the Ayes are 49,
4. the Nays are none, 1 Voting Present. Senate Bill 1012, having
5. received the required constitutional majority is declared passed.
6. 1014 is on the Tentative Agreed List, I'm told. 1015, Senator
7. Johns. On the Order of Senate Bills 3rd reading, Senate Bill 1015.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 1015.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Johns.

15. SENATOR JOHNS:

16. Thank you, Ladies and Gentlemen of the Senate for being
17. patient. This particular bill was designed to alleviate some strains
18. between the Department of Public Health and the Department of
19. Mines and Minerals. The Department of Mines and Minerals naturally
20. should be the ones that help designate the type of training that
21. goes into emergency medical technicians who take care of the
22. injured in the mines. And I would appreciate a favorable roll
23. call. We've gone over this once before, if there's any questions,
24. I'll try to answer them. But it is a good bill, and it covers
25. the most hazardous occupation in the world.

26. PRESIDENT:

27. Any discussion? Senator Simms.

28. SENATOR SIMMS:

29. Well, would the sponsor yield? Senator Johns, who will have
30. the...the regulatory power for the instruction of the individuals
31. for the emergency medical portion of this? Who'll be responsible
32. for their training?

33. PRESIDENT:

1. Senator Johns.

2. SENATOR JOHNS:

3. It will be, to my knowledge, a combination of the Department
4. of Public Health, who now approves of this bill, and the Mines
5. and Minerals. They'll both coordinate the activities. And they
6. all support it, right now, Senator Simms.

7. PRESIDENT:

8. Any further discussion? If not, the question is, shall Senate
9. Bill 1015 pass. Those in favor will vote Aye. Those opposed will
10. vote Nay. The voting is open. Have all voted who wish? Have
11. all voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 46, the Nays are 5, none Voting
13. Present. Senate Bill 1015, having received the required constitu-
14. tional majority is declared passed. Senator Shapiro, it appears this
15. might be a good time to take a break. The Senate will stand
16. in recess until the hour of 7:00 p.m., and I would ask
17. the members to please try to get back on time. We'll start
18. promptly and hopefully conclude in a couple of hours. But...the
19. Senate stands in recess pursuant to Senator Shapiro's motion, until
20. the hour of 7:00 p.m.

21. RECESS

22. AFTER RECESS

23. PRESIDENT:

24. If you'll turn to page 2 on the Calendar, the Senate will be
25. in order. Page 2 on the Calendar, on the Order of Senate Bills
26. 2nd reading. 213, Senator Carroll. Well, are we in a position
27. to move any, that's...Senator Geo-Karis, for what purpose do you
28. arise?

29. SENATOR GEO-KARIS:

30. Mr. President, I would like to be added as a co-sponsor to
31. House Bill 366, if I may.

32. PRESIDENT:

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

1. Senator Totten, for what purpose do you arise?

2. SENATOR TOTTEN:

3. Thank you, Mr. President. Inquiry of the Chair.

4. PRESIDENT:

5. Yes, Sir.

6. SENATOR TOTTEN:

7. How many bills can you be a co-sponsor of?

8. PRESIDENT:

9. Too...too many. I mean a brochure is only so big. Senator
10. Grotberg, for what purpose do you arise?

11. SENATOR GROTBURG:

12. Thank you, Mr. President. If we're going to need about
13. twenty minutes on...preparing these amendments...

14. PRESIDENT:

15. Well, yes, I understand the staff is...is working double time
16. to try to get amendments ready.

17. SENATOR GROTBURG:

18. But, would the next order of business be call backs or some-
19. thing to use up a few minutes?

20. PRESIDENT:

21. Well, there...there...at this point, I'm...I'm not sure there
22. are any uncontroversial call backs. And there are about thirty
23. of them, as I'm told. We are now awaiting certain amendments to
24. Senate Bills on 2nd reading. With leave of the Body we'll move to
25. the Order of Senate Bills 3rd reading. If you'll turn to page
26. 8 on the Calendar, there are a number of appropriation bills that
27. have already been amended, that we can, I think, move with some dis-
28. patch. On the Order of Senate Bills 3rd reading, top of page 8,
29. Senate Bill 230. With leave of the Body, Senator Buzbee will
30. handle that for the sponsor. Read the Bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 230.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. This is the ordinary and contingent
6. expenses for the Board of Higher Education for Fiscal Year ending
7. June 30th, 1982. And I would suggest that we give it an affirmative
8. vote. Would be willing to answer any questions, if there are any.

9. PRESIDENT:

10. Is there any discussion? Senator Totten.

11. SENATOR TOTTEN:

12. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
13. The sponsor yield? Would the sponsor yield?

14. PRESIDENT:

15. Indicates he'll yield. Senator Totten.

16. SENATOR TOTTEN:

17. Could you just tell us what the level of funding is, how much
18. more than it was...or it is than last year?

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. The...the initial request was for
23. twenty-eight million six hundred forty-two thousand eight hundred
24. dollars, we have reduced that totally by...okay, we have reduced
25. that request by approximately three million four hundred thousand
26. dollars which would...which would leave them, a...a total of about
27. thirty-three million...thirty-three million dollars approximately,
28. as opposed to the...to the FY'81...estimated expenditures of thirty-
29. two million nine hundred six thousand. So, we're at about the
30. same amount as FY'81.

31. PRESIDENT:

32. Further discussion? If not, the question is, shall Senate Bill
33. 230 pass. Those in favor will vote Aye. Those opposed will vote

1. Nay. The voting is open. Have all voted who wish? Have all
2. voted who wish? Have all voted who wish? Take the record. On
3. that question, the Ayes are 50, the Nays are 1, none Voting
4. Present. Senate Bill 230, having received the required consti-
5. tutional majority is declared passed. On the Order of Senate Bills
6. 3rd reading, Senate Bill 231. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 231.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. This is the annual appropriation
15. to the University of Illinois. It's been reduced from about four
16. hundred and three million down to three hundred and eighty-nine
17. million seven. If there's any questions, I'll be happy to try
18. to answer them.

19. PRESIDENT:

20. Any discussion? Senator Simms.

21. SENATOR SIMMS:

22. Would the sponsor yield?

23. PRESIDENT:

24. Indicates he'll yield. Senator Simms.

25. SENATOR SIMMS:

26. Senator Weaver, I have a question, there has been a great
27. deal of concern in the community of Rockford, as I believe, as
28. there is in Peoria, and I think perhaps in your own community of
29. Urbana, regarding the status of the medical schools and what
30. will be the...the effect of the current budget process, and basically
31. what will happen with the medical schools as far as any changes
32. in the curriculum, and the program that's planned?

33. PRESIDENT:

1. Senator Weaver.

2. SENATOR WEAVER:

3. Well, Senator Simms, I think it's kind of a status quo
4. situation, the trustees have been given a great deal of infor-
5. mation, there's been no definitive judgment made on what the
6. status of the Urbana campus, the Peoria campus, or the Rockford
7. campus funding will be in the future. I...I'd hope that in
8. the near future we'll have some resolution, but at this time,
9. the trustees have not made any definitive judgments on any of
10. those three satellite schools.

11. PRESIDENT:

12. Further discussion? Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. I...I rise in support of this bill,
15. and...and in partial answer to Senator Simms' question, I have in-
16. quired of the University of Illinois of the same...made the same
17. inquiry that you just made. Doctor Ikenberry indicated...pardon
18. me, the University of Illinois legislative Liaison indicated, that
19. the Rockford campus will, in fact, be touched very little, if any,
20. this coming fiscal year. The primary impact of their reduction in
21. the medical schools will be on the Champaign-Urbana campus with
22. some minor impact on the Peoria campus. But the Rockford campus
23. will be...will receive almost negligible impact. And...and I would...
24. I would ask for an affirmative vote. The University of Illinois,
25. in my opinion, the great institution that it is, is...is under-
26. going some...some traumatic times right now for purposes...for
27. reasons that are not their fault. And I think that we ought
28. to show the Big 10 Conference that...that the lawmakers of the
29. State of Illinois stand one hundred percent behind the University
30. of Illinois, and...and give this unanimous vote.

31. PRESIDENT:

32. Further discussion? If not, the question is, shall Senate
33. Bill 231 pass. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open.. Have all voted who wish? Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 53, the Nays are none, 2 Voting
4. Present. Senate Bill 231, having received the required consti-
5. tutional majority is declared passed. On the Order of Senate
6. Bills 3rd reading, Senate Bill 232. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 232.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Yes, this is the appropriation for the ordinary and contingent
15. expenses of Southern Illinois University. And I'd appreciate
16. a favorable vote.

17. PRESIDENT:

18. Any discussion? If not, the question is, shall Senate Bill
19. 232 pass. Those in favor will vote Aye. Those opposed will vote
20. Nay. The voting is open. Have all voted who wish? Have all voted
21. who wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 48, the Nays are 5, 1 Voting Present.
23. Senate Bill 232, having received the required constitutional
24. majority is declared passed. On the Order of Senate Bills 3rd
25. reading, Senate Bill 233. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 233.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Weaver.

32. SENATOR WEAVER:

33. Thankyou, Mr. President. This is an appropriation of a hundred

1. and forty-eight point eight million to the Board of Regents. And
2. I...if there's any questions, I'll be happy to try to answer them.

3. PRESIDENT:

4. Any discussion? If not, the question is, shall Senate Bill
5. 233 pass. Those in favor will vote Aye. Those opposed will vote
6. Nay. The voting is open. Have all voted who wish? Have all voted
7. who wish? Have all voted who wish? Take the record. On that
8. question, the Ayes are 53, the Nays are 2, none Voting Present.
9. Senate Bill 233, having received the required constitutional
10. majority is declared passed. On the Order of Senate Bills 3rd
11. reading, Senate Bill 234. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 234.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President, and Ladies and Gentlemen of the
20. Senate. This is the appropriation of a hundred and forty-three
21. million four hundred, sixty-six thousand one hundred for the
22. Board of Governors System. I would move for a favorable roll call.

23. PRESIDENT:

24. Any discussion? If not, the question is, shall Senate Bill
25. 234 pass. Those in favor will vote Aye. Those opposed will vote
26. Nay. The voting is open. Have all voted who wish? Have all voted
27. who wish? Have all voted who wish? Take the record. On that
28. question, the Ayes are 51, the Nays are 2, 2 Voting Present. Senate
29. Bill 234, having received the required constitutional majority is
30. declared passed. 235, Senator Bruce. On the Order of Senate Bills
31. 3rd reading, Senate Bill 235. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 235.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Thank you, Mr. President. This is an expenditure of a hundred
7. and sixty-three million three hundred and seventy-one thousand
8. dollars to the community colleges throughout the State. A total
9. increase of 15.2 percent over Fiscal Year '81 estimated expenditures.
10. And it has been reduced eight million three hundred thousand, re-
11. presenting the Governor's allocation.

12. PRESIDENT:

13. Any discussion? Senator Berning.

14. SENATOR BERNING:

15. Just one question.

16. PRESIDENT:

17. The sponsor indicates he'll yield. Senator Berning.

18. SENATOR BERNING:

19. Does this still include the total cost of operation for the
20. College of East St. Louis?

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Yes, it does.

25. PRESIDENT:

26. Further discussion? If not, the question is, shall Senate
27. Bill 235 pass. Those in favor will vote Aye. Those opposed will
28. vote Nay. The voting is open. Have all voted who wish? Have all
29. voted who wish? Have all voted who wish? Take the record. On
30. that question, the Ayes are 49, the Nays are 2, 1 Voting Present.
31. Senate Bill 235, having received the required constitutional majority
32. is declared passed. 236. On the Order of Senate Bills 3rd reading,
33. Senate Bill 236. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 236.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Bruce.

7. SENATOR BRUCE:

8. 235 was the appropriation, 236 is the formula by which we
9. will expend the money.

10. PRESIDENT:

11. Any discussion? If not, the question is...I beg your pardon.
12. Senator Walsh.

13. SENATOR WALSH:

14. Will the Gentleman yield for a question?

15. PRESIDENT:

16. Indicates he'll yield. Senator Walsh.

17. SENATOR WALSH:

18. Will you explain what the formula is, and what, if any, change
19. there is from the existing formula.

20. PRESIDENT:

21. Senator Bruce.

22. SENATOR BRUCE:

23. Yes, I would be happy to. The bill as amended revises the
24. credit hour grants to reflect the Board of Higher Education's FY'82
25. budget recommendations as opposed to the ICC budget recommendations.
26. As you remember, we had a supplemental credit hour grant for ABE,
27. GED, ESL instruction last year. That was three dollars and fifty-
28. four cents for downstate, and two twenty-two for Chicago. And
29. that has been eliminated, and rolled into the regular formula.
30. It updates the equalization grants because we are now taking en-
31. rollment figures of a year back, rather than trying to project
32. them. And that was reflected in equalization requests. And it also
33. allows the adjustment of equalization grants on the basis of
corporate personal property tax replacement revenues. As you

1. recall, we equalized the median tax rate since we used to have
2. a personal property tax rolled into that, when we took it out
3. a year ago, it didn't make any impact. But now, it does, and we
4. have equalized the median tax rate which was ninety-six dollars
5. and eighty-one cents for each pupil, and for every dollar exceeding
6. that threshold, or median rate, the grants will be reduced by
7. 3.3 cents per credit hour, and if it's less than the threshold
8. of ninety-six eighty-one, they will be increased by 3.3 percent.
9. That's really to take care of the...the way in which we equalize
10. and the corporate personal property tax not being within the
11. equalized assessed valuation. The rates have been amended down
12. to the Governor's level of funding.

13. PRESIDENT:

14. Senator Walsh.

15. SENATOR WALSH:

16. Is there any change in the...in the credit hour rate, or
17. is it just an equalization?

18. PRESIDENT:

19. Senator Bruce.

20. SENATOR BRUCE:

21. Well, every rate is changed. The Baccalaureate Degree is
22. reduced by a dollar, the Business Occupational stays within pennies
23. of the same. Technical Occupation is down a dollar. Health up
24. five dollars. Remedial Developmental, which you recall, we've
25. had some discussion over the past years, goes from nine twenty-
26. five to twenty-two dollars, reflect...in a cost analysis on that
27. particular program. ABE, GED, goes from eight to nine, but part
28. of that is the roll in of the two dollars and twenty-two cents,
29. and General Studies stays the same at four dollars, basically.
30. No...no substantial exchange...except for the Remedial Developmental
31. Programs.

32. PRESIDENT:

33. Further discussion? Senator Gitz.

1. SENATOR GITZ:

2. A question of the sponsor?

3. PRESIDENT:

4. He indicates he'll yield. Senator Gitz.

5. SENATOR GITZ:

6. In each of the instructional categories, Senator Bruce, there's
7. been reductions, admittedly, in some cases they're rather small. But
8. I would appreciate if you'd share with me the reasons for the
9. reductions in these...for the overall credit hour grants.

10. PRESIDENT:

11. Senator Bruce.

12. SENATOR BRUCE:

13. The...the general reason is the unit cost studies which are
14. done each year on operation of the programs along with the...the
15. student loads in the various courses. That is the only reflected
16. change, in...is that we reflect the additional cost of most
17. of the programs in the colleges, and with the fact that we've
18. rolled in the...the ABE, GED gimme last year that we gave the
19. colleges to improve their position, that has been rolled in.
20. And last year we gave them additional amount of credit hour...
21. three dollars and fifty-four for Chicago...or for downstate, and
22. two twenty-two for Chicago. And that's been eliminated but
23. rolled into the figures, so that's why some of them are slightly
24. higher. As you may recall we got into sticking...pröblem last
25. year, and what we did was just divide some money that was for
26. special grants. And disadvantaged student grants which we just
27. put into...we just divided the pot, figured out where the students
28. lie, where they went to school, and then divided the money up.
29. This year we were able to work longer on it, and put that money
30. right into the regular formula.

31. PRESIDENT:

32. Further discussion? Senator DeAngelis.

33. SENATOR DeANGELIS:

1. Thank you, Mr. President, and members of the Senate. I'm
2. going to support this bill, but Senator Bruce, I do want to go
3. on record to express my disapproval by the so-called equalization
4. grants, which in reality are not equalization grants. Simply
5. because you're taking into consideration only assessed valuation
6. ...you're taking into consideration only assessed valuation, which
7. is two years old, so therefore it's not current. And secondly,
8. it does not take into consideration rate. So, therefore, the amount
9. of support behind each student is both outdated and not equal
10. per district. And I've indicated that I would like to see some
11. work done in that area so that you have corresponding numbers
12. in all areas, and then you would truly have an equalization grant.

13. PRESIDENT:

14. Further discussion? Senator Weaver.

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(END OF REEL)

1. SENATOR WEAVER:

2. Senator Bruce, have not many of the junior colleges
3. raised their tuition level per credit hour throughout the
4. State?

5. PRESIDENT:

6. Senator Bruce.

7. SENATOR BRUCE:

8. Yes, there have been substantial increases. I think,
9. Senator, in your home community, it may cost more to go
10. to Parkland than it does to go to the University of Illinois.

11. PRESIDENT:

12. Senator Weaver.

13. SENATOR WEAVER:

14. That...that's what I'm trying to say. I think many of
15. the junior colleges have tried to raise their tuition rates,
16. within reason, to make it available to local students, so...
17. I certainly stand in support of this appropriation bill.

18. PRESIDENT:

19. Further discussion? Senator Bruce, do you wish to close?
20. The question is shall Senate Bill 236 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is
22. open. Have all voted who wish? Have all voted who wish?
23. Have all voted who wish? Take the record. On that question
24. the Ayes are 55, the Nays are none, 1 Voting Present. Senate
25. Bill 236, having received the required constitutional majority
26. is declared passed. On the Order of Senate Bills, 3rd reading,
27. Senate Bill 238. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 238.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Weaver.

1. SENATOR WEAVER:

2. Thank you, Mr. President. This is the annual appropriation
3. to the State Universities Retirement System to fund the current
4. benefits at gross pay out level. I'd appreciate a favorable
5. roll call.

6. PRESIDENT:

7. Any discussion? If not, the question is shall Senate
8. Bill 238 pass. Those in favor will vote Aye. Those opposed
9. will vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Have all voted who wish? Take the
11. record. On that question the Ayes are 54, the Nays are none,
12. none Voting...1 Voting Present. Senate Bill 238, having
13. received the required constitutional majority is declared
14. passed. On the Order of Senate Bills 3rd reading, Senate
15. Bill 274. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 274.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President and Ladies and Gentlemen of
24. the Senate. This is the OCE for the Comptroller's Office
25. and it is now some one million, two hundred twenty-seven
26. thousand under the request as introduced by the Comptroller.
27. I would ask for a favorable roll call.

28. PRESIDENT:

29. Any discussion? If not, the question is shall Senate
30. Bill 274 pass. Those in favor will vote Aye. Those opposed
31. will vote Nay. The voting is open. Have all voted who wish?
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question the Ayes are 55, the Nays are none,
34. 1 Voting Present. Senate Bill 274, having received the

1. required constitutional majority is declared passed. Page
2. 9 on the Calendar, Senator Simms. On the Order of Senate
3. Bills 3rd reading, Senate Bill 316. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 316.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Simms.

10. SENATOR SIMMS:

11. Thank you, Mr. President. This bill appropriates one
12. hundred and twenty-six thousand, two hundred dollars, in
13. General Revenue for the FY'82 ordinary and contingent expenses
14. of the Illinois Environmental Facilities Financing Authority.
15. An increase of seventy-three hundred dollars over the previous
16. year. I'd move for a favorable roll call.

17. PRESIDENT:

18. Any discussion? If not, the question is shall Senate
19. Bill 316 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question the Ayes are 52, the Nays are 1,
23. 3 Voting Present. Senate Bill 316, having received the
24. required constitutional majority is declared passed. On the
25. Order of Senate Bills 3rd reading, Senate Bill 320. Read
26. the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 320.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Weaver.

33. SENATOR WEAVER:

1. Thank you, Mr. President. This appropriates five hundred and sixty-
2. two thousand, seven hundred dollars, to the Merit Board for
3. the contingent expenses for Fiscal Year 18...1970...82, excuse
4. me.

5. PRESIDENT:

6. Any discussion? If not, the question is shall Senate
7. Bill 320 pass. Those in favor will vote Aye. Those opposed
8. will vote Nay. The voting is open. Have all voted who wish?
9. Have all voted who wish? Have all voted who wish? Take the
10. record. On that question the Ayes are 52, the Nays are none,
11. 2 Voting Present. Senate Bill 320, having received the
12. required constitutional majority is declared passed. On the
13. Order of Senate Bills 3rd reading, Senate Bill 321. Read
14. the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 321.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President and members of the Senate.
23. This is the annual appropriation for the General Assembly
24. Retirement System in the total amount of two million,
25. three hundred twenty-four thousand dollars. I move
26. for the adoption of the...move for a favorable roll call,
27. Mr. President.

28. PRESIDENT:

29. Any discussion? If not, the question is shall Senate
30. Bill 321 pass. Those in favor will vote Aye. Those opposed
31. will vote Nay. The voting is open. Have all voted who wish?
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question the Ayes are 52, the Nays are none,

1. none Voting Present. Senate Bill 321, having received the
2. required constitutional majority is declared passed. On
3. the Order of Senate Bills 3rd reading, Senate Bill 322.
4. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 322.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Walsh.

11. SENATOR WALSH:

12. Mr. President and members of the Senate. This bill
13. appropriates ten million, seven hundred and twelve thousand
14. dollars for the annual appropriation for the Judges Retirement
15. System. I...request a favorable roll call.

16. PRESIDENT:

17. Any discussion? If not, the question is shall Senate
18. Bill 322 pass. Those in favor will vote Aye. Those opposed
19. will vote Nay. The voting is open. Have all voted who
20. wish? Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Ayes are 44, the Nays
22. are 9, 1 Voting Present. Senate Bill 322, having received
23. the required constitutional majority is declared passed.
24. On the Order of Senate Bills 3rd reading, Senate Bill 323.
25. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 323.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Bloom.

32. SENATOR BLOOM:

33. Senate Bill 323 appropriates 9.9 million dollars to
34. the Downstate Teacher's Retirement System.

1. PRESIDENT:

2. Any discussion? If not, the question is shall Senate
3. Bill 323 pass. Those in favor will vote Aye. Those opposed
4. will vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Have all voted who wish?
6. Take the record. On that question the Ayes are 55, the
7. Nays are 1, none Voting Present. Senate Bill 323, having
8. received the required constitutional majority is declared
9. passed. On the Order of Senate Bills 3rd reading, Senate
10. Bill 324. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 324.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President. This is a small appropriation
19. of seven hundred thousand dollars to cover those early
20. retirees from the Chicago Public School systems...for
21. which the State of Illinois has the responsibility. This
22. is not a part of the General Pension System of the Chicago
23. teachers, but those teachers who retired earlier and for
24. whom we passed appropriation providing minimal pensions.

25. PRESIDENT:

26. Any discussion? If not, the question is shall Senate
27. Bill 324 pass. Those in favor will vote Aye. Those opposed
28. will vote Nay. The voting is open. Have all voted who
29. wish? Have all voted who wish? Have all voted who wish?
30. Take the record. On that question, the Ayes are 56, the
31. Nays are none, 1 Voting Present. Senate Bill 324, having
32. received the required constitutional majority is declared
33. passed. On the Order of Senate Bills 3rd reading, Senate

1. Bill 325. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 325.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. Mr. President, members of the Senate. This appropriates
10. 1.3 million dollars for the funding of the State Employees
11. Retirement System. Only a hundred and fifty-two thousand
12. dollars of it is General Revenue. Ask for a favorable roll
13. call.

14. PRESIDENT:

15. Any discussion? If not, the question is shall Senate
16. Bill 325 pass. Those in favor will vote Aye. Those opposed
17. will vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question the Ayes are 56, the Nays are none,
20. 1 Voting Present. Senate Bill 325, having received the required
21. constitutional majority is declared passed. On the Order of
22. Senate Bills 3rd reading, Senate Bill 328. Read the bill,
23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 328.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Nimrod, I beg your pardon.

30. SENATOR NIMROD:

31. Yes, thank you, Mr. President, Ladies and Gentlemen. The
32. appropriation for the ordinary and contingent expenses for
33. the medical center in the amount of two hundred and sixty-five

1. thousand, nine hundred dollars. And I ask for a favorable
2. roll call.

3. PRESIDENT:

4. Any discussion? If not, the question is shall Senate
5. Bill 328 pass. Those in favor will vote Aye. Those opposed
6. will vote Nay. The voting is open. Have all voted who wish? Have all voted
7. who wish? Have all voted who wish? Take the record. On that
8. question the Ayes are 51, the Nays are 7, none Voting Present.
9. Senate Bill 328, having received the required constitutional
10. majority is declared passed. On the Order of Senate Bills
11. 3rd reading, Senate Bill 336. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 336.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. This bill appropriates four
20. million, three hundred and twenty-nine thousand, two hundred
21. dollars from the Bank and Trust Company Fund for the ordinary
22. and contingent expenses of the Commissioner of Banks and Trust
23. Companies. Appreciate a favorable roll call.

24. PRESIDENT:

25. Any discussion? If not, the question is shall Senate
26. Bill 336 pass. Those in favor will vote Aye. Those opposed
27. will vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Have all voted who wish? Take
29. the record. On that question the Ayes are 55, the Nays are
30. none, none Voting Present...2 Voting Present. Senate Bill
31. 336, having received the required constitutional majority
32. is declared passed. On the Order of Senate Bills 3rd reading,
33. Senate Bill 337. Read the bill, Mr. Secretary.

34. SECRETARY:

1. Senate Bill 337.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Walsh.

6. SENATOR WALSH:

7. Mr. President and members of the Senate. Senate Bill
8. 337 is the annual appropriation for the Court of Claims.

9. It appropriates three million, nine hundred and ninety-three
10. thousand dollars to the Court of Claims for...for...for
11. operations for the Fiscal Year 1982. I request a favorable
12. roll call.

13. PRESIDENT:

14. Any discussion? If not, the question is shall Senate
15. Bill 337 pass. Those in favor will vote Aye. Those opposed
16. will vote Nay. The voting is open. Have all voted who
17. wish? Have all voted who wish? Have all voted who wish?
18. Take the record. On that question the Ayes are 48, the Nays
19. are 4, 4 Voting Present. Senate Bill 337, having received
20. the required constitutional majority is declared passed.

21. Senators Carroll and Buzbee and Grotberg and Schaffer, apparently
22. we are now ready to move back to the Order of Senate Bills 2nd
23. reading. Pursuant to earlier discussions, it is the intent
24. of the Chair to...move as many bills on 2nd as we can and
25. then we will adjourn until nine o'clock tomorrow morning.
26. We'll go until we get the appropriation bills finished,
27. shouldn't take very long. On the Order of Senate Bills 2nd
28. reading, Page 2 on the Calendar. On the Order of Senate Bills
29. 2nd reading, Senate Bill 213. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 213.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Are there amendments from the Floor?

3. SECRETARY:

4. Amendment No. 1 by Senator Carroll.

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. This is a merely amendment to merely add four hundred
10. and six million, eight hundred and fifty-three thousand,
11. six hundred and eighteen dollars for those bills currently
12. on board that would mandate payments back to local governments.
13. This is what survived to date...this doesn't count those that
14. have already been killed in either Chamber. And I would move
15. adoption of Amendment No. 1.

16. PRESIDENT:

17. Any discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. I would point out...that
20. with this amendment where we are adding approximately one
21. half billion dollars to the budget. It's...it's a merely
22. amendment. The reason we're merely doing this, is because
23. under the State' Mandates Act, we are required to finance
24. those projects which we mandate to local governments.
25. Now, if this General Assembly decides to see fit, at some
26. point, to start being more responsible than we've been
27. up to this point, and I speak specifically of the House,
28. then we ought to start killing these appropriations. But is they're
29. going to continue to tell local governments that you've
30. got to do this and you've got to do that, then we've
31. got to fund them under the State Mandates Act. And up
32. to this point, as Senator Carroll has rightfully pointed
33. out, we are in excess of four hundred million dollars.

1. PRESIDENT:

2. Further discussion...

3. SENATOR BUZBEE:

4. Now...hope...hopefully we're going to...thank you,Mr.
5. President...hopefully...

6. PRESIDENT:

7. Senator Joyce, get the hook, will you please.

8. SENATOR BUZBEE:

9. ...hopefully, we're going to kill most of those mandates,
10. hopefully we're going to kill all of them. But up to this
11. point, we've identified close to one-half billion dollars.
12. So this is the...to go on.

13. PRESIDENT:

14. Further discussion? Senator Weaver.

15. SENATOR WEAVER:

16. Thank you, Mr. President. This four hundred and six
17. million dollar amendment, do you have assurance that the
18. House will kill it, Senator Carroll?

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Well, the bill started off at a dollar, 'cause there
23. were no mandates at the time I introduced the legislation.
24. But I assure you, as the sponsor, that if anything happens
25. in the House at all, we will push them to pull out of it
26. any bills that do not pass through the Chambers. And should
27. it come back here, we will make the appropriate adjustments
28. at that time to bring it down to whatever level the General
29. Assembly finally mandates upon local government.

30. PRESIDENT:

31. Further discussion? Senator Grotberg.

32. SENATOR GROTBORG:

33. Well, thank you, Mr. President and fellow members. This

1. is an attention getting device. I think Senator Carroll, at
2. his worst, would admit that. But we've all been...we've all
3. been voting for a month or so now on 3rd reading on various
4. and sundry programs and I'm here to tell you, with the letters
5. on the Mandates Bill that we passed, they all add up to four
6. hundred million dollars. And I think we should adopt this
7. resolution...this amendment as a constant reminder to
8. ourselves, the thorn in our side that it's going to take
9. to survive the next few weeks and hopefully sometime before
10. June 30th, trim it down to the dollar again. Okay.
11. I'm going to vote Aye, and ruin my record with the conservatives.

12. PRESIDENT:

13. Speaking of whom, Senator Rhoads.

14. SENATOR RHOADS:

15. Question of the sponsor.

16. PRESIDENT:

17. Indicates he'll yield, Senator Rhoads.

18. SENATOR RHOADS:

19. Senator Carroll, a serious question. The...the effect
20. of failing to adopt the amendment would make the mandates
21. a nullity? They would not?

22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. No, the law says that we must reimburse local government
26. for that which we mandate. The laws would be signed assumedly
27. by the Governor and he would have to take it and call us back,
28. I would assume, into Special Session or something, to make
29. the appropriation. I think it's better to identify how
30. much it is now than await that to happen.

31. PRESIDENT:

32. All right. Senator Carroll has moved the adoption of
33. Amendment No. 1 to Senate Bill 213. Further discussion? If

1. not, all in favor signify by saying Aye. All opposed. The
2. Ayes have it. The amendment is adopted. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDENT:

6. 3rd reading. 237, Senator DeAngelis. On the Order of
7. Senate Bills 2nd reading, Senate Bill 237. Read the bill, Mr.
8. Secretary.

9. SECRETARY:

10. Senate Bill 237.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. The...Committee on Appropriations II
13. offers one amendment.

14. PRESIDENT:

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. This amendment reduces the
18. appropriation for the Illinois State Scholarship Commission
19. from the level recommended by the BHE to the Governor's
20. original budget level. A reduction of six million, five
21. hundred, fifty-four thousand dollars, of which four million
22. three hundred fifty-two thousand is for Monetary Award
23. Programs, two million, one hundred seven thousand is for
24. other Statutory Grant Programs, including two million for
25. the academic scholarships, twenty-five thousand for student...
26. student grants, twenty-five thousand for National Guard Scholar-
27. ships, fifty-seven thousand, one hundred for ancillary programs,
28. and ninety-four thousand dollars for ISSC operations. A total
29. reduction of six million, five hundred and fifty-four thousand
30. dollars and I would move its adoption.

31. PRESIDENT:

32. Senator Buzbee moves the adoption of Committee Amend-
33. ment No. 1 to Senate Bill 237. Any discussion? If not, all

1. in favor signify by saying Aye. All opposed. The Ayes have
2. it, the amendment is adopted. Are there further amendments?

3. SECRETARY:

4. No further committee amendments.

5. PRESIDENT:

6. Are there amendments from the Floor?

7. SECRETARY:

8. Amendment No. 2 by Senator Buzbee.

9. PRESIDENT:

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Thank you, Mr. President. This amendment adds two
13. hundred ninety-three thousand, nine hundred dollars
14. to the FY'82 appropriation for the ISSC Monetary Award
15. Program to offset tuition increases at SIU Board of Regents
16. and Board of Governors over the ten percent tuition increases
17. already budgeted. A total addition, as I said, of two hundred
18. ninety-three thousand, nine hundred dollars. I would move
19. its adoption.

20. PRESIDENT:

21. Senator Buzbee moves the adoption of Amendment No. 2 to
22. Senate Bill 237. Any discussion? If not, all in favor signify
23. by saying Aye. All opposed. The Ayes have it. The amendment
24. is adopted. Further amendments?

25. SECRETARY:

26. Amendment No. 3 by Senator Grotberg.

27. PRESIDENT:

28. Senator Grotberg.

29. SENATOR GROTBURG:

30. Thank you, Mr. President. This amendment reduces the
31. General Revenue appropriation to the Scholarship Commission
32. for the Monetary Award Program by two million dollars. The
33. amendment reduces the appropriation level from eighty-nine

1. million to eighty-seven million. During FY '81, approximately
2. 81.7 million was appropriated for the Monetary Awards. The
3. two million reduction proposed by this amendment provides
4. for an increase over the FY '81 appropriation level. I move
5. the adoption.

6. PRESIDENT:

7. Senator Grotberg has moved the adoption of Amendment
8. No. 3 to Senate Bill 237. Any discussion? Senator DeAngelis.

9. SENATOR DeANGELIS:

10. Thank you, Mr. President and members of the Senate. I
11. rise in opposition to this amendment. I favor the Academic
12. Scholarship Program, but I do not believe that we should be
13. taking it out of the Monetary Award Program. I would submit
14. that it should stay where it's at, as a two million dollar
15. award, separate from the Monetary Award Program.

16. PRESIDENT:

17. Further discussion? If not, Senator Grotberg has moved
18. the adoption of Amendment No. 3 to Senate Bill 237. Those
19. in favor will vote Aye. Those opposed will vote Nay. The
20. voting is open. Have all voted who wish? Have all voted
21. who wish? Have all voted who wish? Take the record. On
22. that question the Ayes are 28, the Nays are 12, 1 Voting
23. Present. Amendment No. 3 is adopted. Further amendments?

24. SECRETARY:

25. Amendment No. 4 by Senator DeAngelis.

26. PRESIDENT:

27. Senator DeAngelis.

28. SENATOR DeANGELIS:

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

30. PRESIDENT:

31. Senator DeAngelis.

32. SENATOR DeANGELIS:

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

1. Public Act 81-1124 created the Academic Scholarship Program.
2. At that time the program was much discussed, much debated,
3. sometimes quite heated. However, the program was based on
4. the fact that we would reward effort and academic excellence
5. in the State of Illinois with the hope of encouraging scholar-
6. ship and with the hope also of retaining some of our better
7. students in the State. We made a commitment to fund that
8. program. We now have those scholars in school, we have
9. other scholars waiting to come in a school. This Amendment,
10. No. 4, puts in the two million dollars necessary to keep
11. the program where it should be when we made the commitment
12. under Public Act 81-1124.

13. PRESIDENT:

14. ...Senator DeAngelis has moved the adoption of Amendment
15. No. 4 to Senate Bill 237. Any discussion? Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. This is an amendment that was
18. agreed up front by the Democratic side of the aisle, that
19. there would be no party position on this, it is strictly every
20. person for themselves. But...but I would point out that the
21. Governor has recommended that two million dollars be allocated
22. for the Academic Scholarship Program vis-a-vis the four million
23. dollars which is...was originally...recommended by the...by
24. the Scholarship Commission. I personally rise and again...
25. this is not a...a...a party position or whatever, it was
26. agreed up front that everybody would be on their own. I
27. personally rise in opposition to this amendment. It...it...
28. it's a period of...of fiscal austerity. The Governor's
29. recommendation was to allow two million dollars for the
30. Academic Scholarship Program as opposed to four million dollars.
31. I think we ought to go with the Governor's recommendation in
32. this case and I think we ought to stick at the two million
33. dollars and so as a result I...I personally rise in opposition

1. to the...to the two million dollar increase which Senator
2. DeAngelis has advocated.

3. PRESIDENT:

4. Further discussion? Senator Gitz.

5. SENATOR GITZ:

6. I have a question of the sponsor.

7. PRESIDENT:

8. Indicates he'll yield, Senator Gitz.

9. SENATOR GITZ:

10. Senator DeAngelis, Senator Buzbee offered an amendment,
11. took money out of the budget, then Senator Grotberg took
12. money out of the budget. Before I vote on this amendment, I
13. want to know exactly where we stand now with the Monetary
14. Awards. It seems to me we're hacking away at this budget
15. pretty severely and now we're going to transfer money into
16. the Academic Scholarships. I have no problem with the thrust
17. of your amendment, but I would like to know what in the
18. world we're going to be doing to the people who are really
19. in financial need before we go to your direct amendment. And
20. if you could kind of explain the ramifications of these
21. previous amendments so that we know where we're going with
22. your amendment, that would be most helpful.

23. PRESIDENT:

24. Senator DeAngelis.

25. SENATOR DeANGELIS:

26. Senator Gitz, the Monetary Awards would be at around
27. an eighty-seven million dollar level, which is a fairly
28. good increase over last year.

29. PRESIDENT:

30. Senator Gitz.

31. SENATOR GITZ:

32. Wait a minute, are you increasing or are you transferring?
33. I understood you to be transferring money to this program.

1. PRESIDENT:

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. No, Senator Gitz, I opposed the transfer of the two
5. million dollars that Senator Grotberg proposed. I stood
6. in opposition to that. The Monetary Award amount, before
7. that transfer, was eighty-nine million. With the two million
8. dollar transfer, it's now eighty-seven million.

9. PRESIDENT:

10. Senator Gitz.

11. SENATOR GITZ:

12. But Senator Buzbee also took money out of the budget.
13. So what I want to know is what's left in terms of Monetary
14. Awards, specifically for public university students because
15. that is going to determine how I vote on your amendment.

16. PRESIDENT:

17. Senator DeAngelis.

18. SENATOR DeANGELIS:

19. Eighty-seven million dollars, Senator Gitz.

20. PRESIDENT:

21. Further discussion? Senator Rhoads.

22. SENATOR RHOADS:

23. Thank you, Mr. President and members of the Senate.
24. I rise very, very reluctantly in opposition to this amendment.
25. And in explaining my reasons, first of all, I was the Senate
26. sponsor of the Merit Scholarship Bill. The night that that
27. bill passed, I think it was about two years ago, Senator
28. Bruce and I had an extremely lively debate that lasted about
29. one hour, in which I was accused of...class warfare and a number
30. of other things. But one of the points that Senator Bruce made
31. at the time, I was afraid that what has happened would happen
32. under this very scenario that we would be in a tight money year
33. and that it would be necessary to take money away from the

1. Financial Need Program and add it to the Merit Scholarship
2. Program in order to fully fund it. That, in fact, is
3. exactly what has happened. Now, I remember promising
4. Senator Bruce, at the time, that that never would happen.
5. And so I'm in a...I'm in a box. I...in order to be consistent
6. with that promise as...as the sponsor of that bill, I more
7. or less have to oppose this amendment at this time. Far
8. better, in my opinion, if we would abolish the General
9. Assembly Scholarship Program and put the money into this,
10. which is a much more worthwhile program. Okay, hiss all
11. you want, but it's true, that's what we ought to do, eventually.
12. But, and...and this particular occasion and to be consistent
13. with the promise I made in sponsoring that bill, I have to
14. oppose the amendment at this time.

15. PRESIDENT:

16. Further discussion? Senator DeAngelis may close.

17. SENATOR DeANGELIS:

18. Thank you, Mr. President. I think there's some confusion
19. on this. First, Senator Rhoads, this amendment does not take
20. the money out of the Monetary Award, so, we'll clear the
21. record on that. Secondly, I did oppose the amendment that
22. took the two million dollars that Senator Grothberg put in.
23. Now, let me tell you what's going to happen if this amendment
24. is not passed. You're breaking the continuity of the particular
25. program. We now have students in school. The Scholarship
26. Commission is going to be faced with the dilemma of either
27. telling those students that we made a four year commitment
28. to, that that commitment will be broken, or they will have
29. to tell the students who are anticipating going to college
30. that they will not receive the money. And when the legislation
31. was passed, it was going to be two million, four million,
32. six million, eight million. I would also like to add as a
33. note of personal interest, I shared this experience with

1. Senator Bruce. The day after Thanksgiving last year, I
2. invited the twenty-two academic scholars from my district
3. to spend the afternoon with me. At the time there was a
4. cry that this would be the socioeconomic cream of every
5. district. Well, I want to tell you, I wish you had
6. been with me that afternoon. It was going to be a two to
7. four little open house, it lasted until seven-thirty at
8. night and I got to tell you, those kids that were in
9. those programs were not the cream of the socioeconomic
10. crop. The method by which these scholarships are distributed,
11. guarantee one to each school. So, I think the program has
12. merit. We have very little in this General Assembly for
13. which we reward effort. The two million dollars should be
14. added on to maintain the continuity of that program. I
15. urge favorable passage of this amendment.

16. PRESIDENT:

17. Senator DeAngelis has moved the adoption of Amendment
18. No. 4 to Senate Bill 237. Those in favor of the amendment
19. will vote Aye. Those opposed will vote Nay. The voting
20. is open. Have all voted who wish? Have all voted who wish?
21. Have all voted who wish? Take the record. On that question
22. the Ayes are 37, the Nays are 10, 1 Voting Present. ...Amend-
23. ment No. 4 is adopted. Are there further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. 308, I understand, is not quite ready.
28. 312, Senator Kent. On the Order of Senate Bills 2nd reading,
29. Senate Bill 312. Mr. Secretary read the bill, please.

30. SECRETARY:

31. Senate Bill 312.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. The Committee on Appropriations II

1. offers four amendments.

2. PRESIDENT:

3. Senator Buzbee, Amendment No. 1.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. Amendment No. 1 makes a
6. reduction of six hundred and one thousand dollars of which
7. seven hundred and fifty-one thousand dollars is GRF. The
8. amendment also adds a hundred and fifty thousand dollars
9. in the Illinois Veteran's Home Fund. Grants are reduced
10. by three hundred eighty-seven thousand, nine hundred
11. dollars. Operations are reduced by a total of two hundred
12. thirteen thousand, one hundred dollars, of which
13. three hundred sixty-three thousand, one hundred dollars
14. is GRF. Operations increased by a hundred and fifty
15. thousand dollars to the Illinois Veteran's Home Fund.
16. It reflects the Governor's revised budget cut and I
17. would move its adoption.

18. PRESIDENT:

19. All right. Senator Buzbee has moved the adoption
20. of Committee Amendment No. 1 to Senate Bill 312. Any
21. discussion? Senator Grotberg.

22. SENATOR GROTBORG:

23. Just a comment that...as this bill came out of
24. committee, it truly gutted the Soldier's...or the Quincy
25. Home...Veteran's Home, and the contractual lines that
26. they need are not what they...restored to what the
27. askings are, but we did our best and I support the amendment.

28. PRESIDENT:

29. Senator Buzbee has moved the adoption of Committee
30. Amendment No. 1 to Senate Bill 312. Any further discussion?
31. If not, all in favor signify by saying Aye. All opposed.
32. The Ayes have it. The amendment is adopted. Further amendments?

33. SECRETARY:

1. Committee Amendment No. 2.

2. PRESIDENT:

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. I...I...I feel compelled to
6. offer a little bit further explanation of Amendment No. 1.
7. If...if...if you'll bear with me, just a second. My...my
8. language was...was a little...confusing, because I said it
9. makes a reduction of six hundred and one thousand of which
10. seven hundred and fifty-one thousand is GRF. But I would
11. also point out that the amendment also adds a hundred and
12. fifty-one...a hundred and fifty thousand in the Illinois
13. Veteran's Home Fund. So, as a...as a result, it is a
14. net reduction of six hundred and one thousand. Now to
15. Amendment No. 2. The amendment reduces the FY '82
16. request for the Department of Veteran's Affairs by a
17. total of two hundred twenty-eight thousand, three
18. hundred dollars. A hundred and twenty-two thousand,
19. four hundred is from GRF. General Office reduced by
20. a total of thirty-six thousand, two hundred and forty-
21. three thousand. And I would move its adoption.

22. PRESIDENT:

23. Senator Buzbee moves the adoption of Committee Amend-
24. ment No. 2 to Senate Bill 312. Any discussion? If not, all
25. in favor signify by saying Aye. All opposed. The Ayes
26. have it, the amendment is adopted. Further amendments?

27. SECRETARY:

28. Committee Amendment No. 3.

29. PRESIDENT:

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. This amendment makes a total
33. reduction of twenty-four...of twenty-four thousand, eight

1. hundred dollars, all GRF, for the purpose of bringing the
2. FY '82 appropriation for Equipment to one dollar from
3. eleven thousand, six hundred, and Professional and
4. Artistic Service to two hundred seventy-nine thousand, nine
5. hundred dollars from two hundred ninety-three thousand, one
6. hundred dollars to comply with the freeze ordered by Governor
7. Thompson. This reduction was made from the General Office,
8. no reduction was made from the Illinois Veteran's Home
9. and I would move its adoption.

10. PRESIDENT:

11. Senator Buzbee moves the adoption of Committee Amendment
12. No. 3 to Senate Bill 312. Any discussion? If not, all in
13. favor signify by saying Aye. All opposed. The Ayes have
14. it, the amendment is adopted. Further amendments?

15. SECRETARY:

16. Committee Amendment No. 4.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This amendment reduces the
21. GRF request by thirteen thousand. It reduces the bonus
22. payments to War Veterans Grant Lines. The agency stated
23. in their report to the subcommittee, that they are thirteen
24. thousand dollars overbudgeted and I would move...move its
25. ...adoption.

26. PRESIDENT:

27. Senator Buzbee moves the adoption of Committee Amendment
28. No. 4 to Senate Bill 312. Any discussion? If not, all in
29. favor signify by saying Aye. All opposed. The Ayes have
30. it, the amendment is adopted. Are there further amendments?

31. SECRETARY:

32. No further committee amendments.

33. PRESIDENT:

1. Are there amendments from the Floor?

2. SECRETARY:

3. Amendment No. 5 by Senator Buzbee.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. This amendment adds back
8. one hundred fifty-six thousand, six hundred dollars of
9. which fifty-one thousand, one hundred dollars is from GRF.
10. A hundred and forty-five thousand is added to the Illinois
11. Veteran's Home and eleven thousand, six hundred is added
12. back to the Equipment Line in the General Office. Nine
13. and a half month's funding is provided for five month...
14. for five long term vacancies in the Illinois Veteran's
15. Home. Amendment No. 2 reduced all funding for these
16. positions. Thirty-six thousand, seven hundred dollars is
17. added back to the Contractual Line for the home and
18. twenty-two hundred dollars is added to the Commodities
19. for the home and I would move its adoption.

20. PRESIDENT:

21. Senator Buzbee moves the adoption of Amendment No. 5
22. to Senate Bill 312. Any discussion? If not, all in favor
23. signify by saying Aye. All opposed. The Ayes have it, the
24. amendment is adopted. Further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. I'm sorry, Senator Kent, did you wish to...dispute
29. that amendment? Senator Kent.

30. SENATOR KENT:

31. No.

32. PRESIDENT:

33. Senator Kent.

1. SENATOR KENT:

2. I'd just like to go on record as a sponsor, that with
3. this, we're still short forty thousand in the General Fund,
4. forty-two thousand at the Home Fund and 13.2 thousand in the
5. Microfilm...Project.

6. PRESIDENT:

7. Further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. 313, Senator Grotberg, I understand
12. you're still working on. 317, Senator Davidson. On the
13. Order of Senate Bills 2nd reading, Senate Bill 317. Read
14. the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 317.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations II
19. offers four amendments.

20. PRESIDENT:

21. Senator Buzbee, Amendment No. 1.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. On a point of personal
24. privilege in...Mr. President, point of personal privilege on...

25. PRESIDENT:

26. ...Senator, Amendment No. 1.

27. SENATOR BUZBEE:

28. You're not going to allow me the point of personal
29. privilege, Mr. President?

30. PRESIDENT:

31. Any...anytime.

32. SENATOR BUZBEE:

33. Thank you. Thank you, very much. I appreciate that.

1. On Senate Bill 312, I do not wish to...dispute Senator
2. Kent's contention, however, I would point out that we
3. did, in fact, add back the money for the microfilm. The
4. part that is...is missing, is for those five long term
5. vacancies, which have been in the home which we allowed
6. them funding for nine and a half months vis-a-vis, the
7. twelve month request which they had. So we've cut
8. out five positions for two and a half months. Which
9. will allow them to phase them any way they want to and
10. we have, in fact, added back the money for the...for
11. the microfilming. And I just want to...get that part
12. on the record...for...for that particular bill. Now,
13. as to Senate Bill 317, Mr. President.

14. PRESIDENT:

15. Amendment No. 1.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. Amendment No. 1. The
18. effect of the amendment is the eight percent solution,
19. it's a total reduction of one hundred thirty-three
20. thousand, four hundred dollars and I would move its
21. adoption.

22. PRESIDENT:

23. Senator Buzbee moves the adoption of Committee Amend-
24. ment No. 1 to Senate Bill 317. Any discussion? If not,
25. all in favor signify by saying Aye. All opposed. The
26. Ayes have it. The amendment is adopted. Channel 2 has
27. requested leave to shoot some film. Is leave granted?
28. Leave is granted. Everybody perk up. Further amendments?

29. SECRETARY:

30. Committee Amendment No. 2.

31. PRESIDENT:

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Mr. President. Would you tell the camera
2. where I'm located. Amendment No. 2 reduces all GRF Equip-
3. ment Lines to one dollar, total reduction of three thousand
4. nine hundred dollars. And I would move its adoption.

5. PRESIDENT:

6. If they take your picture, they'll never get leave
7. again. Senator Buzbee moves the adoption of Committee
8. Amendment No. 2 to Senate Bill 317. Any further discussion?
9. If not, all in favor signify by saying Aye. All opposed.
10. The Ayes have it. The amendment is adopted. Further
11. amendments?

12. SECRETARY:

13. Committee Amendment No. 3.

14. PRESIDENT:

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. This amendment will increase
18. General Revenue Funding fifty-eight thousand dollars to the
19. Fox Valley Older Adult Services and I would move its adoption.

20. PRESIDENT:

21. Senator Buzbee moves the adoption of Amendment No. 3
22. to Senate Bill 317. Any discussion? If not, all in favor
23. signify by saying Aye. All opposed. The Ayes have it, the
24. amendment is adopted. Are there further amendments?

25. SECRETARY:

26. Committee Amendment No. 4.

27. PRESIDENT:

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. As to Senate Amendment No. 3
31. I would point out to Senator Grotberg that a deal is a deal.
32. Senate Amendment No. 4, technical change, specifies the
33. Planning and Service Grants, a hundred...rather nineteen

1. hundred and fifty dollars GRF are for area agencies on...on
2. aging and I would move its adoption.

3. PRESIDENT:

4. Senator Buzbee moves the adoption of Amendment No. 4
5. to Senate Bill 317. Any discussion? If not, all in favor
6. signify by saying Aye. All opposed. The Ayes have it,
7. the amendment is adopted. Are there further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor?

12. SECRETARY:

13. Amendment No. 5 by Senator Schaffer.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. This is an add on of a hundred and four thousand, five...
18. for Federal funds for Administration on Aging Project to
19. study long term care. Sounds like a total waste of money to
20. me.

21. PRESIDENT:

22. Senator Schaffer has moved the adoption of Amendment
23. No. 5 to Senate Bill 317. Any discussion? If not, all
24. in favor signify by saying Aye. All opposed. The Ayes
25. have it, the amendment is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. 319, Senator Rhoads. On the Order of
30. Senate Bills 2nd reading, bottom of Page 2, Senate Bill
31. 319. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 319.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Appropriations I
3. offers two amendments.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, Ladies and Gentlemen of the
8. Senate. Committee Amendment No. 1 is the cut of some
9. five hundred and twenty-three thousand, one hundred for
10. the eight percent guidelines and Contractual Services.
11. I would move adoption of Committee Amendment No. 1.

12. PRESIDENT:

13. Senator Carroll has moved the adoption of Committee
14. Amendment No. 1 to Senate Bill 319. Any discussion? If
15. not, all in favor signify by saying Aye. All opposed.
16. The Ayes have it, the amendment is adopted. Are there
17. further amendments?

18. SECRETARY:

19. Committee Amendment No. 2.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President, Ladies and Gentlemen of the
24. Senate. This is the Professional Artistic and Contractual
25. Freeze. I would move adoption of Amendment No. 2.

26. PRESIDENT:

27. Senator Carroll moves the adoption of Committee Amend-
28. ment No. 2 to Senate Bill 319. Any discussion? If not,
29. all in favor signify by saying Aye. All opposed. The Ayes
30. have it, the amendment is adopted. Are there further
31. amendments?

32. SECRETARY:

33. No further committee amendments.

1. PRESIDENT:
2. Any amendments from the Floor?
3. SECRETARY:
4. Amendment No. 3 by Senator Carroll.
5. PRESIDENT:
6. Senator Carroll.
7. SENATOR CARROLL:
8. Could you identify?
9. SECRETARY:
10. The shorter one.
11. SENATOR CARROLL:
12. Okay.
13. SECRETARY:
14. Nine hundred and forty-six thousand.
15. SENATOR CARROLL:
16. Okay. Thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. This is a reappropriation from the Nuclear
18. Safety Emergency Preparedness Fund for the Department for
19. Equipment and for Contractual Services. This is a reappropriation
20. of 1981 funds. I would move adoption of Amendment No. 3.
21. PRESIDENT:
22. Senator Carroll has moved the adoption of Amendment No. 3
23. to Senate Bill 319. Any discussion? If not, all in favor
24. signify by saying Aye. All opposed. The Ayes have it.
25. The amendment is adopted. Further amendments?
26. SECRETARY:
27. Amendment No. 4 by Senator Carroll.
28. PRESIDENT:
29. Senator Carroll.
30. SENATOR CARROLL:
31. Thank you, Mr. President, Ladies and Gentlemen of the
32. Senate. This is an add back of a hundred and nineteen thousand
33. cut in Amendment No. 1 to half fund the vacancies for a nine
34. month period. I would move adoption of Amendment No. 4.

1. PRESIDENT:

2. Senator Carroll moves the adoption...has moved the
3. adoption of Amendment No. 4 to Senate Bill 319. Any discussion?
4. If not, all in favor signify by saying Aye. All opposed. The
5. Ayes have it. The amendment is adopted. Are there further
6. amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDENT:

10. 3rd reading. We have just moved Senate Bill 317 to the
11. Order of 3rd reading. So, with leave of the Body, we'll
12. move to the Order of Senate Bills 3rd reading. On that
13. order, Senate Bill 317. There's another amendment, Senator
14. Davidson seeks leave of the Body to return that bill again
15. to 2nd reading for purposes of an amendment. Is leave
16. granted? Leave is granted. On the Order of Senate Bills
17. 2nd reading, Senate Bill 317. Mr. Secretary.

18. SECRETARY:

19. Amendment No. 6 offered by Senator Schaffer.

20. PRESIDENT:

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Mr. President and members of the Senate. I think those
24. of us who have been around here a few years remember when
25. the Department of Aging was created. There was kind of a
26. devil's compromise worked out that left the existing...Federally
27. conceived area agencies on the books because the staff was
28. there and nobody wanted to hassle anybody. As time has
29. gone on, we have decided, I think, the evidence is overwhelming
30. that these are a redundancy and a waste of money. And this
31. amendment removes them from the budget, one million, nine
32. hundred and fifty thousand dollar cut. And if you do believe
33. in holding the line on spending and getting rid of superfluous

1. programs, you have to be for this amendment. And the
2. department is for this reduction.

3. PRESIDENT:

4. All right. Senator Schaffer has moved the adoption
5. of Amendment No. 6 to Senate Bill 317. Any discussion?
6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. This is a battle that we
9. fought last...this is a battle we fought last spring as
10. to the funding of...of Area Agencies on Aging. At...at
11. that time, I was on the...on the side of...of...of...that
12. Senator Schaffer is now advocating. However, we made
13. that fight at that time, the decision was made that...that
14. Area Agencies on Aging ought to continue to be funded...
15. through the State. And...I have since had second thoughts
16. on the Area Agencies on Aging. In my own particular area, the...
17. the Area Agency on Agency...on Aging, rather, was...was, in
18. my opinion, one of the most ineptly run...organizations
19. that I had seen for quite some time. But, I...I'm convinced
20. now that under new leadership, that they have, in fact, done
21. a much better job in the last couple or three years than they
22. had done previously. And...and again, and philosophical argument,
23. the philosophical fight was made last year. The...the...the fight
24. by the Department of Aging...the Department of Aging was
25. lost by the Department of Aging and the...the time has come
26. for us to...to say that we are going to continue to fund
27. those agencies because they, in fact, do provide a very
28. viable, a very worthwhile function. And, as a result, I
29. stand opposed to this amendment at this time. I think that
30. we ought to continue to fund those Area Agencies on Aging.
31. And...and that we ought to allow them to continue in their
32. role, in their function as specified under Federal Law, by
33. the way, That's the agency that is the dispenser of services,
34. the dispenser of money to those providers in those areas and

1. I think that we ought to stand opposed to this amendment, at
2. this time.

3. PRESIDENT:

4. Further discussion? Senator Hall.

5. SENATOR HALL:

6. ...Question of the sponsor, if he'll yield.

7. PRESIDENT:

8. Sponsor indicates he'll yield. Senator Hall.

9. SENATOR HALL:

10. I want to read you, loud and clear, now, Senator Schaffer,
11. you're taking a million, nine hundred thousand dollars away from
12. Aging, Department of Aging, right?

13. PRESIDENT:

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. I'm taking it away because I think we can remove a
17. superfluous level of bureaucracy that...this is to fund
18. the bureaucracy. This isn't to help people, this is to keep
19. some people on a payroll. None of it goes to the aging.
20. I haven't met...ever met anybody from the Area Agency who
21. was over fifty-five. You know, it's a different time, last
22. year we evidently had a lot more money. This year things
23. are tough. I don't think we have the funds for an agency
24. of this type, it's a complete unnecessary expenditure.
25. The director admits it. You know, I can't believe we can't
26. cut this agency.

27. PRESIDENT:

28. Senator Hall.

29. SENATOR HALL:

30. Just..I ask a simple question. You're taking a million,
31. nine hundred thousand dollars away from Aging. Yes or No?

32. PRESIDENT:

33. Senator Schaffer.

1. SENATOR HALL:

2. I don't need all that long term discussion. Yes or No?

3. PRESIDENT:

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. I'm taking every dime away from the Area Agencies because
7. it's a waste of money and if we're going to spend it, we ought
8. to spend it on the aged, not on the bureaucrats.

9. PRESIDENT:

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. I urge support of the
13. amendment and in contravention of the observations of the
14. Honorable Senator Buzbee, it just occurs to me that his
15. comments indicate how our perspectives change as we
16. get older. There...there is...there is actually, of course,
17. no real justification to continue this bureaucracy and I
18. would urge support of Amendment No. 6.

19. PRESIDENT:

20. Further discussion? Senator Collins.

21. SENATOR COLLINS:

22. Thank you, Mr. President. I...I recall last year, I
23. was involved in that fight on the opposite side of Senator
24. Buzbee. I find it a little strange that...the Department of
25. Aging, the Director, indicated that they did not want this...
26. programs, when last year they fought so hard to keep the
27. programs. I found...not...it is not based on whether or not
28. a director says, who is appointed by the Governor and who is
29. responsible for keeping down the...the operation costs of
30. ...of a particular agency, whether or not we make a
31. determination is, in fact, there is a legitimate need there.
32. I find that these agencies are absolutely necessary to
33. deal with the problems of our senior citizens and the problem

1. ...agencies. So I would...I would oppose this amendment.

2. PRESIDENT:

3. Further discussion? Senator Marovitz.

4. SENATOR MAROVITZ:

5. Thank you, Mr. President. Will the sponsor yield?

6. PRESIDENT:

7. Sponsor indicates he'll yield, Senator Marovitz.

8. SENATOR MAROVITZ:

9. How much of this 1.9 goes to the Mayor's Office
10. of Senior Citizen and Handicapped in the City of Chicago?

11. PRESIDENT:

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. None of that. I...I'm told that is directly from the
15. Federal Government. They...that's what the staff here
16. tells me. I'm not aware that the...that is an Area
17. Agency. These are primarily located in the suburban
18. and downstate area. That's why we're so aware of how
19. little they do.

20. PRESIDENT:

21. Senator Marovitz.

22. SENATOR MAROVITZ:

23. I would...I would take...I would take issue with that.
24. I think this money is for the Mayor's Office of Senior
25. Citizen and Handicapped and I would take issue with the
26. ...the Gentleman's statement that this is funding of
27. bureaucracy, rather than funding of service. Without this
28. money and without these Area Offices, service to these
29. senior citizens would be totally disrupted. And I think
30. anybody who would say that this is just bureaucratic
31. money, is...is incorrectly...labeling what this money
32. goes for. This is money for service for senior citizens
33. for good programs in Area Agencies like the Mayor's
34. Office of Senior Citizen and Handicapped and I would

1. urge a No vote for this terrible amendment.

2. PRESIDENT:

3. Further discussion? Senator Bloom.

4. SENATOR BLOOM:

5. Well, in contradistinction to the prior speaker, there's
6. no grant money involved here, this is all bureaucrats. And
7. if you'd look at the amendment and the analyses, you'd learn
8. that.

9. PRESIDENT:

10. Further discussion? Senator Weaver.

11. SENATOR WEAVER:

12. Thank you, Mr. President. I...I think the biggest
13. comment that I've had from the senior citizens in my
14. area, in my region, is that there's too much money spent
15. on the bureaucracy and not enough money spent on the grants.
16. So, if I understand this amendment, I would tend to support
17. it.

18. PRESIDENT:

19. Further discussion? Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. To speak a second time. I
22. would point out to the Body, that under current Federal Law,
23. the State of Illinois will lose forty million dollars in
24. funds for the aging which cannot be expended by the Department
25. of Aging. It has to be expended by Area Agencies on Aging.
26. That is required under Federal Law. For us to be able to
27. receive that, pardon me, Mr. President, could I have a little
28. bit of order, this is important, I think. For us to receive
29. that forty million dollars to make up some of the deficit
30. that the Illinois taxpayers pay into the Federal Government,
31. and we do not receive back. That fifty or sixty cents on
32. the dollar that we pay in and receive back to the Federal
33. Government. In other words, for every one dollar we pay in

1. we receive back something like fifty or sixty cents. This
2. is one chance to receive forty million dollars back from
3. the Federal Government, but it has to be done through
4. Area...Agencies on Aging. That is a requirement under
5. Federal Law. It cannot be expended through the Department
6. of Aging. It has to be received through the Area Agencies
7. on Aging. And to receive that forty million dollars, we
8. have to appropriate the 1.9 million dollars of State
9. dollars. If we don't do that, we...we lose the forty
10. million. Now, I'm not one of those that advocates, let's
11. chase the Federal buck just for the...for the opportunity
12. to chase the Federal buck. But let's face it, Illinois
13. is in dire financial straits. Illinois is getting the
14. short end of the stick from the Federal Government. Our
15. Governor continues to run to Washington everyday, every
16. week he goes to Washington, to tell the President and
17. the Congress what a great deal it is for Illinois to
18. keep taking it in the...chin. Here is one opportunity
19. for us to retrieve forty million dollars of our taxpayer
20. dollars, but it has to go to Area Agencies on Aging under
21. Federal Law. If we adopt this amendment, we will increase
22. that deficit that the Illinois taxpayers pay into the
23. Federal Government and do not receive services back. I
24. advocate this is a terrible amendment and ought to
25. be...defeated.

26. PRESIDENT:

27. Further discussion? Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. The distinguished Senator who
30. just spoke is close, but he's wrong. The Area Agencies are
31. still in place, the mechanics to receive all Federal monies
32. are still in place, it will not alter the forty million dollars
33. or whatever comes from the manna of Washington. And I see

1. you nodding your head in somewhat of an agreement. There is
2. no basic problem except picking up a million nine in General
3. Revenue and the Area Agencies are still in place, but cut
4. down to the monetaring function of what things are all
5. about and I happen to be an aged person in an aging business
6. and I think that the Governor and Director Blase agree
7. that this will not interfere with the flow of any
8. Federal funds and so I would take exception, Senator, to
9. your remarks. Thank you.

10. PRESIDENT:

11. Further discussion? Senator Marovitz. Further discussion?
12. Senator Schaffer may close.

13. SENATOR SCHAFFER:

14. Well, I think my experience has been that these agencies
15. spend most of their time justifying their own existence and
16. finding ways to get themselves bigger salaries. If we can
17. eliminate the State support of this useless level of bureaucracy
18. ...well, I don't know. I find Senator Buzbee's logic intriguing
19. and I suspect I'll be able to use it in debate on a few of
20. his amendments in the future. But certainly this is an amend-
21. ment that should go on. This is a cut we can and should make
22. in the interest of defending the taxpayers' dollars here in
23. Illinois.

24. PRESIDENT:

25. Senator Schaffer has moved the adoption of Amendment No. 6
26. to Senate Bill 317. Those in favor of the amendment will vote
27. Aye. Those opposed will vote Nay. The voting is open. Have
28. all voted who wish? Have all voted who wish? Have all voted
29. who wish? Have all voted who wish? Take the record. On that
30. question the Ayes are 28, the Nays are 28, none Voting Present.
31. The amendment fails.. Further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. On the Order of Senate Bills 2nd reading,
3. Senate Bill 308. Well...On the Order of Senate Bills 2nd
4. reading, pardon me Sir. I didn't hear the Gentleman say any-
5. thing. Senator Schaffer. Pardon me, Sir.

6. SENATOR SCHAFFER:

7. Let's verify...if we can, the negatives.

8. PRESIDENT:

9. Senator Schaffer has requested a verification of
10. which roll call?

11. SENATOR SCHAFFER:

12. ...The...the last amendment. The negative.

13. PRESIDENT:

14. The affirmative roll call, apparently.

15. SENATOR SCHAFFER:

16. The negative. The negative votes, Mr. President.

17. PRESIDENT:

18. Oh, the negative roll call. All right. Senator Schaffer
19. has requested a verification of the negative roll call. Will
20. the members please be in their seats. Mr. Secretary, read
21. the negative roll call.

22. SECRETARY:

23. The following voted in the negative; Berman, Bruce,
24. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,
25. Demuzio, Egan, Gitz, Hall, Johns, Jerome Joyce, Lenke, Marovitz,
26. McLendon, Nash, Nedza, Nega, Netsch, Newhouse, Sangmeister,
27. Savickas, Taylor, Vadalabene, Mr. President.

28. PRESIDENT:

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Mr...President, is Senator D'Arco here?

32. PRESIDENT:

33. Senator D'Arco on the Floor? Senator D'Arco on the Floor?
34. Strike his name, Mr. Secretary.

1. SENATOR SCHAFFER:
2. Mr. President, is Senator Degnan here?
3. PRESIDENT:
4. Senator Degnan on the Floor? Senator Degnan on the
5. Floor? Strike his name, Mr. Secretary.
6. SENATOR SCHAFFER:
7. Is Senator Egan here? Pardon me...Senator Lemke.
8. PRESIDENT:
9. Senator Lemke on the Floor? Senator Lemke on the Floor?
10. Strike his name, Mr. Secretary.
11. SENATOR SCHAFFER:
12. Senator Newhouse.
13. PRESIDENT:
14. Senator Newhouse on the Floor? Senator Newhouse is on the
15. Floor.
16. SENATOR SCHAFFER:
17. Jeremiah Joyce.
18. PRESIDENT:
19. Senator Joyce on the Floor? Understand he was not
20. recorded. Senator Savickas, for what purpose do you arise?
21. SENATOR SAVICKAS:
22. I'd like a verification of the affirmative vote.
23. PRESIDENT:
24. That request is in order. Mr. Secretary, Senator
25. Savickas has requested a verification of the affirmative
26. votes. Read the affirmative roll call, Mr. Secretary.
27. SECRETARY:
28. The following voted in the affirmative; Becker, Berning,
29. Bloom, Coffey, Davidson, DeAngelis, Etheredge, Friedland,
30. Geo-Karis, Grotberg, Keats, Kent, Mahar, Maitland, McMillan,
31. Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Shapiro...
32. Simms, Sommer, Thomas, Totten, Walsh, Weaver.
33. PRESIDENT:

1. Question the presence of any member, Senator Buzbee?
2. SENATOR BUZBEE:
3. Yes, Senator Bloom.
4. PRESIDENT:
5. On the Floor, in his seat.
6. SENATOR BUZBEE:
7. Senator Friedland.
8. PRESIDENT:
9. On the Floor, in his seat.
10. SENATOR BUZBEE:
11. Senator Sommer. Senator Shapiro.
12. PRESIDENT:
13. I don't think Shapiro...Senator Shapiro was recorded.
14. SENATOR BUZBEE:
15. Senator Keats.
16. PRESIDENT:
17. All right. The roll has been verified. On that
18. vote there are 28 Ayes, 25 Nays, Amendment No. 6 is
19. adopted. Are there further amendments?
20. SECRETARY:
21. No further amendments.
22. PRESIDENT:
23. 3rd reading. Senator Bruce.
24. SENATOR BRUCE:
25. Thank you, Mr. President. I would move that we adjourn
26. until the hour of nine o'clock tomorrow morning.
27. PRESIDENT:
28. Heard the motion. All in favor signify by saying Aye.
29. All opposed. The Senate stands adjourned until nine o'clock
30. tomorrow morning.
- 31.
- 32.
- 33.